

## SECTION 1 – MAJOR APPLICATIONS

Item No. 1/01

Address: ANMER LODGE, COVERDALE CLOSE & STANMORE CARPARK, DENNIS LANE, STANMORE,

Reference: P/0412/14

Description: REDEVELOPMENT OF ANMER LODGE & STANMORE CAR PARK SITE IN FOUR BLOCKS OF VARIOUS HEIGHTS: BLOCK A TO PROVIDE 1,692 SQ. M (GROSS) FOOD RETAIL STORE (CLASS A1) WITH ANCILLARY CAFÉ AND 3-5 STOREYS OF FLATS OVER; BLOCK B TO PROVIDE MULTI STOREY CAR PARK AND 3-4 STOREYS OF FLATS OVER; BLOCK C TO COMPRISE 3-6 STOREYS OF FLATS WITH UNDERCROFT PARKING; BLOCK D TO COMPRISE 2-4 STOREYS OF HOUSES AND FLATS WITH SURFACE CAR PARKING. BASEMENT CAR PARK BELOW BLOCKS A & B. TOTAL 120 DWELLINGS (CLASS C3) (RESIDENT PERMIT RESTRICTED); 294 CAR PARKING SPACES (COMPRISING 151 REPLACEMENT SPACES, 50 SPACES FOR THE FOOD STORE AND 93 SPACES FOR RESIDENTS), 8 MOTORCYCLE SPACES AND 144 CYCLE SPACES. ACCESS FROM DENNIS LANE AND COVERDALE CLOSE. PROPOSAL ALSO INCLUDES COMBINED HEAT & POWER PLANT; LANDSCAPING & ROOF GARDENS; DIVERSION OF WATER CULVERT; WORKS TO PROVIDE TEMPORARY REPLACEMENT TOWN CENTRE CAR PARK (MINIMUM OF 151 SPACES) AND DEMOLITION OF ANMER LODGE.

Ward: STANMORE PARK

Applicant: NOTTING HILL HOME OWNERSHIP

Agent: NATHANIEL LICHFIELD & PARTNERS

Case Officer: PETER BARRON

Expiry Date: 1<sup>ST</sup> JULY 2014

### RECOMMENDATION A

**GRANT** planning permission subject to conditions, referral to the Greater London Authority (GLA) and the completion of a section 106 Planning Obligation by 1<sup>st</sup> July 2014. Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 Planning Obligation and to agree any minor amendments to the conditions or the Planning Obligation. The section 106 Planning Obligation Heads of Terms cover the following matters:

#### **Affordable Housing**

1. Provision of a minimum of 50 homes on the site as affordable homes, together with

mechanisms for the review of financial viability and for recycling the grant subsidy;

### **Transport and Highways**

2. A financial contribution of £280,000 to fund off-site highway mitigation works;
3. A commitment that the developer will investigate to the Council's satisfaction and, if appropriate, implement a car club scheme at the site;
4. A commitment that the occupier of the retail store will submit for approval, implement and monitor a Workplace Travel Plan;
5. A commitment that the developer will submit for approval, implement and monitor a Residential Travel Plan;
6. Arrangements to be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a residents' parking permit within the Controlled Parking Zone;

### **Open Space**

7. A commitment by the developer that the central square will be retained as public open space in perpetuity;

### **Children and Young People's Play Space**

8. A financial contribution of £5,700 to fund off-site provision of/improvements to play facilities for children aged 12+;

### **Employment and Training**

9. A financial contribution of £87,500 to fund local employment and training programmes;
10. A commitment that the occupier of the retail store will implement its own policy local recruitment or, in the absence of a policy that is satisfactory to the Council, bespoke arrangements for local recruitment practice to be agreed, and that the occupier of the retail store will participate in local jobs fairs;
11. A commitment that the developer will endeavor to use local suppliers and apprentices during construction;

### **Drainage**

12. A financial contribution of £10,000 to fund the future maintenance liability to the Council of the new section culvert beneath the public highway;

### **Legal and Administration**

13. A commitment that the applicant will pay a sum to reimburse the Council's legal costs associated with the preparation of the Planning Obligation; and
14. A commitment that the applicant will pay a sum to reimburse the Council's administration costs for monitoring compliance with the Planning Obligation.

## **RECOMMENDATION B**

That if the section 106 Planning Obligation is not completed by 1<sup>st</sup> July 2014 then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning for the following reason:

1. The proposed development, in the absence of a Planning Obligation to provide affordable housing within the development; to fund the provision of infrastructure directly related to the development; and to provide necessary commitments in relation to the provision of open space on the site, travel planning, economic development and

legal/administrative matters, would fail to secure the provision of affordable housing on the site and would fail to adequately mitigate the impact of the development on the wider area, contrary to the National Planning Policy Framework, Policies 3.11 and 8.2 of the London Plan, Policies CS1 J, CS1 Z of the Harrow Core Strategy, Policies DM11, DM19, DM43, and DM50 of the Harrow Development Management Policies Local Plan document, and the provisions of Harrow's Planning Obligations supplementary planning document.

## **BACKGROUND & EXECUTIVE SUMMARY**

This a full planning application for the redevelopment of a 0.95 hectare site comprising the town centre car park and the former Anmer Lodge elderly persons' home/day centre, Stanmore. The car park is located to the south of the site and is accessed principally via an existing service road from Dennis Lane. Anmer Lodge occupies the north part of the site and is accessed via Coverdale Close from Stanmore Hill.

During the preparation of Harrow's Local Plan the site was promoted for inclusion in the Site Allocations document as a development site. Informed by a Retail Study, the Council included the site as one for retail-led mixed use redevelopment to provide a food store, new homes and community uses. Following formal stages of public consultation and independent Examination in Public, the Site Allocations Local Plan document was adopted as part of Harrow's statutory development plan in 2013. Anmer Lodge and Stanmore Car Park are therefore allocated for redevelopment as Site R4 in the Local Plan.

During 2013 the applicant entered into a Planning Performance Agreement with the Council, allowing for extensive pre-application discussions with Council Officers and the Greater London Authority. The applicant also carried out a number of public consultation events with residents, local traders and other interested parties in Stanmore. Details of the public consultation events and their outcome are documented in a Statement of Community Involvement submitted with the application. The evolution of the proposals in response to pre-application discussions and public consultation are documented in a Design and Access Statement submitted with the application.

The subject planning application proposes the comprehensive redevelopment of the site to provide a new retail store, replacement and additional car parking, and 120 new homes. The proposal would create new streets through the site and four blocks of development. Blocks A & B, to the south of the site, would accommodate the retail store and car parking with residential accommodation above. There would also be a basement car park in this part of the site. Blocks C & D would occupy the north part of the site and would be entirely residential, including 6 houses as well as flats, and an undercroft car parking area for future occupiers.

Vehicular access to the south part of the site would be continue to be principally via the existing service road from Dennis Lane, whilst the north part of the site would continue to take its access from Stanmore Hill via Coverdale Close. An enclosed loading bay would be accommodated at the rear of the proposed retail store, accessed via Coverdale Close from Dennis Lane.

Recognising the extent of local interest in the proposed development the Council has sent notifications of the application to the owners/occupiers of 1,348 addresses around the site and the wider area. The responses to the consultation are documented and considered in this report.

The planning application has been assessed in accordance with the relevant provisions of the development for Harrow, which comprises the London Plan, the Harrow Core Strategy and the Site Allocations and Development Management Policies Local Plan documents, and other material considerations including the National Planning Policy Framework (NPPF), the Mayor of London's supplementary planning guidance (SPG) and local supplementary planning documents (SPD). An in-principle framework for the redevelopment of the site has been stashed in the Local Plan and the proposal would deliver the principal components identified in the allocation of Site R4. The development would deliver additional retail floorspace and contribute to Harrow's housing supply, including the provision of affordable housing in accordance with the Local Plan and would bring local economic, environmental and infrastructure benefits as set out in this report.

The traffic and transport impacts of the development have been appraised by the applicant and are set out in the submitted Transport Assessment. Council Officers have scrutinised the Assessment and a package of mitigation measures, to be funded from the development, are proposed.

The proposal would achieve a high standard of design and layout and the impacts upon surrounding properties is considered to be acceptable. The development would create a new 'Lifetime Neighbourhood' meaning that inclusive access for all has been considered and addressed throughout the development and is not just limited to the provision of Lifetime and wheelchair adaptable homes. The proposal would make a positive new addition to Stanmore's townscape and character and would not adversely affect nearby conservation areas or protected views.

10. To conclude it is considered that, subject to mitigation, controls and details that are necessary and can be secured through a section 106 Planning Obligation and conditions of planning permission, the proposed development is acceptable and should be supported. In accordance with the NPPF, including its presumption in favour of sustainable development, and subject to the completion of a satisfactory section 106 Planning Obligation, it is recommended that the application be approved without delay.

#### **INFORMATION:**

This application is reported to the Committee as the number of residential units and floorspace proposed falls outside of the thresholds (six units and 400 sq m respectively) set by category 1(d) of the Council's Scheme of Delegation for the determination of new development.

**Statutory Return Type:** Largescale Major Development

**Council Interest:** Yes

**Gross Floorspace:** 18,640 square metres

**Net additional Floorspace:** 16,914 square metres

**GLA Community Infrastructure Levy (CIL) Contribution (provisional):** £652,400.00

**Harrow CIL:** £1,343,340.00

#### **Site Description**

- the application site is an irregularly shaped 0.95 hectare backland plot behind the retail parades on the north side of The Broadway, Stanmore
- the whole of the application site is allocated in the Harrow Local Plan for retail-led redevelopment; the allocation provides for retail floorspace (potential 2,000 square

metres), residential use (105 homes) and community use

- site levels rise from south to north across the site (approximately 4 metres)
- the north part of the site (approx 0.6 hectares) is occupied by the single/two storey buildings and grounds of the former Anmer Lodge elderly persons' care home and day centre/temporary homeless persons' hostel (now vacant)
- access to the north part of the site is from Stanmore Hill via Coverdale Close/Rainsford Close
- the south part of the site (approx. 0.35 hectares) is a surface level car park with 151 spaces allocated/leased to the following users: Lidl (100 spaces); Norwood (28 spaces); Expotel (12 spaces); Sheppard (2 spaces); LBH public pay & display (9 spaces)
- access to the south part of the site is from Dennis Lane via the existing service road to the rear of shops in The Broadway
- the south part of the site is within the boundary of Stanmore district centre and part of the centre's designated primary shopping area in the Harrow Local Plan
- the site is bounded to the east by the rear gardens of nos. 5-12 Dennis Gardens and nos. 17-22 Laburnum Court, and a communal parking/garage court to Laburnum Court; both Dennis Gardens and Laburnum Court comprise purpose built maisonettes within two storey buildings
- the site is bounded to the north by Rainsford Close, a development of two storey terraced houses and a three-storey block of flats; no. 14 Rainsford Close adjoins the application site all others are separated by the public highway
- the site is bounded to the west by Stanmore Library's staff car park (access from Coverdale Close) and a private car park (access from the existing town centre service road)
- the site is bounded to the south by the existing town centre service road from Dennis Lane
- the parades fronting the north side of The Broadway comprises two and three terraces with retail/commercial uses at ground floor level and (mainly) residential use above; the spaces behind the parades typically provides parking and servicing for the parades and access to the upper floor residential premises
- the service road is linked to The Broadway by two 'alleyway' gaps between the parades: one between nos. 30 & 32 (the 'west alleyway') and one between nos. 50 & 52 (the 'east alleyway'); both provide vehicular and pedestrian access although the east alleyway has formally segregated footways and is one-way only (no access from The Broadway)
- there is a disused footway that runs from the car park and around the east side of Anmer Lodge to Rainsford Close; this footway is currently closed-off and is not a public right of way
- there is a direct footpath link between Rainsford Close/Coverdale Close to Stanmore Hill (along the north side of Stanmore Library) and access to Stanmore Recreation Ground is via Coverdale Close
- there are 57 trees (various species) and 2 Cypress hedges on the application site; only 1 tree is protected by a Tree Preservation Order (TPO) – this is the Wellingtonia tree in the north west corner of the site
- the site has a public transport accessibility rating of 2 at its north edge and 3 at its south edge; the nearest bus stops in The Broadway are served by local bus routes 340, H12, 142 and 324; the Stanmore Station terminus of the Jubilee Underground line is located 490 metres to the east along London Road

## Proposal Details

### Headline Proposals

- full planning application for comprehensive redevelopment to deliver a food retail store, 120 new homes and 294 car parking spaces
- development would comprise 4 separate blocks:
  - Block A would comprise a 1,692 (gross) square metre retail store on the ground floor and 3 to 5 storeys of residential accommodation (38 flats) over; max. building height circa 23 metres
  - Block B would comprise a multi storey car park and 3-4 storeys of residential accommodation (27 flats) over; max. building height circa 20 metres
  - Block C would comprise an undercroft car park and 3-6 storeys of residential accommodation (35 flats); max. building height circa 20 metres
  - Block D would comprise 3-4 storeys of residential accommodation (14 flats) and a terrace of 2 & 3 storey houses (6 dwellings); max. building height circa 13 metres
- a basement car park would be created underneath Blocks A & B

### Summary of Parking Provision

- 294 car parking spaces in total – 201 commercial and 93 residential
- 134 spaces in basement car park and 61 spaces within lower deck of/surface car park adjacent to multi-storey car park – access via existing town centre service road
- 21 spaces in the undercroft car park, 44 spaces in the upper deck of the multi-storey car park and 34 surface spaces throughout the north part of the site – access via Coverdale Close and Rainsford Close
- 8 motorcycle and 144 cycle parking spaces also proposed
- all existing car park leaseholders would be re-provided
- a temporary car park would make provision for at least 151 spaces during construction

### Summary of Uses/Units

- the retail store would have a net sales area of 818 square metres including an ancillary café; the applicant has indicated that the opening hours could be 08:00-21:00 Monday to Friday and six hours between 10:00 and 17:00 on Sundays
- the overall proposed residential mix would be as follows:

| Block        | Flats     |           |          | Houses   |          | Total Units | %     |
|--------------|-----------|-----------|----------|----------|----------|-------------|-------|
|              | 1 bed     | 2 bed     | 3 bed    | 3 bed    | 4 bed    |             |       |
| <b>A</b>     | 21        | 14        | 3        | -        | -        | <b>38</b>   | 31.5% |
| <b>B</b>     | 10        | 17        | 0        | -        | -        | <b>27</b>   | 22.5% |
| <b>C</b>     | 9         | 23        | 3        | -        | -        | <b>35</b>   | 29%   |
| <b>D</b>     | 5         | 6         | 3        | 3        | 3        | <b>20</b>   | 17%   |
| <b>Total</b> | <b>45</b> | <b>60</b> | <b>9</b> | <b>3</b> | <b>3</b> | <b>120</b>  | -     |
| %            | 37.5%     | 50%       | 7.5%     | 2.5%     | 2.5%     | -           | 100%  |

- 23 of the flats in Block A and all 27 flats in Block B would be made available as shared ownership (i.e. intermediate affordable) homes
- the total number of affordable homes would therefore be 50, representing a proportion of 41.6%
- the proposed affordable housing mix would be 21 x one-bedroom flats and 27 x two bedroom flats

### Summary of Layout, and Access

- Blocks A & B would occupy the south part of the site and Blocks C & D would occupy the north part of the site
- the proposed layout would introduce a new north-south street between the existing town centre service road and Rainsford Close, and a new access road from Coverdale Close dropping down the western side of the north part of the site and then turning to east across the centre of the site
- the purpose of the proposed layout is to divide the site into four segments – one for each proposed block – and to create a distinct commercial/mixed use and residential character zones
- the new north-south street would separate the proposed retail store (which would front the new street) and the multi-storey car park; this section would be for pedestrian access only; the retail store would have a dedicated loading bay located to the north west corner of the store and accessed from Stanmore Hill via Coverdale Close
- the residential components of Blocks A & B would sit atop the retail and multi-storey car park respectively and would have a north-south axis (i.e. with principal elevations facing east and west); the access cores for both blocks would be on their north sides; they would each have three storeys of accommodation at their southern end increasing to five and four storeys respectively at their northern end
- Block C would occupy the north-west segment and would use the change in site levels to accommodate the undercroft car parking area; broadly speaking it would have a 'U' plan-form resulting in a central courtyard and multiple access cores; it would have six storeys at its southern end reducing (through site levels and building design) to three storeys at its northern end
- Block D would occupy the north-east segment of the site and would have a broadly north-south alignment; its southern end would be a block of flats (three and four storeys) with a terrace of houses (alternate two and three storey houses) beyond
- the section of north-south street between Blocks C & D would be shared surface and, for traffic, one-way (from Rainsford Close into the site)
- the east-west section of the new access road would create a 'crossroads' where it meets the proposed north-south street; this crossroads would form a new central square at the centre of the development and as a setting for the highest components of each of the proposed blocks

### Summary of Levels

- the basement car park would form a platform for the retail store and multi-storey car parks; the platform would be approx. 1 metre above the level of the existing town centre service road, necessitating steps and a ramp at the southern end of the new north-south street
- levels would be graded across the remaining part of the new north-south street and across the new access road, to meet existing levels where they meet Rainsford Close/Coverdale Close respectively

### Summary of Materials/External Appearance

- all of the blocks would have a modern appearance with flat roofs to all components of all blocks
- the elevations would be articulated by inset sections, recessed and projecting balconies and floor-to-ceiling and conventional windows
- where there are blank areas to the elevations (e.g. the bin stores) it is proposed to utilise decorative brickwork panels

- the principal material would be brick – light in colour – but with a contrasting (dark) colour brick, cladding or metal panels to e.g. inset areas and feature panels etc
- a mix of coloured glazed screens and ‘hit and miss’ brickwork would be used to enclose the balconies
- the proposed multi-storey car park would have open vents on all sides to be screened with panels (materials to be agreed) and/or climbing plants

#### Summary of Amenity, Landscaping and Public Realm

- all of the flats would have their own private balconies
- Blocks A & B would have ‘podium’ communal gardens on the roofs of the proposed retail store and multi-storey car park respectively
- Block C would have a communal courtyard garden above the undercroft parking area; the flatted part of Block D would have a traditional communal garden to the rear
- the TPO-protected Wellingtonia tree would be retained but all other trees within the site boundary are proposed for removal
- the proposal would make provision for street tree and other public realm planting throughout the site

#### **Revisions to Application following submission**

Council officers have maintained a positive and constructive with the applicant during the course of the planning application to address matters arising from the appraisal of the application proposals. As a result of this dialogue the following information has been received:

- clarification that the amount of affordable housing offered is the maximum reasonable amount;
- the recruitment, employment and training policy of the proposed retail occupier;
- various minor corrections and clarifications to the Design and Access Statement and Planning Statement;
- suggested protection measures for the TPO-protected Wellingtonia tree;
- an Ecology Report and details of potential site protection and enhancement measures;
- revised drawings to correct minor drafting inconsistencies, to clarify the parking layout, to ensure that all flats capable of being dual aspect are made so, to show adequate bin storage and to provide details in connection with Lifetime Homes requirements/general accessibility issues;
- clarification of the anticipated behaviour of surface water within/through the site and a consequent minor amendment to one proposed residential unit;
- clarification and confirmation of the arrangements for surface water drainage systems and the use of green roofs;
- clarification of the arrangements for managing excessive heat in relation to the Cooling Hierarchy;
- confirmation that the CHP gas boilers will meet Mayoral SPG efficiency standards;
- clarification of points arising in the submitted air quality assessment and ventilation statements;
- clarification of points arising in the submitted noise report and confirmation of the proposed hours of delivery to the retail store;
- confirmation that the applicant has been in discussions with Thames Water regarding foul water drainage;
- confirmation that the units will comply with London Plan minimum space standards



and related Mayoral SPG internal standards

- further information on daylight/sunlight to the proposed units;
- confirmation that the hedge rear of Laburnum Court will be retained and that the roof terraces of the proposed houses can be fitted with appropriate privacy screens.

In addition there has been an on-going dialogue between the applicant and the Council's Drainage Team in connection with the proposed diversion of the existing culvert through the site resulting in some further survey and other technical information.

It is considered that the above clarification, confirmation, correction and additional information is all non-material in nature and does not necessitate any further public consultation.

### **Environmental Impact Assessment**

At the request of the applicant, the Council issued a screening opinion pursuant to the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 (as amended) on 26<sup>th</sup> November 2013. The opinion concludes that the proposed development is not EIA development.

### **Relevant History**

#### Anmer Lodge

- LBH/5802: Erection of Old Persons' Home; granted 19<sup>th</sup> January 1971
- EAST/809/99: Change of Use: Residential Care Home for the Elderly to Residential Hostel (Class C2 to Sui Generis) with Alterations to Entrance of Daycare Centre; granted 25<sup>th</sup> October 1999
- P/2598/03: Variation of Condition 2 of Planning Permission EAST/809/99 to Allow Hostel Use to Continue to 1<sup>st</sup> February 2007; granted 13<sup>th</sup> February 2004
- P/2731/06: Variation of Condition 2 of Planning Permission EAST/809/99 to Allow Hostel Use to Continue to 1<sup>st</sup> February 2008; granted 1<sup>st</sup> December 2006
- P/3852/07: Variation of Condition 2 of Planning Permission EAST/809/99 to Allow Hostel Use to Continue to 1<sup>st</sup> February 2011; granted 28<sup>th</sup> January 2008; including the following condition:
  1. The use hereby permitted shall be discontinued and the land restored to its former condition no later than 1st February 2010, unless otherwise agreed in writing by the local planning authority before the expiration of the permission, in accordance with a scheme of work submitted to, and approved beforehand by, the local planning authority.  
REASON: To safeguard the amenity of neighbouring residents and to permit reconsideration in the light of circumstances thus prevailing.

#### Car Park

- LBH/6856/2: Use of Land as Public Car Park (outline); granted 16<sup>th</sup> July 1973
- LBH/17397: Erection of Extension to Multi-Storey Car Park; granted
- LBH/18431: Erection of Extension to Multi-Storey Car Park; granted 8<sup>th</sup> January 1981
- EAST/978/02: Demolition of Existing Multi-Storey Car Park, Replacement Temporary Surface Level Car Park (in association with existing adjacent car park), Boundary Fencing, Height Barrier and Portacabin; Revised Access; granted 14<sup>th</sup> October 2002
- P/2621/04: Demolition of Multi-Storey Car Park and Replacement with Combined Surface Level Car Park with Fencing and Access; granted 10<sup>th</sup> December 2004

## **Pre-Application Discussion (Ref.)**

HA\2012\ENQ\00171: Commercial ground floor, residential and car park

### **Applicant Submission Documents**

- Application Form
- Location Plan; Site Plan; Existing and Proposed Floorplans and Elevations

### General Planning Reports

- Planning Statement (incorporating the Affordable Housing Statement)
- Design & Access Statement
- Daylight, Sunlight and Shadow Assessment
- Landscape Strategy
- Tree Survey & Proposed Tree Retention/Removal
- Statement of Community Involvement

### Transport Reports

- Transport Assessment
- Transport Assessment Figures 1-39 and Appendices A-E
- Transport Assessment Figures 1-39 and Appendices F-H
- Framework Travel Plan
- Framework Residential Travel Plan

### Environmental Reports

- Noise Assessment
- Odour Impact Assessment
- Air Quality Assessment
- Code for Sustainable Homes
- Energy Strategy Report
- Addendum to Energy Strategy Report
- Utility Statement
- Ventilation/Extraction Statement
- Car Park Ventilation Statement
- Flood Risk Assessment

### Greater London Authority (GLA) (conclusions)

London Plan policies on the principle of development, housing, urban design, inclusive access, sustainable development and transport are relevant to this application. The application complies with the majority of these policies and is broadly supported but further information is needed in order to fully comply with the London Plan. The potential remedies to issues of non-compliance are set out below:

- **Principle of development:** The principle of a mixed use development on this vacant town centre site is strongly supported in strategic terms.
- **Housing:** Whilst the density, residential quality and children's playspace are all broadly supported subject to further information, strategic concern is raised with respect to the affordable housing offer and tenure, and a number of questions are raised on the viability appraisal.
- **Urban design:** Whilst the appearance, massing and height of the scheme are supported, a number of issues have been highlighted with the layout and quality of the public as a result of the significant quantum of car parking and lack of active ground floor uses. These issues should be addressed before the application is referred back

at stage two.

- **Children's playspace:** The detail provided is broadly acceptable subject to a more detailed on-site play strategy and assessment of open space provision in the area.
- **Inclusive access:** The application lacks details to demonstrate how the scheme incorporates principles of inclusive design.
- **Climate change:** A reduction of 103 tonnes of CO2 per year in regulated emissions compared to a 2010 Building Regulations compliant development is expected, equivalent to an overall saving of 44%. The carbon dioxide savings expected exceed the targets of London Plan Policy 5.2, although more information is required at stage two to verified these figures.
- **Transport:** TfL has identified several strategic transport priorities in the local area as detailed in the main body of this report. Further discussion is required to ensure compliance with the transport policies of the London Plan.

#### English Heritage

No observations

#### Stanmore Chamber of Trade

The Chamber of Trade does not object in principle but there are a number of key points which must be addressed for the good of Stanmore and its traders in the future. These are (summarised):

- section 106 money should be ring fenced for Stanmore (pavements, flower beds, lamp posts, traffic crossing, railings, safety of all pedestrian crossings, funding allocation to the Chamber of Trade, marketing campaign, events sponsoring, signage and road markings/signage);
- the service roads are not wide enough to cope with increased traffic flow and pedestrian access to the western alleyway is not viable, parking spaces on the service road should not be taken away;
- blocks too high – misrepresented on diagrams/projections - loss of light to flats above shops;
- concerned about distance between proposed store and shops;
- traffic flows will lead to grid-lock on Wood Lane and Dennis Lane especially;
- adequate signage and advertising to be in place during phase one;
- café should have an internal presence only – outdoor seating will create an area for people to congregate and take people away from the high street shops;
- what signage/marketing campaign to be put in place during construction?

#### Environment Agency

No response received

#### Affinity Water

No response received

#### Thames Water Utilities

No response received

#### Metropolitan Police Crime Prevention Design Officer

No response received

#### LBH Housing Team

No response received

Environmental Health

No response received

Public Realm Officer

No response received

Climate Change and Waste Officer

No response received

Drainage Team

No objection subject to conditions.

Biodiversity Officer

No objection subject to conditions

Landscape Officer

Detailed comments on various aspects of the landscape strategy.

Tree Officer

My main concerns are:

1) The cumulative effect of incursion into the RPA (root protection area) of the TPO Wellingtonia, from level changes, excavation, installation of hardstanding is likely to be detrimental and could threaten the long term retention

2) New permanent hardsurfacing should not exceed more than 20% of previously uncovered ground within the RPA (permeable and non-permeable). Under the proposals the remaining area of uncovered ground within the TPO tree's RPA, would be replaced with hardsurfacing. This is considered unacceptable unless it can be demonstrated that it is achievable without adverse impact on the retained tree. It's not possible to fully assess the impact as no arb. Implications assessment has been provided to accompany the tree survey

**Advertisement & Site Notices**

Major Development, Character of a Conservation Area and Departure from the Development Plan - Harrow Observer 13<sup>th</sup> February 2014 (Expiry: 6<sup>th</sup> March)

On 7<sup>th</sup> February 2014 site notices were posted at 20 different locations at and around the site (Expiry: 28<sup>th</sup> February 2014)

**Notifications**

Sent: 1,348

Replies: 58 (including 1 petition received Dec 2013)

Expiry: 7<sup>th</sup> March 2014

**Extent of Consultation**

On 7<sup>th</sup> February 2014 notification letters were sent to the owners/occupiers of properties over a wide area surrounding the site. The notification letters gave a 28 day response period.

In addition to online publication of the application drawings and documents via the

Council's website, an additional bespoke website was prepared to host the application and a hard copy of the application was placed on-deposit at Stanmore Library.

## **Summary of Responses – residents/individuals**

### **Rt. Hon Bob Blackman M.P.**

I am objecting to the proposed redevelopment of this site in respect of the housing provision. I have the following objections:

1. the number of dwellings proposed is excessive and should be scaled back from 120 to the original proposal of 105.
2. The development has a far higher density than the surrounding properties.
3. The increased number of proposed dwellings will increase the volume of traffic to the dwellings, require additional car parking and have a detrimental effect on the surrounding residents.
4. Traffic flows on Stanmore Hill/Broadway and surrounding roads are already extremely slow with major traffic congestion.
5. I understand that the access will via Stanmore Hill & Coverdale Close. This is an extremely narrow road with existing parking problems for residents and shopkeepers who need access.

I have no objection to the proposed M&S supermarket.

### **Councillor Amir Moshenson**

I urge the Planning Committee to object to the proposed application given the significant adverse impact it would have on the amenity of local residents and especially in as much as traffic, size and impact on local residents are concerned as detailed below: (summarised)

1. Massive impact on parking in the area; the applicant underestimates the amount of car usage; the existing car park and Sainsbury's car park are already full to capacity; assumption that shoppers would prefer public transport is unrealistic; parking for residents at lower end of scale and will force residents to park on street; Committee should draw parallels to Hitchen Lane development.
2. Impact on traffic under-assessed; figures presented in application are unreasonable and contradicting; seems applicant is limiting the travel to the impact of the additional shop, ignoring other statements of increased footfall; very optimistic assumptions about the number of people who would walk or use alternative transport (to the car).
3. Additional trips would be significant; the junction is already heavily congested and every trip generated would have to go through it so the impact would be significant; queues in all directions already can't be resolved by rephrasing the lights.
4. The development is overcrowded and disproportionate to the area; the character of Stanmore Broadway is a village; adding oversized blocks would draw from the current character.
5. The development borders residential homes; proposed development would tower over gardens and properties infringing privacy.

I urge the Planning Committee to object to the development and demand a reduction in size and that better traffic resolutions are proposed.

### **Conservation Areas Advisory Committee**

This would be visible from Stanmore Hill and across the park. The height means it will have an overbearing visual impact on the conservation area. The existing buildings are

low and allow the impression of countryside.

The park provides more emphasis to the end of urbanism in this area. The streetscene has the tall buildings and anything beyond that is below the height of those building. This though would be a massive block.

There are two service roads going beyond the row of shops so you can get a glimpse that the land is rising but it is green and trees and low housing (2 stories and peaked roofs) so you do not feel that the city is trespassing further. There are concerns with traffic generation and lack of parking relative to the proposed development.

Block C is two stories too high. The setting of the conservation area would not be enhanced by something that high so close. It would penetrate right into views. With things so high already so close this would add insult to injury.

We understand the need to provide additional housing but there are still sensitivities about where and how many. Trying to put all of this into one area is not the way forward. It would just put all the social problems in one location.

This would not enhance the lives of those nearby it does nothing for social cohesion for the life of this building. We really object to the 5 and 6 storey elements. This would insult the conservation area from afar. Three stories may be OK. But this quantity however designed is not appropriate.

What sort of number of people would enter into these buildings as owners set apart from the shop which will attract many people every day? It would be beyond what should be done.

There are similar approved proposals nearby to consider. The RNOH site at the top of the hill has been permitted 54 houses and 38 flats and close to those dwellings are 255 residential dwellings also passed by the council so the increase in the people who live in the area is so high. There is the Bentley priory site, Stanmore Park and BAE site by the cricket ground. This puts more pressure on Stanmore. Stanmore Park is right there. There are no spaces for children to play.

If you have 3 storey shops on the high street, then 4 storeys behind you might not see, but more than that and you would. Given the density this creates pressure on the infrastructure. If it is social housing do they have to pay cill?

Harrow School are being asked to provide indicative views for all their proposals? How can this proposal be lodged without giving a clear visual drawing or 3d perspective of how it affects the conservation area? There is no idea of what it would actually look like until it is built. The Council should ask for this particularly with the height you will see from the CA. It will be unclear from the plans provided what this would look like when built – particularly for the public looking at the plans provided. The vantage points from the CA provided. We should not have to wait until it gets approval until people say what a monstrosity. More visuals are required. We want those making a decision and the public consulted to understand what it would look like from key views. Key views would also be available from the park immediately adjacent. This really needs a model with the rest of the CA around.

The visuals are very deceptive. They are using perspective here to make it look lower. It

is a trick. One visual shown is way up Stanmore Hill and they are trying to show that it is very low in relation to that height. It is deceptive. The two extra floors proposed cause the problem. Without it would be set down. This would meet conservation area concerns. The proposal should be restricted to a maximum of stories to protect the visual impact on the conservation area. Those level should be worked out from impact on views.

The roof data should be no higher than 4 stories from the lowest part of the site. The Broadway and bottom of Stanmore Hill re already at capacity and this would only provide another 50 spaces for the food store.

Where would all the cars go? In the Conservation Area? How would any infrastructure levy demand improve the existing infrastructure? We used to do that with S106 agreements but now we do not have this. It is all part of the consideration. This parking will overspill into the CA so this is relevant. What proportion would try to reduce impact on the CA. Before with S106 contributions the Council could put a condition that says you will provide this amount of money to improve street parking, traffic control etc. If we know whether this could happen it may lessen our concerns on the conservation area. Will the conservation area become a car park? Our concerns relate to what this development threaten and how are we ameliorating that threat in light of their submission.

Another problem for Stanmore is that we are satellite parking for Wembley. People are parked everywhere so this could add to that.

### **Stanmore Society**

Petition (to Cabinet 16<sup>th</sup> December 2013; 24 signatories): request extension to deadline for submission of the planning application in order for Notting Hill and the Council to get it right; request that the Council give consideration to the sale price so that a reduction in the number of residential units would be possible.

The Committee has reviewed the Environmental Impact Assessment (EIA) and has the following comments: (summarised)

- The development will cover nearly the whole site area (underestimated in EIA)
- Impact of dirt, noise and heavy transport seems to be ignored
- Impact of traffic growth seems to be downgraded
- The proposal leaves just one tree standing
- Doubt that the claim that wider views will not be affected will prove accurate
- It will be too late when the absurd claim of no significant impact upon the highway network is found to be wrong
- Question the finding that the surrounding properties will not be affected
- This application is an overdevelopment in its own right
- References to other developments are too far away

A tiny majority only will visit by bus. Stanmore is not served by the 107 bus. Traffic congestion and access will be appalling. Residential areas are too much especially the building heights.

### **Bentley Priory Residents' Association**

Summary of response: Stanmore is a village not a metropolis; too dense; inappropriate for area; too high; excessive bulk; overwhelming; incongruous; disproportionate; overdevelopment; detrimental to openness, village character and appearance of the area; traffic congestion is already a problem caused by permission for inappropriate projects in

the area in last 15 years; proposal will add to congestion; site entrance/exits will add further to problems; already too many casualties of traffic and proposal will add to these; little/no consideration to privacy, wellbeing or entitled of existing residents to enjoy their property; Planning Committee should refuse permission.

### **Oak Lodge Residents' Association**

Summary of response: many residents have written separately and voiced objections at the preliminary meetings; already difficult for cars to achieve entry to/exit from Oak Lodge Close; increase in traffic will result in substantial chaos; proposed yellow box o/s Oak Lodge Close will cause extra confusion and delays and block traffic in both directions; strongly urge that 'keep clear' is retained across the whole entrance; request a meeting on site to examine in depth the special situation at Oak Lodge Close so that potential dangers inherent in the proposal can be avoided.

### **BWB Consulting for Warren House Estate Residents' Association**

Summary of response: support redevelopment in principle but object to proposal on transport grounds; Valencia Road suffers rat running and the proposal will make it worse; as a private road Valencia Road should not cater for non-residential traffic; it is a public right of way and serves a place of worship so increase in traffic will increase risk to vulnerable pedestrians and road users; from our assessment the queue in peak periods is likely to extend beyond the car park access road; that queue is unlikely to discharge every cycle of the lights at peak times and so increasing the attractiveness of Valencia Road to avoid the queue (at least 20 two-way vehicle movements) as well as a number of existing movements; therefore request mitigation measures as part of s.106/s.279 measures; residents of Valencia Road are in agreement to introduction of no-entry from Dennis Lane.

### **Parking**

Summary of responses: increase on street pressure in surrounding streets (o/s CPZ hours); car parks will need to be monitored; injudicious parking causing damage to pavements; parking for only 70% of proposed dwellings concerning – will aggravate problems on neighbouring streets; good existing local parking is cheap or free and works well – need to know proposed parking fees, who will run the car parks; proposed parking arrangements will not benefit Stanmore traders; 50 parking spaces for supermarket is inadequate – will be difficult for residents to find a space; provision of 144 bicycle spaces is crass stupidity; restriction of car parking at night could affect local restaurants and residents who can park there at night

### **Traffic**

Summary of responses: increased traffic – in general and specifically at Stanmore Hill, Dennis Lane and The Broadway; will increase in traffic particularly in combination with developments approved for RNOH and when local religious centres have functions; will cause congestion; will bring at least 100 more cars; Stanmore already congested/at breaking point; traffic already a major problem/has steadily worsened over years; will lead to further rat running along Valencia/Glanleam roads – no pavements on these roads (risk to old people and children); old age home in Valencia Road is already dangerous as comes out onto road; traffic in narrow roads extremely dangerous and undesirable; access road in Dennis Lane will become more dangerous for elderly and disabled people to cross; entry/exit points are along small roads designed for light volumes of traffic; impact of additional delays cannot be underestimated; articulated lorries will intimidate drivers waiting at junctions; likelihood of an accident from cars turning right from Marsh Lane into London Road – Council will be held responsible; streets will become grid



locked; construction vehicles and widening of Dennis Lane will cause disruption; green traffic signal out of Dennis Lane is not long enough – there will be a serious accident; health hazard of additional CO2 emissions from additional traffic; object to box junction o/s Grosvenor Lodge (would prefer ‘keep clear’ area); landlocked site – inadequate means of access; lack of traffic lights outside Barclay’s Bank – immediate action should be taken; would extra provision for pedestrians slow down traffic even further?; rat run drivers using the service road will increase congestion at access and exit points – traffic lights already cause congestion; likelihood of accidents to cyclists, motorcyclists and pedestrians; noise restrictions usually mean deliveries after 7am; witnessed an ambulance struggle to get through The Broadway; when will traffic grind to a halt; 120 homes means at least 240 new cars and 480 new inhabitants

### **Oak Lodge Close Access**

Summary of responses: access/exit to Oak Lodge Close will become extremely hazardous/difficult; keep clear sign (o/s Oak Lodge Close) should remain; one way traffic into the development should be considered

### **Traffic Suggestions**

Summary of responses: Dennis Lane should be restricted (similar to Elm Park) to stop through traffic; traffic management scheme needed; keep clear sign o/s Oak Lodge Close should be extended across both southbound lanes; request modification of access to Valencia Road from Dennis Lane to make Valencia Road one-way exit only onto Dennis Lane (minor kerb alterations and no-entry signage)

### **Adequacy of Transport Assessment**

Summary of responses: only survey work witnessed was on a Sunday; report predicts a 4.6% increase in average annual daily traffic on The Broadway but no information about Dennis Lane – yellow box should be rejected; don’t believe the Traffic Assessment study; must have ignored local factors such as number of cars using the service road which transit the site but do not stop for shopping; traffic survey is dated January 2014 and so appears to be the last survey; do not accept report findings as accurate and therefore consider it misleading; parking recommendations based on inadequate sampling; no mention of the rat run problem; conclusion that trip generation is reasonable/residual impacts are marginal needs clarification; assessment makes no allowance for other developments in area eg Wood Farm and Spur Road; no mention of impact [on traffic] of pedestrian phasing o/s Barclay’s Bank; report states that 58% of store staff are expected to travel by car, but there is no staff parking; request that Harrow Planning Department interrogate the data provided by Campbell Reith; traffic times need to consider the percentile time to travel through Stanmore during busiest times, not the average; need to consider traffic times in excess of those forecast to consider impact of delays to emergency vehicles through Stanmore

### **Supermarket**

Summary of responses: existing supermarkets sufficient; no need for additional store and car park; do not need more cafes

### **General Development**

Summary of responses: area at saturation point with new builds; area is too small for large development; development is excessive; massive overdevelopment; 5/6 floors of flats is too high; density of development; previous car park was an eyesore and a haven for thugs and criminals; parts of development will not be visible leading to similar problems; existing car park is open, friendly and welcoming with excellent oversight and

wooded surroundings; concerned about what is driving the scale of the development and the history of the planning; professional teams may tend to draft reports in favour of the developer and the Council

### **Housing**

Summary of responses: no need for more housing; should consider reducing the number of housing units

### **Character and Amenity**

Summary of responses: high rise will lead to loss of light and overlooking and be a blot on the landscape; Stanmore Village and surrounding areas will change for worse; detract from existing village atmosphere; increase in traffic detrimental to living conditions; increased noise and disturbance; loss of privacy and outlook; size out of character and proportion; height is of concern – were promised a scale model but this hasn't materialised; skyline will be destroyed

### **Trees**

Summary of responses: saddened by loss of trees/grass verge to Dennis Lane – detrimental to ecology and appearance of area and flooding

### **Conservation Areas**

Summary of responses: Kerry Avenue is a conservation area and is subject to commuter parking

### **Infrastructure**

Summary of responses: Greater strain on infrastructure; road infrastructure needs to be considerably improved; already difficult to get a doctor's appointment; pressure on local schools, surgeries, public services, infrastructure and transport

### **Environmental**

Summary of responses: there is Japanese knotweed; flooding occurs at the foot of Dennis Lane; increased flood risk; air pollution; affect on ecology; no space allocated for gardens and greenery

### **Other**

Summary of responses: proposal will attract unwanted people increasing crime; Council is allowing developers to run roughshod over residents; Council will get money from development; annoyed that this is the first time notified and approached directly; there should be no decision until infrastructure has been monitored; extra population; is the proposal really necessary; no evidence that the proposal will benefit local residents – more likely to cause harm and anxiety; supermarket will add additional pressure on local traders – many will cease trading; councils are determined to overlook the residents of this and other areas so that the ambience of the area is not taken into consideration; more litter and unpleasant debris; little faith that Council capable of planning, managing and building such a development; good use for Anmer Lodge should be found; any reduction in flow or temporary blockage as the water course is diverted could be detrimental to the bowls green drainage; number of dwellings should be reduced to 75 with corresponding reductions in height and bulk of buildings

### **Applicant's Response – Affordable housing issues**

The provision of 40% affordable housing within the proposed scheme for Anmer Lodge is in accord with Harrow Council's aims as set out in Paragraph J of the Core Strategy

Policy CS1 to provide 40% affordable housing Borough wide, whilst taking account of site circumstances and other scheme requirements. Moreover, paragraph 4.19 of the Core Strategy states that policy remains flexible about the tenure and size of affordable housing to be secured on a site by site basis. The London Plan also acknowledges at paragraph 3.71 and Policy 3.12 that councils should take account of economic viability when assessing the appropriate level of affordable housing provided by a particular development.

The financial assessment undertaken by Cluttons has demonstrated that the provision of affordable rent housing on the site at a level which would comply with the London Plan tenure mix target (40% affordable housing with a 60/40 balance of affordable rent to shared ownership) is not viable. The scheme is, however, able to maximise the level of affordable housing provision through a focus on shared ownership units. Notting Hill Housing, as a registered provider, is able to support the provision of 40% shared ownership by unit, although this is technically unviable, as demonstrated by the viability assessment undertaken by Cluttons and independently verified by BNP Paribas, even based on an existing use value basis.

The proposed approach to affordable housing provision on the application site will provide a good stock of high quality homes and will provide an entry point for home ownership for local people.

In addition, account should be taken of the fact that the proposed scheme provides significant benefits in terms of making use of what is a currently underused and partially vacant site on the edge of Stanmore district centre; enhancing the vitality and viability of Stanmore Town Centre by providing a new food store which will complement the existing range of retailing; providing much needed housing, which will contribute significantly towards LB Harrow's requirements for 350 additional homes per year between 2011 and 2021 and in addition have local economic benefits in terms of use of local services and spend within the town centre; maintaining the existing level of parking and providing additional commercial parking for the new store; and generating employment (both as the result of jobs created in the food store and through construction work).

## **Applicant's Response – Traffic and transport issues**

### Parking

The parking in and around Stanmore Town Centre is well utilised. The proposal recognises this fact and intends to embrace existing parking provision and secure it for existing residents. The new residents of the development will not have the right to apply for residents' parking permits in the Controlled Parking Zone.

The CPZ itself extends far enough to ensure that any distance from the nearest uncontrolled on-street parking is unattractive to any new residents, as the majority of people do tend to park nearby (within a 5 minute walking radius). The proposal of residential units is supported by a Travel Plan, which aims at reducing the reliance on private vehicles. The new units will be promoted for sale with information on the limited parking provision, which will be assigned to the particular unit for sole use of the units' residents.

Therefore it is expected that the NHH Travel Plan and marketing efforts will create a low car ownership development, which the proposed location is ideal for. This approach is

strongly supported by GLA/TfL as such developments are necessary to ensure a more sustainable future for the whole of the capital. NHH's aim is also to introduce a car club vehicle/s to the site, which in turn will also help to reduce the reliance on private vehicles. The Car Club vehicle, when introduced, will also be available to all of the existing businesses and residents of Stanmore Town Centre, helping to reduce the overall parking congestion and people's motoring costs.

The entire development is not predicting any reduction in existing car parking provision, to the contrary, the applicant's proposed off-site improvements to Coverdale Close will ensure that the car parking is convenient and will provide an additional parking space on Coverdale Close. The commercial car park will also provide additional 50 parking spaces for the proposed store shoppers and existing town centre users throughout the day.

Also as part of the off-site improvements, the applicant is proposing an extension to the CPZ operational hours, which will help to secure parking provisions for local residents. The new commercial car parking spaces, which are proposed to be designated to be used by new store and existing town centre users, are proposed at the highest acceptable level for the Stanmore. The London Plan Policy and GLA/TfL would object to any higher parking provision, which in turn will not be allowed by the LBH adopted policies. Also commercial parking of this size will ensure that the proposed development generated traffic has less significant impact on the local highway network than the store with large overprovision of the car parking. The proposed provision is intended to convince the prospective shoppers to consider alternative means of transport to the site.

The car parking on local roads, by commuters is understandably annoying to local residents, and it is fully understood why such views are voiced at this occasion. The issue is however outside of the applicant's control, as is not considered a planning issue, but one of enforcement. The proposed development is within an easy walking distance of the Stanmore Station, as well as the local bus services, and there is no foreseeable reason why the new residents should choose to drive to the station, which is within a few minute walk or cycle distance. The cycle parking proposed for the development follows the London Plan set standards, which were adopted by the London Borough of Harrow.

### Traffic Impact

It is recognised that the current vehicular traffic situation in Stanmore Town Centre is not ideal. The situation, when not acted upon will create even more problems than currently. It is applicant's intention to create a more sustainable development with residents and employees much less reliant on the use of private cars, which are the main cause of traffic and parking congestion. The Stanmore Town Centre is located on one of the main distributor roads, linking outer parts of London. As the town continues to grow the traffic will continue to grow as well. The existing junctions operate currently near their design capacity. It is recognised that even without the proposed development going forward the junctions will not be capable of effective operation during peak times within coming years, as it was proven in the Transport Assessment. The by-product of junction operation above or near their design capacity is queuing and delays on the highway network.

Superseded Planning Policy Guidance 13: Transportation, as well as current National Planning Policy Framework recognises that any development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. PPG13 also defined a material impact of the development, where a five or higher percentage increase of traffic generated by site was present. It is has to be also recognised that the traffic problems in Stanmore Town Centre are a pre-existing issue,

which will continue to cause inconvenience to the road users in the area with or without the development when not addressed.

The proposed site traffic generation used in assessing the impact of the proposed development on local highway network was discussed and agreed with LBH and TfL during the pre-application process, to ensure that the most accurate traffic level prediction is generated. The process was followed in accordance to TfL and DfT guidance and resulted in a very robust estimation that the proposed development traffic will generate less than 4.3% of traffic currently passing through the Stanmore Town centre, and this was assuming no additional traffic reduction resulting from lower car parking provisions, introduction of a Travel Plan and consideration of linked trips between the existing Town Centre. Therefore the proposed development impact was considered not material.

Nevertheless the applicant has recognised the need for improving the access and operation of the adjacent road traffic network and proposed a set of off-site mitigation measures designed to improve the operation of two proposed access junctions and the existing signalised junctions. The Transport Assessment proves that with the proposed hard measures on the access road and alleyways, Coverdale Close and Dennis Lane, as well as proposed signalised junctions timing improvements a near entire mitigation of the development generated traffic can be achieved. The applicant is also willing to contribute towards achieving that improvement in the interest of the local residents and employees.

The proposed development also aims to reduce the effects of “rat-running” and cumulative effects of the development by splitting the development traffic into commercial and residential access. The split will result in lower pressures at the access junctions, as well as the lack of vehicular connection between them preventing any “rat-running” behaviour on site. It has to be noted that the “rat-running” behaviour is currently present in the Stanmore Town Centre area. The applicant has put thought into the design to reduce such behaviour near the site and stop it happening at the site. It is recognised that some of the existing traffic might use Valencia Road or other residential roads as a cut-through, this existing issue is however is considered a Traffic Management issue, not a planning issue. Nevertheless the applicant is encouraging the local highway authority to find solutions, which will allay any on-going highway safety concerns.

#### Highway Safety

The highway safety is one of the applicant’s concerns. The proposals took under consideration all existing issues near and on site and were aimed at introducing the environment, which would benefit new and existing users without causing any disruption to operation of existing local trades.

The proposed measures included the pedestrian priority areas, as well as new signaled pedestrian crossing. The highway safety issue on Valencia Road is however outside of the LBH and the applicant’s control, as the road is privately managed, not a public highway. The predicted increase in traffic using the north part of Dennis Lane is in the region of 3 vehicles per hour, during peak time, which is considered insignificant, compared to the existing flows. Nevertheless the applicant is encouraging the local highway authority to find solutions, which will allay any on-going highway safety concerns.

#### Construction

The construction period and the roadwork period will inevitably cause some level of

disruption. The applicant will manage the on-site development and is committed to providing access to the car parking spaces at all times for vehicles and pedestrians. The on-site development will be phased, which will further reduce the impact of the construction traffic and disturbance. A set of dedicated and LBH approved plans will manage the on-site operation. Any off-site improvements are outside of the applicant's control, however it is believed that LBH will ensure that the phasing and appropriate measures are applied to the off-site work to minimise disruption to the traffic and residents.

### Committed Developments

The Committed Developments used in the Transport Assessment were used in consultation with the LBH Transport department. In addition to the committed development a standard National Traffic Forecast growth factor was added to produce the most robust scenario for the future. The particulars of the committed development distributions were based on the approved Transport Assessments/Statements relating to the development in question.

### Parking and Traffic Surveys

The parking and traffic surveys were completed by an independent surveying company and in accordance to Department for Transport and Transport for London guidance for the extent and timings of the surveys. The good practice guidance rely on statistical data gathered over many years and summarised in DfT guidance. October is considered a "neutral month" for undertaking the surveys and, while some individual experience might differ, the majority of local traffic and parking is expected to follow its "normal" patterns. It is acknowledged that some individual opinions can differ from the survey outcomes; however the overall average outcome of surveys undertaken in such periods is considered a good basis for an assessment.

### Oak Lodge Access

The proposal for Dennis Lane exit includes a creation of an additional traffic lane for left turners to allow for easier discharge of the queued vehicles, which is currently not happening due to left turners blocking the only lane of traffic. The widening will take place south of the Oak Lodge access, not affecting the access itself, which will still remain accessible with giving way to a single lane of oncoming traffic. The proposed yellow boxed junction will replace the existing "Keep Clear" markings, as the proposed is an enforceable means of protecting the junction contrary to the advisable nature of "Keep Clear" markings. Nevertheless if the residents of Oak Lodge will consider the "Keep Clear" markings to be more suitable, the applicant will not object to installation of such marking instead of the proposed yellow box.

## **APPRAISAL**

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.'*

The Government has issued the National Planning Policy Framework (NPPF) which consolidates national planning policy and is a material consideration in the determination of this application. The Government has also issued National Planning Practice Guidance.

In this instance, the Development Plan comprises The London Plan (2011) (as amended)

and the Local Plan. The Local Plan comprises as relevant to the site) the Harrow Core Strategy (2012), the Development Management Policies Local Plan document (2013), the Site Allocations Local Plan document (2013) and the accompanying Local Plan policies map.

## **MAIN CONSIDERATIONS**

### **Policy and economic development considerations**

Principal of Development  
Delivery of Site Allocation Uses  
Loss of Anmer Lodge  
Town Centre and Retail Policy  
Economic Development

### **Housing and residential amenity considerations**

Affordable Housing  
Housing Supply, Density and Overall Housing Mix  
Residential Amenity of Future Occupiers  
Residential Amenity of Neighbouring Occupiers

### **Transport and parking considerations**

Highways and parking  
Phasing and Proposed Temporary Car Park

### **Townscape and accessibility considerations**

Design and Local Character  
Tall Buildings, Views and Townscape  
Setting of Conservation Areas  
Lifetime Neighbourhoods

### **Flood and drainage considerations**

Flood Risk  
Sustainable Drainage  
Diversion of Watercourse

### **Landscaping and ecological considerations**

Landscaping  
Trees  
Ecology and Biodiversity

### **Climate change and environmental considerations**

Carbon Dioxide Emissions Reductions  
Sustainable Design and Construction  
Decentralised and Renewable Energy  
Air Quality, Ventilation and Odour  
Noise

### **Infrastructure considerations**

Electricity and Gas Supply  
Water Use and Waste Water Capacity  
Waste and Recycling  
Other infrastructure

## Other considerations

Equalities Impact  
Human Rights Act  
S17 Crime & Disorder Act  
Consultation Responses

## Principle of Development

The London Plan sets out to meet London's growth with the boundaries of Greater London. To address a gap between projected housing requirements, including a backlog of need, and identified capacity the Plan expresses housing targets as minima. Harrow's minimum housing target is 350<sup>1</sup> homes per annum over the period 2011-2021. The Plan also forecasts an annual increase of 1.5<sup>2</sup> per cent in convenience retail expenditure between 2006 and 2026, necessitating London-wide growth in this type of floorspace.

Harrow's Core Strategy establishes a clear vision for the management of growth in the Borough over the Local Plan period (to 2026) and a framework for development in each district of the Borough. Policy CS1(A) directs growth<sup>3</sup> to town centres and strategic, previously-developed sites and provides for that growth to be managed in accordance with the sub area policies. Policy CS7<sup>4</sup> F commits the Council to bring forward the Stanmore car park and Anmer Lodge site for: "*comprehensive, mixed-use development which supports the vitality and viability of the district centre, enhances the Green Grid and makes an appropriate contribution to housing supply*". To this end, the key diagram for the Stanmore & Harrow Weald sub area identifies the location for future housing and the site is formally allocated for mixed-use development in the Site Allocations Local Plan document.

Within the context of planned growth across London, the proposal therefore accords with Harrow's vision for the development of the Borough as a whole and for the Stanmore & Harrow Weald sub area. Specifically, the proposal for comprehensive redevelopment of the whole site is consistent with the Strategy's broader objective to meet development needs on previously developed land, and to do so in sustainable locations which support town centres, without resorting to development on greenfield and garden land. The proposal would make a contribution to forecast requirements for new retail floorspace in the Borough over the plan period and would deliver the new floorspace, together with replacement and additional retail car parking, within a district centre. In so doing it would support the vitality and viability of the district centre. The layout of the proposed development together with contributions from the infrastructure funding that would be generated by the development would secure enhancements to the Green Grid in this part of the Borough. The proposed scale of residential development is within London Plan density guidelines and therefore secures an appropriate contribution to housing supply from the site.

## Delivery of Site Allocation Uses

Turning to the detail of the site's allocation, it is included as Site R4 of Harrow's Site Allocations Local Plan document. The allocation is for retail-led redevelopment

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<sup>1</sup> Harrow's target is proposed to increase to 593 homes per annum in the draft further alterations to the London Plan (2014).

<sup>2</sup> The draft further alterations to the London Plan (2014) revises the forecast to 2.2 per cent annual average growth in London's household expenditure on convenience goods.

<sup>3</sup> That portion of the Borough's growth that would be accommodated beyond the Harrow & Wealdstone Intensification Area.

<sup>4</sup> For the Stanmore & Harrow Weald sub area.



comprising potential retail floorspace of 2,000<sup>5</sup> square metres with residential and community use.

#### Retail Component (the principal component)

As a 'retail-led' allocation the delivery of retail development is the principal component of the site allocation.

The commentary to the site allocation indicates that the site is suitable for a food retailer/moderately sized supermarket, to be located within the southern half of the site. It also seeks a proper relationship to existing town centre frontage as well as satisfactory servicing arrangements.

The proposal is for a food store with gross floorspace of 1,692 square metres, to be located within the district centre (i.e. the southern half of the site), and designed to incorporate a loading bay within the store's building envelope with access from Stanmore Hill via Coverdale Close. The design and layout of the proposal has had regard to the access point that exists between nos. 30 & 32 The Broadway so that the southern return frontage of the food store (and any associated signage) would be a focal point in views along the access from The Broadway and the resulting arrangement (of a 'backland' food store) would not be dissimilar to the existing successful arrangement that exists in Pinner district centre.

It is therefore concluded that the proposal would deliver the retail component of the site allocation in an acceptable form.

#### Residential Component

The site allocation also seeks residential development.

The site allocation includes an indicative figure of 105 homes for the residential use. The methodology for calculating the potential residential capacity of sites is explained at Appendix B of the Site Allocations Local Plan document; the appendix notes that housing capacity figure attributed to each site is indicative not prescriptive and that the actual number of dwellings that may be achieved on each site may be determined by many considerations, including design & layout, the size & type of homes to be provided and scheme viability.

The commentary to the site allocation calls for a residential form and density suitable to the town centre location in the southern part of the site and for more traditional residential development, reflecting the context of existing housing in Coverdale Close, to the north.

The proposal is for 120 homes. Within the strategic policy context<sup>6</sup>, the indicative status of the housing capacity figure included in the site allocation and taking into account the approach to the design and layout of the scheme, the provision of 120 homes is not inappropriate. The form of the development, comprising flatted blocks (A & B) on podia atop the retail store and car park to the southern half of the site and houses & more

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<sup>5</sup> The figure of 2,000 square metres being a broad guide only in accordance with the Retail Study (2009).

<sup>6</sup> Of the need to safeguard greenfield sites by making effective use of previously-developed sites, and of the emerging increase in London Plan housing targets.

<sup>7</sup> Namely Equitable House/Lyon House in Lyon Road and the Kodak site.

<sup>8</sup> To include arts, entertainment and indoor sports facilities, community offices/meeting places, facilities for children, education, social services, emergency services, public toilets and facilities for cyclists.

modest flatted blocks (C & D) to the north of the site, properly manages the transition between the district centre and the more suburban character of Coverdale Close/Rainsford Close.

It is therefore concluded that the proposal would acceptably deliver the residential component of the site allocation.

### Community Component

The site allocation also seeks provision for community use.

The commentary to the site allocation indicates that a replacement library or premises for health care are possible uses that would fulfil this component of the allocation.

The proposal makes no provision for a community facility as part of the development and consequently the proposal is not fully in accordance with the development plan for the Borough. However, other material considerations (set out below) indicate that the proposal is, nevertheless, acceptable.

As part of the evidence base underpinning the preparation of the Local Plan and the Harrow Community Infrastructure Levy (both now adopted) the Council produced an Infrastructure Assessment and Delivery Plan.

In respect of libraries, the Assessment noted that the current level of library provision in the Borough is sufficient to meet existing and projected future needs based on current recommended standards, but recognised that relocation to more modern premises may be necessary in some instances and that this would offer the opportunity to locate libraries in town centres where they could assist with promoting footfall. However, the Future of Cultural Services (2012) report has subsequently been approved and the Divisional Director of Community & Culture states that there are no immediate plans for relocating Stanmore Library, which is on a long lease to the Council by a third party. Furthermore, it is observed that the existing library occupies the ground floor of a relatively modern building, enjoys full disabled persons' access, and forms part of the district centre's active frontage to Stanmore Hill. In these circumstances there is no requirement to accommodate a replacement library onto the application site.

In respect of GP health care facilities, the Assessment identified a shortfall of 1 GP in the Stanmore & Harrow Weald sub area increasing to a shortfall of 3 GPs (due to population growth) by the end of the plan period (2026). At the time of the Assessment, Harrow Primary Care Trust was operating a 'hub and spoke' model for the delivery of health services in the Borough, although the Assessment also recognised the uncertainty then posed by reforms to NHS GP services. Since the Assessment was produced, the Council's Head of Transformation and Head of Corporate Estate have been in discussions with the NW London NHS Trust about the NHS's future accommodation and development needs in the Borough. The Trust has indicated that greatest need, and therefore its investment priority, remains in central Harrow where a number of recently approved developments<sup>7</sup> make provision for new facilities to be accommodated. Furthermore, the Trust has indicated that throughout the rest of the Borough conversion of existing premises rather than new build may be preferred as a more cost-effective means of meeting need beyond central Harrow, and that existing clinics in Belmont and Honeypot Lane may be identified as potential new hubs for the wider Stanmore area. In these circumstances there is no realistic prospect of NHS investment in a new-build facility within Stanmore district centre and, therefore, no justification to require the

provision of accommodation for a new health care facility onto the application site.

The purpose of a site allocation is to ensure that any land requirement for particular uses or infrastructure can be met where it is required. The proposed development, and other residential developments in the Borough, result in increased demand for community uses and facilities that can be mitigated through the Harrow Community Infrastructure Levy (CIL). Therefore, in the consideration of other community uses that could fulfil this component of the site allocation, there must be evidence of a specific land requirement.

The Core Strategy defines community facilities widely<sup>8</sup>, but the Infrastructure Assessment and Delivery Plan identifies no specific land requirement for community uses of the type envisaged for the site (i.e. as a secondary use rather than the principal component of the site allocation) in this location. The applicant's Planning Statement points out that no specific requirement for community uses was identified during pre-application meetings or during the public consultations carried out prior to the submission of the application. Furthermore, given the findings of the applicant's Viability Assessment and the findings of this report in terms of affordable housing, it is evident that the provision of subsidised land on the site for a community use could prejudice the delivery of other key planning outcomes from the scheme.

Taking all of the above circumstances into account, it is therefore concluded that the non-provision of a community use would not undermine the objectives of the development plan to an unacceptable degree.

### **Loss of Anmer Lodge**

Anmer Lodge was erected as a home for elderly persons circa 1971. Residential use of the home is understood to have ceased some time during 1997, due to investment needed to bring the residential facilities up to contemporary registration standards, but Anmer Lodge continued to be used as a day care centre for elderly people.

In 1999 planning permission was granted on a temporary basis for the use of Anmer Lodge as a residential hostel (for homeless people). The temporary permission was renewed on a rolling basis over a number of years (see planning history) and expired, without further renewal, on 1<sup>st</sup> February 2010. The officers' reports for all of these planning applications describe the temporary hostel use as co-existing with the continued permanent use of the premises as a day care centre. The premises are now vacant.

It is therefore considered likely<sup>9</sup> that the lawful use of Anmer Lodge remains as an elderly persons' home/day care centre.

In terms of the residential component of the likely lawful use, London Plan Policy 3.14 *Existing Housing* resists the loss of existing housing (including premises that provide an element of care) unless the housing is replaced by existing or higher densities with at least equivalent floorspace.

In terms of the day-care component, London Plan Policy 3.16 *Protection and Enhancement of Social Infrastructure* resists the loss of social infrastructure in areas of identified need for that type of infrastructure and there is no realistic proposal for re-

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<sup>9</sup> A Certificate of Lawful Existing Use has not been sought or issued. The likely lawful use referred to here represents the opinion of Harrow Council planning officers and is without prejudice to the formal determination of any application for a Certificate of Lawfulness.

provision. Core Strategy Policy CS1 Z similarly resists the loss of community facilities unless there are adequate arrangements in place to provide replaced or enhanced facilities. However, Policy DM47 *Retention of Existing Community, Sport and Education Facilities* amplifies Harrow's position by setting out mutually exclusive criteria for the loss of such facilities. These can be summarised as:

- there is no longer a need for the facility; or
- there are adequate similar facilities nearby; or
- the existing use is inconsistent (and cannot be made consistent) with neighbours' amenity; or
- the redevelopment of the site would secure over-riding public benefit.

The application does not include any proposals to re-provide the residential or day care components of Anmer Lodge's likely lawful use. However, as noted above, it is understood that the residential component of the use ceased some time in 1997 due to the costs of improvements that had by then become necessary. Given the time that has elapsed since the residential component ceased, it is reasonable to assume that the residential care needs that were hitherto being fulfilled by Anmer Lodge are now being adequately met elsewhere. On this basis it is considered that there is no realistic need for the care home to be replaced on this site. Furthermore, the proposed redevelopment will achieve the provision of a much greater amount (in terms of floorspace) of conventional housing supply on the site.

No evidence has been supplied about the need (or otherwise) for replacement elderly persons' day care facilities or the availability of (or need for) similar facilities in the area. It is not considered that the care home use, if reinstated, would be incompatible with the amenity of surrounding residents.

However, the principle of redeveloping this site for retail and residential use is established, by reason of the site's allocation in the Harrow Local Plan. The allocation was brought forward in recognition of the site's potential to deliver residential and retail development, helping to meet the Borough's projected needs for these types of development, and to do so in a way that is consistent with the Borough's spatial strategy. This includes the delivery of housing on previously-developed land, the delivery of additional retail floorspace within town centres, and directing growth to areas with good public transport accessibility. It is therefore concluded that the loss of the day care facility is justified because the redevelopment of the site would secure over-riding public benefit.

### **Town Centre and Retail Policy**

The proposed retail store and its ancillary café would be located on a site allocated for retail-led mixed use development, and the store would be located within that part of the site that is within the defined primary shopping area of Stanmore district centre<sup>10</sup>. Accordingly, this part of the proposal is consistent with the established 'town centre first' principle and there is no requirement to apply a sequential test, in accordance with paragraph 24 of the NPPF. Similarly, there is no requirement for an impact assessment in accordance with paragraph 26 of the NPPF.

London Plan Policy 4.7 *Retail and Town Centre Development* states that the scale of proposed retail development should be related to the size, role and function of the town centre. Similarly Core Strategy Policy CS1 L provides support for convenience retail

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<sup>10</sup> Note that a small part of the proposed store's footprint would extend beyond the north boundary of the district centre and its primary shopping area. However this is not considered to be material.

proposals where they are located in district and local centres and are compatible with the role and function of the centre. Policy DM35 *New Town Centre Development* of the Development Management Policies Local Plan document also supports in-centre retail development which is consistent in use and scale with the role and function of the centre, and is not at odds with the Borough's spatial strategy. Similarly Policy DM40 *Mixed-Use Development in Town Centres* supports such development having regard to the role and function of the centre, the need to make efficient use of previously-developed land, the need for and compatibility with other uses on the site, and any other planning objectives for the area.

Stanmore town centre is categorised in the London Plan and Local Plan as a district centre. District centres are defined as having a mainly district-wide (rather than borough-wide or greater) catchment and approximately 10-50,000 square metre retail floorspace providing mainly convenience shops and local services or specialist functions. The Council's town centre monitoring reveals that Stanmore has 16,000 square metres town centre floorspace of which 7,000 square metres is convenience retail floorspace. Harrow's Retail Study included an assessment of Stanmore town centre and confirmed that Stanmore is a vital and viable centre with an important role in the provision of convenience goods and services to its catchment area. Furthermore, the Study formed a principal component of the Local Plan evidence base leading to the site's allocation for retail-led redevelopment.

The proposed convenience retail floorspace is consistent in use and scale with Stanmore's role and function as a district centre, and would reflect the site's allocation for retail-led mixed-use redevelopment. The proposed store would be likely to serve the wider Stanmore area, but its size and food-only format is such that it is unlikely to result in a disproportionate draw to this centre.

Consistent with London Plan Policy 2.15 *Town Centres* it is considered that the proposed development would:

- help to sustain and enhance the vitality and viability of Stanmore district centre, by bringing an increased residential presence into the town centre and through the potential for linked trips by shoppers using the proposed new retail store;
- accommodate an appropriate level of economic and housing growth through the redevelopment of this under-utilised and previously-developed site within the town centre;
- add to the quality and diversity of the retail (and, by association of the proposed ancillary café, leisure) offer within Stanmore district centre;
- be in scale with the centre;
- by reason of its location within an accessible centre, promote access by public transport, walking and cycling;
- promote safety, security and lifetime neighbourhoods (see below);
- through the Harrow Community Infrastructure Levy, contribute to environmental and other associated enhancements; and
- through its design and layout and proposed off-site improvements, help to reduce delivery, servicing and road user conflict.

The Mayor's draft Town Centres SPG encourages the provision of shopmobility and accessible toilet facilities, and these points were raised in the GLA's pre-application response. It is considered that these facilities can be secured by condition.

By definition, main town centre uses such as retail stores and cafes that are located within the primary shopping area of a centre are not harmful to that centre. It is not role of the planning system to prevent competition between businesses of any size. The proposed store and its ancillary café are entirely appropriate components of this town centre development and it is considered that the proposal would make a positive contribution to the continued vitality and viability of Stanmore district centre.

### **Economic Development**

Harrow's spatial vision sets a target for the provision of 4,000 additional jobs in the Borough by 2026. Although the majority (3,000) are planned to be delivered within the Harrow & Wealdstone Intensification Area, that still leaves a balance of 1,000 jobs to be delivered in town centres and business/industrial use areas throughout the rest of the Borough. To this end, Core Strategy Policy CS1 P supports mixed use development where this secures employment generating development and diversification of Harrow's economy.

The submitted Planning Statement indicates that the proposed retail store would deliver 65 permanent jobs on the site. In addition, the Statement estimates that the construction value of the proposed development would equate to the provision of 52 construction related job opportunities per year, or the equivalent of 16 full time jobs over the build period.

The proposal would therefore have short term and permanent benefits in terms of job creation. It would also provide an economic stimulus to Stanmore district centre associated with local spending by future occupiers of the development and some investment in local infrastructure (see below). It is considered that any negative short term economic impacts associated with the impact of construction and the temporary relocation of the existing town centre car park are likely to be more than offset by the overall economic benefits of the development.

It is therefore considered that the proposal would make a positive contribution to the Core Strategy's economic development objectives.

### **Affordable Housing**

#### Affordable Housing Policy and the Proposal's Affordable Housing Offer

The NPPF defines affordable housing as: social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Intermediate housing is defined as homes for sale and rent provided at a cost above social rent but below market levels.

The strategic part of London Plan Policy 3.11 calls for 60% of affordable housing provision to be for social and affordable rent and for 40% to be for intermediate sale or rent, and gives priority to the provision of affordable family housing. However, London Plan Policy 3.12 – which is a planning decisions policy - requires the on-site provision of the maximum reasonable amount of affordable housing from private residential developments.

The London Plan's housing policies are supplemented by the Mayor's Housing SPG (2012). In relation to affordable housing policies, the tone of the SPG is to further emphasise the need for policies to be applied in a manner that maximises output and, having regard to viability, to encourage not restrain housing development.

Having regard to Harrow's local circumstances, Policy CS1 (J) of the Core Strategy sets a Borough-wide target for 40% of all homes delivered over the plan period (to 2026) to be affordable, and calls for the maximum reasonable amount to be provided on development sites having regard to the following considerations:

- the availability of public subsidy;
- the housing mix;
- the provision of family housing;
- the size and type of affordable housing required;
- site circumstances/scheme requirements;
- development viability; and
- the need to meet the 40% Borough-wide target.

Policy DM24 (*Housing Mix*) of the Development Management Policies Local Plan document supports proposals that secure an appropriate mix of housing on the site. The policy undertakes to have regard *inter alia* to the target mix for affordable housing set out in the Planning Obligations SPD and the priority to be afforded to the delivery of affordable family housing.

In terms of quantity, the application proposes 50 homes, equating to a proportion of 41.6% of all the homes proposed for the site. The Financial Viability Assessment Report allows for a grant of £17,500 per shared ownership home. This supports the provision of shared ownership homes over other tenures within the affordable component of the scheme.

In terms of affordable housing mix, the proposal comprises 23 x one bedroom flats and 27 x two bedroom flats which equates to proportions of 46% and 54% respectively. The proposal makes no provision for 'family housing' as defined in the London Plan<sup>11</sup>.

As noted above, Harrow's local requirement for the size and type of affordable housing required is set out in the Planning Obligations SPD (2013).

For social/affordable rent, the SPD target mix is:

- 1 bed 12%
- 2 bed 48%
- 3 bed 28%
- 4 bed 7%
- 5 bed 5%

For intermediate products, the SPD target mix is:

- 1 bed 20%
- 2 bed 50%
- 3 bed 20%
- 4 bed 10%

The proposal fails to make any provision for social/affordable rent and the proposed mix of intermediate housing fails to provide any 3 or 4 bedroom homes as sought by the local target mix above.

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<sup>11</sup> As being housing of three or more bedrooms.

In terms of scheme requirements, the principal component of the site's allocation is to deliver additional retail floorspace within Stanmore district car park and paragraph 2.19 of the commentary to the site allocation refers to a requirement for an appropriate level of replacement town centre car parking. The proposal delivers both the retail component and replacement plus additional car parking, but with implications for the viability of the proposal as a whole.

A Financial Viability Assessment Report<sup>12</sup>, prepared by Cluttons LLP and using the GLA's Three Dragon's Toolkit, has been submitted with the application. The Toolkit has been used to model the actual development proposal (40% affordable homes comprising shared ownership only) and a 'policy compliant' comparator alternative (40% affordable homes comprising 60% rented and 40% intermediate), assuming grant funding of £17,500 per shared ownership home.

Through pre-application discussions between the applicant and Council officers during 2013 the location of some of the required parking provision within a basement was also identified as a desirable outcome of the proposal.

The 40% Core Strategy target is a Borough-wide target for the plan period and is not a site specific target.

#### Consideration of the Proposal's Affordable Housing Offer

Within the context of regional and local strategic targets for affordable housing, the London Plan and Harrow's Local Plan respectively seek the maximum reasonable amount of affordable housing from individual development proposals. For planning purposes, shared ownership is a form of affordable housing (intermediate).

The applicant submitted a Viability Appraisal and this has been the subject of independent scrutiny by specialist consultants on behalf of the Council. This scrutiny identified scope within the scheme to provide an additional two affordable housing units. In response to this finding the applicant has increased the affordable housing offer from 48, as originally proposed, to 50 units. It is considered that, with the additional two units, the proposal makes the maximum reasonable quantitative contribution to on-site provision of affordable housing in accordance with London Plan and Local Plan policies.

As noted above, however, the London Plan contains a target mix of 60 per cent affordable rent and 40 per cent intermediate products, over the life of the plan. This scheme makes provision for intermediate affordable homes only. The applicant's Viability Appraisal includes a financial appraisal of a 'policy compliant' scheme that would provide 48 affordable homes in accordance with a policy compliant 60/40 tenure. The Appraisal demonstrates that such a scheme would result in a significant negative residual value, indicating that development of that number of units to the specified tenure mix would not be viable.

It is considered that the affordable housing offer proposed, even though it would not include any component of affordable rented product, would be consistent with the objective of maximising affordable housing output from the site. The development of the site – which can only be secured if development is viable - would deliver wider benefits (as set out in this report) that outweigh the failure to provide any component of affordable

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<sup>12</sup> The Report includes commercially sensitive information. Therefore, in accordance with normal practice, the Report is not publicly available.



rented product. Furthermore, it is noted that the development is to be undertaken in two phases. To ensure the maximum affordable housing provision, it is appropriate to seek to review scheme viability at key points and to seek additional contributions to affordable housing provision where appropriate. These review and 'claw back' mechanisms can be adequately secured through a section 106 Planning Obligation.

The Planning Obligation should also provide for the subsidy invested in the affordable homes to be recycled.

### **Housing Supply, Density and Overall Housing Mix**

Paragraph 48 of the NPPF reminds local planning authorities that housing applications should be considered in the context of the presumption in favour of sustainable development.

London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026. These are set out in the *Principle of Development* section of this report (above). The proposal's 120 home contribution to housing supply ensures that this strategic, previously developed site makes an appropriate contribution to the Borough's housing need over the plan period to 2026 and to fulfilling the Core Strategy's target for the Stanmore sub area<sup>13</sup>, as well as modestly exceeding the housing capacity figure attributed to the site in the Site Allocations Local Plan document.

London Plan Policy 3.4 seeks to optimise housing output from development by applying the sustainable residential quality density matrix at Table 3.2 of the Plan. Supporting text to the policy makes it clear that the density matrix is only the start of planning for housing development and that it should not be applied mechanistically. Further guidance on how the matrix should be applied to proposals is set out in the Mayor's Housing SPG (2012).

The application site area is 0.95 hectares and it has a public transport accessibility level (PTAL) score of between 2 and 3<sup>14</sup> indicating a moderate level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have an urban<sup>15</sup> setting. The proposal, taken as a whole, equates to a density of 126 units per hectare<sup>16</sup> and of 357 habitable rooms per hectare<sup>17</sup>. These densities fall well within the overall matrix ranges for urban setting sites with PTALs of 2-3, being 45-170 units per hectare and 200-450 habitable rooms per hectare. However, as noted above, the matrix is only the starting point for considering the density of development proposals.

The applicant's Design & Access Statement explains that the urban design concept of the proposal is founded on the formation of two distinct zones: a mixed use commercial/residential zone in the south part of the site (behind The Broadway); and a wholly residential zone to the north part of the site (adjacent to Coverdale Close/Rainsford Close). These zones reflect the planning context for the site: the south

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<sup>13</sup> Of 712 homes over the plan period to 2026; see Core Strategy Policy CS7 J.

<sup>14</sup> Where a score of 6 is high and 1 is low.

<sup>15</sup> 'Urban' is defined as: areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of a district centre or along main arterial routes.

<sup>16</sup> Calculated as: 120 dwellings divided by 0.95ha x 1ha.

<sup>17</sup> Calculated as: 339 habitable rooms divided by 0.95ha x 1ha.

part being within Stanmore district centre's boundary and predominantly surrounded by existing mixed uses, commensurate with such a centre; the north part predominantly surrounded by wholly residential development of more suburban character.

Using these two zones as the basis for determining the appropriate form of accommodation to be provided, the south part of the site would comprise a mix of one and two bedroom flats only, giving an average of 2.6 habitable rooms per unit, and for this portion of the site (0.35 hectares) and equating to a density of 186 units and 477 habitable rooms per hectare. By contrast, the north part of the site would comprise a much broader mix, including a small number of houses as well as flats and, overall, unit sizes in the range of one-four bedrooms (although still heavily skewed towards one and two bedroom flats), giving an average of 3.1 habitable rooms per unit. For this portion of the site (0.60 hectares) this equates to a density of 92 units and 287 habitable rooms per hectare.

The urban design concept explained in the Design & Access Statement, and reflected in the application proposal, follows extensive pre-application consultation with residents and businesses in Stanmore, as well as pre-application discussions with offices. It is considered to be the appropriate response to the site and its context, extending the higher-density and mixed-use character of development in Church Road and The Broadway to this part Stanmore district centre, whilst using the north part of the site to manage the transition in built and housing form between the centre and the surrounding residential areas. Returning to the density matrix, the effect of the design concept is a high density zone to the south part of the site<sup>18</sup> and a much lower density zone to the north part of the site<sup>19</sup>, but overall keeping the density of the development across the entire application site comfortably within the relevant London Plan density matrix ranges.

The density of the proposal, both in terms of the London Plan density matrix and in terms of its broad response to the circumstances of the application site, is therefore considered to be acceptable.

It is acknowledged that some respondents to the application consultation have expressed concern about overdevelopment of the site. For the reasons set out above, and as the density proposed has been achieved using a design-led approach, officers do not consider that the density of the proposal is indicative of overdevelopment. The proposal delivers the key component (retail floorspace) of the site's allocation in Harrow's Local Plan and the number of homes proposed is only 15 units above the indicative figure included in the site allocation. Moreover, the Mayor's SPG is comprehensive in its defence of the London Plan density matrix ranges and clear about the need for robust justification for any development (which must be genuinely exceptional) above or below the published ranges. Thus, any significant reduction in the density of the development would be likely to constitute an unacceptable under-utilisation of the site, with implications both for the viability of development on the site and the delivery of Harrow's spatial strategy as it relates to Stanmore.

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<sup>18</sup> The residential component of the proposal on the south part of the site, taken on its own, would exceed the density matrix range of 70-170 units per hectare for small size units (2.7-3.0 hr/u) and the overall range of 200-450 habitable rooms per hectare for 'urban' sites with a PTAL score of 2-4.

<sup>19</sup> The proposed residential development on the north part of the site, taken on its own, would be at the lower end of the density matrix range of 55-145 units per hectare for medium-sized units (3.1-3.7 hr/u) and the overall range of 200-450 habitable rooms per hectare for 'urban' sites with a PTAL score of 2-4.

<sup>20</sup> Figures do not sum exactly due to rounding.

Consideration of the how the development responds in detail to neighbouring buildings and spaces is set out in the *residential amenity of neighbouring occupiers* section of this report.

Paragraph 50 of the NPPF states that local planning authorities should plan for a mix of housing, based on demographic and market trends, and the needs of different groups, and that they should identify the size, type, tenure and range of housing that is required in particular locations. This approach is reflected in the planning decisions provisions of London Plan Policy 3.8 *Housing Choice*.

Consideration of the proposed affordable housing mix, relative to Harrow’s target mix for affordable housing and the priority to be afforded to the delivery of affordable housing, is set out in the *affordable housing* section of this report.

Local Plan Policy DM24 undertakes to support proposals that secure an appropriate mix of housing on site and which contribute to the creation of inclusive and mixed communities. The policy goes on to have regard to, *inter alia*, the location of the site, the character of its surroundings and the need to optimise housing output on previously-developed land.

The West London Strategic Housing Market Assessment (SHMA) (2010) reports the findings of detailed modelling of housing needs taking into account demographic and market trends and the needs of different groups. In terms of Harrow’s market housing, the Assessment reports a shortfall of 2 and 4 bedroom homes in the owner-occupier sector and a shortfall of 1 and 3 bedroom homes in the private rented sector. Notwithstanding these findings, and noting that that new build housing only accounts for a fraction of the overall housing stock in the Borough, paragraph 6.8 of the reasoned justification to Policy DM24 goes on to state that “...the Council does not consider it justified to prioritise dwelling sizes for market housing and advocates that, whilst having regard to identified needs, seeks to match housing mix to the location and nature of allocated sites, or sites likely to become available”.

The housing mix of the proposal overall and of the open market component is set out in the table below:

| <b>Table 2: Detailed Housing Mix</b> |                             |                       |                              |                          |                       |
|--------------------------------------|-----------------------------|-----------------------|------------------------------|--------------------------|-----------------------|
| <b>Unit Size</b>                     | <b>No. of Units (Total)</b> | <b>% of All Units</b> | <b>No. of Units (Market)</b> | <b>% of Market Units</b> | <b>% of All Units</b> |
| 1 Bed:                               | 45                          | 37.5%                 | 22                           | 31%                      | 20%                   |
| 2 Beds:                              | 60                          | 50%                   | 33                           | 47%                      | 27.5%                 |
| 3 Beds:                              | 12                          | 10%                   | 12                           | 17%                      | 10%                   |
| 4 Beds:                              | 3                           | 2.5%                  | 3                            | 4%                       | 2.5%                  |
| <b>Totals:</b>                       | <b>120</b>                  | <b>100%</b>           | <b>70</b>                    | <b>100%<sup>20</sup></b> | <b>60%</b>            |

Other than 3 x three-bedroom and 3 x four bedroom houses the remainder of the proposed homes would be flats.

Table 2 demonstrates that the overall housing mix of the proposal, and of its market housing component, is heavily skewed in favour of one and two bedroom homes but with a ten per cent proportion of three bedroom homes. In view of the site location, being part

within and part adjacent to a district centre, a majority of smaller and flatted units suitable for young professionals and newly-formed households, whether as first-time buyers or in the private rented sector, is to be expected. More detailed analysis of the proposal reveals that just over two thirds of the one bedroom flats and half of the two bedroom flats on the site would be located in Blocks A & B, to the south of the site and in the part of the site most closely related to existing residential development in Stanmore district centre where modestly sized flats/maisonettes above commercial premises are typical. The same analysis reveals by contrast that Blocks C & D, to the north of the site, would accommodate a broader mix of unit sizes - including the proposed family houses - reflecting the mixed but wholly residential character of the suburban areas to the north and east of the application site.

Thus it is considered that the proposed mix of home types/sizes would respond to the location of the site and the character of its surroundings whilst optimising the housing output of this allocated, strategic previously-developed site. The proposal would also, it is noted, add to the supply of modern homes in the area, all of which would achieve the Lifetime Homes standards and 10% of which would also achieve the enhanced requirements needed to be classified as Wheelchair-standard homes (see the *lifetime neighbourhoods* section of this report). Taken together with the affordable housing component (see the *affordable housing* section of this report), it is concluded that the proposal would make a positive contribution to the creation of inclusive and mixed communities in Stanmore.

### **Residential Amenity of Future Occupiers**

London Plan Policy 3.5 *Quality and Design of Housing Developments* sets out a range of criteria for achieving good quality residential development. Part B of the policy deals with residential development at the neighbourhood scale; Part C addresses quality issues at the level of the individual dwelling.

Implementation of the policy is amplified by provisions within the Mayor's Housing SPG (2012). The amplification is extremely comprehensive and overlaps significantly with matters that are dealt with separately elsewhere in this report, particularly Lifetime Neighbourhoods. In response to a request for clarification about the detail internal arrangements of the proposed flats and houses the applicant has advised that the development has been designed to accord with the London Housing Design Guide interim edition. Where relevant these are addressed in the appraisal below.

Core Strategy Policy CS1 K requires a high standard of residential design and layout consistent with the London Plan and associated guidance. Policies DM1 *Achieving a High Standard of Development* and DM27 *Amenity Space* set out a number of privacy and amenity criteria for the assessment of proposals for residential development.

#### *Internal space*

The submitted Planning Statement confirms that all of the proposed dwellings have need designed to meet or exceed the London Plan's minimum space standards and a condition to ensure this is achieved is recommended. The submitted drawings show that the proposed layouts would make reasonable provision for the accommodation of furniture and flexibility in the arrangement of bedroom furniture.

In response to a request for clarification the applicant has advised that built-in internal storage, free of hot water cylinders and other obstructions, with a minimal internal height of 2 metres and a minimum area of 1.5 square metres for 2 person dwellings (and for

each additional occupant an extra 0.5 square metres), would be provided.

### *Shared circulation*

The SPG calls for communal corridors to receive natural light and adequate ventilation where possible. As part of the sustainable building design of the development, the internal areas would be mechanically ventilated. The communal corridors to Blocks C & D are small – typically serving no more than three flats per floor, and would enjoy natural light. The configuration of Blocks A & B, however, results in long corridors (in the region of 39 metres' length) and benefiting from end windows only (although 'borrowed light' from stair cores may also be achieved). Whilst clearly not ideal, this is not considered to be unacceptable.

In line with the SPG, all flats at third floor level and above would be served by at least one lift.

### *Amenity space*

Policy DM27 Amenity Space of the Development Management Policies Local Plan document states that the appropriate form and amount of amenity space should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy.

For private amenity space, the SPG requires a minimum of 5m<sup>2</sup> per 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant, and for balconies the SPG specifies minimum dimensions of 1.5m x 1.5m. Except unit C.01, which has been amended on balance of the risk to that unit from surface water flooding, all of the proposed flats would have a balcony. Furthermore, all of the proposed balconies would meet and exceed these minimum dimensions. In terms of amount of provision the balconies would, on their own, meet the SPG minimum amenity space requirements for each of the flats (i.e. 5m<sup>2</sup> for one bedroom flats, 7m<sup>2</sup> for two bedroom flats and 8m<sup>2</sup> for three bedroom flats). Level access onto the balconies will be secured as part of the proposed access conditions.

Each of the proposed houses would have a private garden space in the region of 60m<sup>2</sup>, exceeding by some margin the SPG minimum requirements for dwellings of their size. In addition the 3 x three storey town houses would also have roof terraces at second floor level providing a further 27m<sup>2</sup> usable outdoor space.

In addition to the private balconies occupiers of the flats would also have access to communal outdoor space. For Blocks A & B this would be in the form of podium roof gardens atop the retail store and multi-storey car park respectively. For Block C this would take the form of a courtyard garden atop the undercroft car park. And for Block D this would be in the form of a conventional surface level garden behind the block.

These communal areas would supplement the private balconies and would provide a welcome additional component to the amenity afforded to future occupiers of the development. The SPG calls for adequate natural surveillance, wheelchair access and management of such areas. All of the proposed communal gardens would be overlooked by the blocks that they serve, and control of disabled persons' access (by condition) can ensure that they are detailed to meet the needs of wheelchair users. It is normal for the management of residents' communal areas in new development to be taken on by a private management company or the relevant registered provider; there is no reason to expect that these arrangements will not be on an adequate footing in respect of the proposed development.

The SPG also states that communal areas should be designed to take advantage of direct sunlight. In this regard the overshadowing effects of the development upon the proposed communal amenity spaces has been examined in the submitted Daylight & Sunlight Assessment. The Assessment finds that all but one of the communal areas (and all of the private gardens to the houses) would achieve/exceed the BRE guide level for sunlighting. The communal area that falls below the BRE guide level is the courtyard garden to Block C.

The BRE guide level is for the amenity space to receive more than two hours' sunlight on 21<sup>st</sup> March (i.e. the Spring Equinox). However, the failure of the Block C courtyard garden to meet the BRE guide level does not automatically indicate that the proposal is unacceptable. During the summer months, when occupiers are more likely to want to use the outdoor space, the courtyard can be expected to receive higher levels of sunlight, and sensitive design/layout/planting can be employed (through the agreement of details by condition) to ensure that the opportunity for residents to enjoy summer sunshine within the courtyard area is optimised. Moreover, the design of Block C is such that all of the private balconies are located on the outward-facing elevations, so occupiers will have access to sunlit, outdoor space at times of the year when the courtyard is in shadow. Taking all of this into account, and the close proximity of public open space accessed via Coverdale Close, it is not considered – on balance - that this aspect of the proposal justifies withholding planning permission.

It is considered that the form and amount of amenity space proposed is appropriate, having regard to the context of the site forming a transition between Stanmore district centre and surrounding suburban areas. The provision of balconies and roof gardens for Blocks A & B, and more traditional garden areas for Blocks C & D (including private gardens for the houses) appropriately reflects the dwelling mix and the likely needs of future occupiers of these different parts of the development. The location of the traditional garden areas to the rear of Block D would help to interface this part of the development with neighbouring gardens/spaces adjacent, as well as ensuring separation, for character and privacy reasons, between buildings at this part of the development.

Although surrounding residential areas are predominantly characterised a traditional pattern of houses and private gardens, blocks of flats with communal gardens, balconies and roof terraces are not completely alien to Stanmore. Furthermore, it is reiterated that these forms of amenity space are appropriate to the form of the higher-density development on the site and its transition between surrounding suburban development and Stanmore district centre. A Landscaping Strategy has been submitted and sets out some principles for the hard and soft landscaping of the whole site including the amenity spaces/roof gardens.

#### *Privacy*

The SPG seeks an adequate level of privacy to habitable rooms in relation to neighbouring property, the street and other public spaces. Policy DM1 *Achieving a High Standard of Development* in relation to privacy has regard to:

- the prevailing character of privacy in the area and the need to make effective use of land;
- the overlooking relationship between windows and outdoor spaces;
- the distances between facing windows to habitable rooms and kitchens; and
- the relationship between buildings and site boundaries.

The distance between the facing residential elevations of Blocks A & B would be 20 metres and is considered to be appropriate to the scale of these blocks and the intended character of this part of the development. The first floor level of flats in Block A, and those on the east side of Block B at first floor level, would have their habitable room windows and balconies opening directly onto the podium roof gardens. It is considered that with suitable siting and landscaping of planting beds it would be possible to provide reasonable screening/separation of the areas immediately adjacent to the flats and the parts of the roof garden that are appropriate for communal use. Such details can be secured as part of the hard and soft landscaping, by condition.

Block A also features projection perpendicular to the main block in the north-west corner on the west elevation. The projection would provide one flat on each of the first to fourth floors and results in habitable room windows and balconies at right angles and within close proximity (3 metres between the balconies) to those of the nearest adjoining flat in the main block. It is considered that the angle of visibility between the nearest habitable room windows (both bedrooms) would be too acute to constitute a significant overlooking relationship, but privacy screens on the ends of the balconies to these flats should be used to prevent overlooking from the balconies into the bedrooms. These can be sought and agreed by condition.

The distances between the facing elevations of Blocks C & D would be between 14 and 15 metres. Although less than the separation provided between Blocks A & B, Blocks C & D are of lesser height/scale and are designed to give this part of the development a more intimate, residential feel. It also more closely reflects the separation distances between houses in the adjacent parts of Rainsford Close, to which this part of the development would relate.

The configuration of Block C results in the formation of an internal courtyard, and this results in distances of 15-19 metres between facing elevations, as well perpendicular relationships between the different elevations. However the flats in Block C are laid-out to face the external elevations, with only kitchen and bathroom windows and, for a small number of the flats, secondary bedroom windows facing into the courtyard. Therefore it is not considered that there are any unacceptable overlooking relationships between the flats in Block C.

To the rear of Block D there would be a separation distance of some 7 metres between the flank edges of balconies and facing bedroom windows (in a perpendicular elevation) between flats on the ground and first floors. However it is considered that this could be satisfactorily resolved by the installation of privacy screens to the flank edges of the balconies, and that this could be secured by condition.

Although not ideal, over a distance of 7 metres, it is not considered that the overlooking relationship would be so severe as to create unacceptable privacy conditions for the future occupiers of these flats.

The ground floor flats to Blocks C & D would have balconies at street level and, in the case of Block D, adjacent to the communal garden area. The submitted drawings indicate that, in the majority of cases, the balconies would be set-back behind planting strips providing a clear demarcation between the public realm/communal areas and the private amenity space of the flats. The details of the hard and soft landscaping can be secured by condition.

In addition to their private gardens, the 3 x three storey town houses would also have roof terraces at second floor level. These possess the potential to overlook the roof terraces and gardens of other houses in the block. However it is considered that these overlooking impacts could be adequately mitigated by the installation of privacy screens to the flank and rear edges of the terraces. These could be secured as a condition of planning permission.

Overall, it is considered that the proposal would secure a standard of privacy for future occupiers of the development that is commensurate with the intended character of this higher-density development (which makes effective use of this accessible previously-developed site) and the likely expectations of future occupiers of a town centre/edge of centre mixed-use scheme. The development has been designed to pull residential development away from the site boundaries, meaning that future occupiers of the proposed flats would not be significantly overlooked by existing residential development/uses surrounding the site.

#### *Dual aspect*

The SPG seeks to avoid single aspect dwellings where: the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful levels of external noise; or the dwelling would contain three or more bedrooms. Policy DM1 *Achieving a High Standard of Development* undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers and, at paragraph 2.15 of the reasoned justification, echoes the SPG position on single aspect dwellings.

As originally submitted, Block A would contain 22 and Block B would contain 15 single aspect flats. All would face either east or west and would be either one or two bedroom flats.

As originally submitted, Block C would contain 5 single aspect flats. Four of them would be east facing one bedroom flats. One would be a two bedroom south facing flat.

As originally submitted, Block D would contain 4 single aspect flats. All would be east facing one bedroom flats.

Since the original submission opportunities to increase the number of dual aspect flats have been identified, reducing the number of single aspect flats to 21 in Block A and 12 in Block B. This reduces the total number of single aspect homes across the whole development to 42 flats (none north facing).

External noise impacts are appraised in a separate section of this report. The appraisal concludes that, subject to satisfactory mitigation, noise levels affecting the site would not lead to significant adverse health or quality of life impacts for future occupiers of the development.

Noting that the applicant has responded positively to requests to provide dual aspect flats wherever possible, the proposal would comply with the SPG's guidance for single aspect dwellings.

#### *Internal noise*

The SPG seeks to limit the transmission of noise from lifts and communal spaces to



sensitive rooms through careful attention to the layout of dwellings and the location of lifts. The SPG also recognises the importance of layout in achieving acoustic privacy. Both of these points are picked up by Policy DM1 *Achieving a High Standard of Development* which undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers and, at paragraph 2.15 of the reasoned justification, echoes the SPG position on noise and internal layout.

The principal lift & stair cores to Blocks A & B secure segregation from adjoining flats. Both blocks benefit from a secondary stair-only core. The secondary core would partially adjoin a bedroom to one flat on each of the first, second and third floors only of both blocks. However this is not considered to be sufficient to pose a significant noise nuisance to future occupiers.

Block C would have one lift only located in the corner of the courtyard and would not adversely affect any flat. Block C has three separate stair cores serving separate segments of the block and the locations of these would be adjacent to a bedroom in some adjoining flats. A total of 14 flats would be affected. However, Block C has been designed with multiple stair cores meaning that each one will serve a modest number of flats (6, 9 and 18 respectively) so that no individual core would be subject to high volumes of occupier/visitor traffic. Again, therefore, it is not considered that the future occupiers of the 14 flats affected would be exposed to significant noise nuisance.

Block D would also have only one lift and it would not adjoin any habitable room. The stair core would be adjacent to a bedroom in 3 adjoining flats. Again, however, as this block would contain only 14 flats, resulting in no more than modest volumes of stair traffic, it is not considered that the future occupiers of the 3 flats affected would be exposed to significant noise nuisance.

The proposal achieves a uniform vertical stacking of flats and room uses throughout the development except for the fourth and fifth floors of Block A. This is because the fifth floor of Block A is proposed to provide three-bedroom flats, at odds with the layout providing one & two bedroom flats on the floors below. As a consequence there would be partial overlap of fifth floor living areas above fourth floor bedrooms. However the extent of overlap is not substantial and, in the context of a purpose built block that will be required to achieve the Building Regulations standards that are current at the time of construction, it is unlikely to expose the fourth floor occupiers to significant noise nuisance.

The proposal generally avoids living rooms adjoining the bedrooms of neighbouring flats by 'handing' flat layouts within blocks, but inevitably there are instances within the blocks where such a relationship occurs. Again, recognising that the design avoids this wherever possible and that the blocks will be required to achieve Building Regulations standards that are current at the time of construction, this is not considered to be unacceptable.

#### *Floor to ceiling heights*

The SPG calls for a minimum floor to ceiling height of 2.5 metres in habitable rooms. In response to a request for clarification, the applicant has advised that there would be minimum floor to ceiling heights of 2.5 metres.

#### *Daylight, sunlight and outlook*

The SPG establishes no baseline standard for daylight or sunlight. Policy DM1 *Achieving a High Standard of Development*, in seeking a high standard of amenity for future occupiers of a development, has regard to the adequacy of light and outlook within

buildings (habitable rooms and kitchens).

A Daylight, Sunlight and Shadow Assessment has been submitted with the application.

The Assessment reports that the development has 339 habitable rooms and 515 windows serving those rooms. The results of the daylight Assessment, which uses three different methodologies, show that:

- in terms of vertical daylight reaching a window from the sky<sup>21</sup>, 276 windows (53.59%) would comply with BRE guide levels;
- in terms of daylight distribution reaching a room (using the Daylight Distribution method), 266 habitable rooms (78.47%) would comply with BRE guide levels; and
- in terms of daylight distribution reaching a room (using the Average Daylight Factor method), 280 habitable rooms (82.60%) would comply with ADF guide levels.

The daylight distribution methods are said to be more sophisticated as they take into account room size and other factors. Nevertheless, even by these measures, the results show that a proportion of the rooms would receive daylight at levels below the guideline levels.

The Assessment notes that, in relation to the vertical daylight results, many of the windows receiving light below guide levels will experience only marginal effects, are secondary windows to the room concerned, or are beneath balconies.

The submitted Planning Statement offers the following justification:

- the breaches of guideline levels are localised and marginal – the vast majority will comply;
- the levels of daylight achieved across the development are very good for an urban development in a town centre location;
- the BRE guide levels are based on a typical suburban model of development, which suggests that expectations in a town centre situation will be different, and the guide itself indicates that a flexibility in the interpretation of results is required; and
- the weight to be attached to the BRE guidelines needs to reflect policies which encourage developments to make efficient use of land.

Clearly, the failure of the development to achieve guideline levels of daylight to all windows and habitable rooms/kitchens is an undesirable characteristic of the proposal. The applicant has carried out some further work in this regard and has advised that the open plan living room/kitchen areas have been assessed against the more stringent BRE guidelines for kitchens, but that if the less onerous targets for living rooms are applied then 90.56% of the rooms requiring assessment within the development would comply with the guide levels. It is also pointed out that the principal constraint to daylight within the development is the provision of generous balconies above windows serving rooms; therefore the amenity value of the balconies should be balanced against the small number of units where the BRE guidance is not met.

Policy DM1 requires proposals to achieve a high standard of amenity and sets out the considerations for the assessment of amenity, of which light within buildings is one. The weight to be attached to this consideration, within the context of the whole amenity that would be afforded to future occupiers of the development, is ultimately a question of

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<sup>21</sup> The 'Vertical Sky Component' (VSC) method.

judgement. Taking into account the positive assessment of the proposal across a range of other amenity considerations, including the provision of amenity space, privacy, internal layout and dual aspect, it is considered that the overall standard of amenity for future occupiers would be high. On balance, therefore, refusal of the application on grounds of inadequate daylight is not recommended.

Turning to sunlight, the Assessment states that 178 of the windows serving the proposed residential accommodation are orientated due south<sup>22</sup>; these windows have been assessed against the BRE guidelines for sunlight. The results of the Assessment show that 130 (73.03%) of the assessed windows would comply with the BRE guidelines for annual sunlighting and 159 (89.33%) would comply with the guideline requirements for winter sunlight.

Again, therefore, the Assessment results show that not all of the south facing windows within the development would achieve the BRE guide levels for sunlight. However the Assessment goes on to explain that the windows receiving below guide levels of sunlight are those at lower levels and facing other blocks within the development, that many of the affected windows serve bedrooms, that some are only marginal breaches of the guidance, and that all would enjoy good levels of interior daylight.

The justification set out in the submitted Planning Statement for daylight (above) also applies to the sunlight results.

As with daylight, so too it is considered that the failure of the development to achieve guideline levels of sunlight to all of the windows the subject of the sunlight assessment is undesirable but, for the purposes of applying the requirements of Policy DM1, the implication of this for the whole amenity of future occupiers is a matter of judgement. And again, taking into account the otherwise positive assessment of the development in relation to other aspects of future occupiers' amenity, it is considered that the overall standard would be high and therefore refusal for this reason is not recommended.

The part of the Assessment which deals with overshadowing of/sunlight to amenity spaces within the development is appraised separately, as part of the consideration of the adequacy of the proposed amenity space, above.

Finally, in terms of outlook, it is noted that all habitable rooms would be served by a window. All windows would have an outlook either onto the public realm, onto communal amenity areas and (in the case of the houses) private garden areas. Whilst other buildings within the development would feature – in some cases quite prominently – in the outlook from some windows, it is not considered that this would result in unacceptable visual living conditions for future occupiers. None of the proposed flats would have a primary/sole outlook onto the rear elevations/service areas of the near-neighbouring commercial premises in The Broadway.

### **Residential Amenity of Neighbouring Occupiers**

London Plan Policy 7.6 Architecture states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to privacy, overshadowing, wind and microclimate.

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<sup>22</sup> The applicant has confirmed that the BRE guidance only requires windows orientated within 90 degrees of due south to be assessed in terms of sunlight availability.

Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 *Achieving a High Standard of Development* sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers. Harrow has also produced a Residential Design Guide SPD.

The privacy and amenity impacts have been assessed taking account of the proposed removal of trees within the application site boundary (see separate section of this report).

### *Visual impact*

The most significant visual impact occurs in relation to the adjoining Dennis Gardens maisonettes nos. 5-8. The east elevation of the multi-storey car park would be 18-18.5 metres behind their rear elevations and between 6 & 9 metres from the rear boundary of their gardens. This elevation would achieve heights of 7.5-8 metres behind these garden boundaries. The east elevation of the residential block above the car park (Block B) would reach heights of 19-19.5 metres at distances of between 30 & 36 metres behind their rear elevations and 18 & 24 metres behind the garden boundaries. It should be noted that the submitted cross section drawings suggest that levels behind the garden boundaries would be reduced (it is proposed to control levels details and any retaining structures by condition) which would mitigate some of the height when viewed from these gardens.

Clearly, such a scale of development on a site with little/low-rise existing development will result in a significant change in outlook when viewed from these neighbouring maisonettes and their gardens. However visibility does not equate to harm. The proposed ventilation panels within the car park wall would provide significant visual relief to this part of the building, whilst the articulation of the east elevation of Block B would help to mitigate the perception of its bulk and massing. Taken together with the separation distances described above and having regard to the need to make effective use of this allocated/town centre site, and recognising that the occupiers of the adjacent part of Dennis Gardens would experience a substantial visual change in their surroundings, it is not considered that the visual impact would be unacceptable.

The rear of nos. 9-12 Dennis Gardens would face the east elevation of Block D (though clearly they would also get an oblique view of the multi-storey car park/Block B). The nearest part of the east elevation of Block D would be 21-22 metres behind their rear elevations and 8-10 metres behind their rear garden boundaries. This elevation of Block D would be three storeys – giving an elevation height in the region of 10 metres. However it should be noted that the Block does rise to four storeys (13 metres) at distances of 26-31 metres from their rear elevations and 11-19 metres behind their garden boundaries. Again, it is proposed to control levels details and any retaining structures adjacent to Dennis Gardens by condition.

In contrast to Block B, Block D would have simple elevation treatment commensurate with its more domestic scale and character. The design of the building, stepping down to three storeys where it approaches the site boundary with Dennis Gardens, serves both to articulate this elevation and reduce the visual impact of the already more modest bulk and massing of this part of the development. Again it is recognised that the occupiers of the adjacent part of Dennis Gardens would experience a visual change, but given the

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<sup>23</sup> The 'Vertical Sky Component' (VSC) method.

<sup>24</sup> Information taken from drawings submitted with application P/1679/06/DCP.

above separation distances and the design & scale of Block D, it is not considered that the resulting visual impact would be unacceptable.

The remainder of the east boundary of the application site is contiguous with Laburnum Court. The adjoining part of Laburnum Court comprises a communal garage/parking court and a well-maintained communal garden that wraps around the rear/sides of the buildings and is accessed through breaks in the building at ground floor level (thus providing glimpses into the garden from the streetscene). There is a substantial Cypress hedge along the boundary between Laburnum Court and the application site. The Arboricultural Report submitted with the application identifies that part of the hedge that is within the application site as being removed, although the applicant has since indicated that efforts will be made to retain it with thinning/replacement planting as may be deemed appropriate.

The remaining (four storey) section of the flatted part of proposed Block D would occupy the part of the site behind the Laburnum Court garage/parking court at a distance of 10 metres from the common boundary. This part of Block D would therefore be visible from the garage/parking court and the visual impact from this vantage point is considered to be acceptable.

Behind the adjoining gardens of Laburnum Court would be the 6 x two and three storey houses. The continuous two storey rear (north-east) elevation of the proposed terrace of houses would be 9-11 metres from the common boundary and 18-20 metres from the facing (south-west) elevations of nos. 17-20. The second floor components of the 3 x three storey houses would be stepped-in from the main two storey rear elevation giving an extra 5 metres' separation and thereby reducing their perceptibility from the adjoining gardens and maisonettes.

Although the proposal would bring development closer to the boundary of the adjoining part of Laburnum Court than currently exists with Anmer Lodge, it is considered that the resulting visual impact would be broadly consistent (in terms of scale and separation) with that between existing dwellings in Rainsford Close and other parts of Laburnum Court, and is acceptable. Nos. 21 & 22 Laburnum Court adjoin the north-east corner of the site, where there would be a gap between the end-house of the proposed terrace and no. 14 Rainsford Close.

The aforementioned gap would create a separation between the end-house of the proposed terrace and the side boundary of no. 14 Rainsford Close of 3 metres. The front part of the end-house's flank wall would be three storey, and the two-storey rear part of the flank wall would be topped with a privacy screen. Given the flank-to-flank relationship, it is appropriate to apply the Council's 45 degree code (horizontal plane) in relation to the adjacent front and rear corners of no. 14. In this regard it is found that the front and rear corners of the proposed end-house would be well within the 45 degree lines. Taken together with the separation of the proposed flank wall from the boundary, it is considered that the end-house in Block D would not appear unduly obtrusive or overbearing in the front/rear outlook of no. 14 or from its rear garden.

No. 10 Rainsford Close is separated from the application site by the public highway. The nearest part of Block C, which is three storeys where it fronts Rainsford Close, would be at a distance of 11 metres from the flank wall of no. 10. It would be well within the 45 degree code in relation to the front and rear corners of no. 10. Again, therefore, it is concluded that the adjacent parts of Block C would not appear unduly obtrusive or

overbearing in the front/rear outlook of no. 10 or from its rear garden.

Occupiers of other properties in Rainsford Close (including the flats at no. 4) and in nearby Greyfell Close would see the development, either at an oblique angle of view or more directly, but the immediacy of the visual impacts would be mitigated by the orientation and/or distances of those properties from the site. These visual impacts are considered to be acceptable.

As with the occupiers of adjoining property in Dennis Gardens, so too the occupiers of maisonettes above the ground floor commercial premises on the north side of The Broadway would experience the most dramatic visual change. Again, however, visibility should not be conflated with harm.

It was observed that the majority of the above-shop maisonettes are accessed at the rear and a number also have rear outdoor space (mainly terraces at first floor entrance level). The south elevations of the proposed retail store and multi-storey car park, which would be sited immediately adjacent to the service road, would be 8-10 metres high. These elevations would be typically 20 metres or just over from the facing upper-floor rear elevations of buildings in The Broadway. The south elevations of the proposed residential Blocks A & B would be stepped-in from the south store/car park elevations by between 1 and 4 metres, giving further separation distance relative to property in The Broadway. Both blocks comprise only three levels of accommodation at their southern end, giving heights in the region of 17-18 metres here, increasing in height to provide additional levels of accommodation further north into the site.

Other than the south elevation of the retail store, which would be blank where it adjoins the existing service road, the south elevations of the development when viewed from the rear of The Broadway would be suitably articulated. The ventilation panels to the car park wall would also provide visual relief. Taken together with the separation distances described above and having regard to the need to make effective use of this allocated/town centre site, it is not considered that the visual impact upon residential occupiers (and indeed business users/occupiers) of neighbouring property in The Broadway would be unacceptable.

#### *Privacy*

As with the assessment of visual impact above, it is considered that the most significant privacy impact of the proposal relates to the adjoining properties in Dennis Gardens. In particular, the gardens and rear elevations of nos. 5-8 would be overlooked at relatively close proximity by parts of the upper (residential) level of the multi-storey car park & podium roof garden above, and at a greater separation by a number of windows and balconies serving the flats in parts of the east-facing elevation of Block B.

Suitable treatment of the ventilation panels could be employed to screen views into the neighbouring properties from the car park. The proposal design incorporates a perimeter wall 1.4 metre high above the floor level of the podium garden of Block B, with a perimeter planting bed 0.8 metre deep behind it. Subject to suitable panel treatment and planting, both of which can be controlled by condition, it is considered that reasonable mitigation of the most immediate overlooking opportunities affecting 5-8 Dennis Gardens could be achieved.

Clearly however the overlooking between the nearest flats in Block B and nos. 5-8 Dennis Gardens cannot be mitigated. The rear gardens of these neighbouring properties

would suffer a significant loss of privacy compared to the relatively secluded conditions that they currently enjoy. In terms of the maisonettes, it is noted that the Mayor's SPG refers to separation distances of 18-21 metres between facing elevations with habitable rooms as being 'useful yardsticks' for visual privacy. At the pinch point – between the rear elevation of nos. 5 & 6 Dennis Gardens and the end (north corner) flats in the east elevation of Block B – the separation distance would be 32 metres. Overlooking from flats in other parts of the east elevation towards the rear elevation of nos. 5/6, and towards nos. 7/8, would be at a more oblique angle of view and so not quite so severe. Having regard to the need to make effective use of this allocated/town centre site, it is considered that the resulting loss of privacy that would occur to occupiers of neighbouring in Dennis Gardens is, on balance, acceptable.

The separation distances between the nearest part of the east elevation of Block D and the rear elevations of nos. 9-12 Dennis Gardens (21-22 metres) and between the rear elevation of the proposed terrace of houses and the facing elevations in Laburnum Court (18-20 metres) would be 'yardstick' distances cited in the Mayor's SPG. Again, these neighbouring properties currently enjoy relatively secluded conditions, so any development of the application site will involve deterioration in privacy.

The stepped design of the flatted part of Block D is such that the main four storey rear elevation would be further away from the site boundary, although there would remain a view from the windows/balconies within this elevation towards the neighbouring Dennis Gardens properties. The nearer three storey part of the block would contain balconies and habitable room windows more directly overlooking the gardens and rear elevations of nos. 9-12 Dennis Gardens. However, given the above separation distances and the aforementioned arrangement of the block's storey levels, and having regard to the need to make effective use of this allocated/town centre site, it is not considered that the resulting privacy impact would be unacceptable.

Part of Block D would increase natural surveillance of the garage/parking area in Laburnum Court, which is a positive outcome.

In view of the separation distances between the main two storey rear elevation of the proposed houses and the garden boundary/facing elevations of Laburnum Court, and disregarding the obscuring effect of the existing Cypress hedge for the purposes of this assessment, it is considered that the degree of overlooking from first floor level windows would be broadly consistent with that which already exists between houses in Rainsford Close and other parts of Laburnum Court. Unlike Rainsford Close, three of the proposed houses would have a third floor comprising accommodation (towards the front) and a roof terrace (towards the rear). Overlooking from the windows in the rear elevations of the third floor components would be reduced by the siting of that additional level 5 metres in from the main two storey rear elevation of the terrace.

However the roof gardens extending to the edge of the two storey elevation would create a potential overlooking relationship at odds with the more suburban character of this part of the proposed development and its surroundings. However it is considered that these overlooking impacts could be adequately mitigated by the installation of privacy screens to the flank and rear edges of the terraces. These could be secured as a condition of planning permission.

No windows are proposed in the flank elevation of the end-house adjacent to no. 14 Rainsford Close. A privacy screen on the outer side of the roof terrace of the end house

is proposed, and this would prevent direct overlooking from the edge of the roof terrace down into the amenity space of no. 14. Subject to a condition controlling the details of the proposed screen (height/materials), it is considered that there would be no significant loss of privacy to the occupiers of no. 14 Rainsford Close.

The nearest part of Block C would face the flank wall of no. 10 Rainsford Close across a distance of 11 metres. The distance between the flank garden boundary of no. 10 and the part of Block C that directly faces that garden is 17 metres. The facing elevation of that part of the block would be three storeys and contain secondary living room windows and the sides of a stack of balconies. The resulting overlooking of no. 10's garden would therefore be indirect, over the aforementioned distance and across the public highway. It is not considered that the privacy impact upon the occupiers of no. 10 would be unacceptable.

Overlooking of other properties in Rainsford Close (including the flats at no. 4) and nearby Greyfell Close would be similarly indirect and/or involve greater separation distances. It is therefore concluded that there would be no unacceptable loss of privacy to the occupiers of these properties.

Turning finally to the impact upon the privacy of the occupiers of maisonettes above the ground floor commercial premises on the north side of The Broadway, these would – as with the maisonettes in Dennis Gardens – be the subject of potential overlooking from the upper level of the multi-storey car park, the podium gardens serving Blocks A & B, and of course from the flats in the nearest parts of these blocks.

In terms of the car park and podium, it is considered that the overlooking impact would be less immediate than that affecting Dennis Gardens, taking into account the separation distances, the absence of ground level/traditional gardens, and the more utilitarian/commercial character of land at the rear of The Broadway. From within the maisonettes, occupiers would see the end elevations of Blocks A & B, containing mainly secondary windows, and the sides of balcony stacks. For some occupiers there would also be an oblique view of the principle east/west elevations of these blocks, adding significantly to the perception of overlooking. On balance, and having regard to the need to make effective use of this allocated/town centre site, it is considered that the resulting loss of privacy to residential (and indeed commercial) occupiers of The Broadway is acceptable.

#### *Daylight, sunlight and outlook*

A Daylight, Sunlight and Shadow Assessment has been submitted with the application. The Assessment uses widely-recognised methodology to assess the proposal's impact upon neighbouring property against British Research Establishment (BRE) guidelines. This approach is more sophisticated than the Council's 45 degree code and so it is considered to be more relevant (than the code) in the assessment of the proposal's amenity impacts, pursuant to Policy DM1.

The Assessment has assessed the daylight impacts of the development upon the closest windows of the immediately neighbouring properties in Dennis Gardens (nos. 5-11), Laburnum Court (nos. 17-23), Rainsford Close (nos. 4, 10 & 14) and the upper-level residential premises in The Broadway (nos. 14-64 evens). In total, 137 windows have been assessed.



The results of the daylight Assessment, which uses three different methodologies, show that, in terms of vertical daylight reaching a window from the sky<sup>23</sup>, 132 windows (96.4%) would comply with BRE guide levels. As this is such a good result for a development to this type, the Assessment does not proceed to apply daylight distribution methods (as it has done for the assessment of daylight to the proposed development).

The five windows not achieving the BRE guide levels of daylight are:

- A first floor window rear-facing window to no. 18 The Broadway. The Assessment shows that this is a marginal shortfall, recording a 0.79 degree of change against a target level of 0.8.
- Four windows serving no. 14 Rainsford Close. The windows are: a ground floor and a first floor window in the main flank wall (serving a living room and en-suite respectively), and a ground and a first floor window in the flank wall of an original front projection to the house (the entrance hall and main bathroom respectively). As might be expected, those in the flank wall of the original front projection involve only marginal shortfalls, the Assessment recording 0.68 (ground floor) and 0.76 (first floor) degrees of change against the aforementioned target level of 0.8. In the main flank wall, the Assessment records 0.34 (ground floor) and 0.51 (first floor) degrees of change.

The proposal therefore achieves BRE guideline levels of daylight to the majority of the windows of the nearest neighbouring residential properties surrounding the site. For three of the five windows not meeting the guideline levels, the shortfalls are marginal and would not justify withholding planning permission. Of the two windows in the main flank wall of no. 14 Rainsford Close where a more significant shortfall would occur: the ground floor window serves a living room and that room has been extended but maintaining its principal source of light/outlook on the rear elevation; the first floor window serves an en suite<sup>24</sup>. Therefore neither of these two windows would be regarded as 'protected' for the purposes of Harrow's Residential Design Guide SPD and so, again, withholding planning permission for this reason would not be justified.

As the majority of the nearest neighbouring windows affected by the development are assessed as achieving guideline levels of daylight, it is reasonable to extrapolate that the daylight impact of the development on daylight to property over a wider area (i.e. not the subject of the Assessment) would not be significant. In this and all of the above circumstances, therefore, it is considered that the proposal's impact upon daylight to neighbouring property is acceptable.

Turning to sunlight, the Assessment has assessed the sunlight impacts of the development upon the south facing windows of the immediately neighbouring properties in Dennis Gardens (nos. 5-11), Laburnum Court (nos. 17-23) and Rainsford Close (nos. 4, 10 & 14). In total, 63 windows have been assessed.

The results of the Assessment show that 62 (99%) of the assessed windows would comply with the BRE guidelines for annual and winter sunlighting. The one window not achieving the guide levels is that in ground floor of the main flank wall of no. 14 Rainsford Close and the degree of shortfall is marginal. As noted above, the affected window is not considered to be 'protected' for the purposes of Harrow's SPD.

In all of the above circumstances it is considered that the proposal's impact upon daylight to neighbouring property is acceptable.

As the majority of the nearest south-facing neighbouring windows affected by the development are assessed as achieving guideline levels of sunlight, it is reasonable to extrapolate that the impact of the development on sunlight to other windows (i.e. not the subject of the Assessment) would not be significant. In this and all of the above circumstances, therefore, it is considered that the proposal's impact upon sunlight to neighbouring property is acceptable.

Other than the south elevations of the proposed retail store and multi-storey car park, the proposed development would not be located immediately adjacent to the boundary of the site. The closest relationship between a proposed building and a neighbouring dwelling occurs in relation to the end-house of the proposed terrace and no. 14 Rainsford Close. Even here, as noted above, there would be a separation of some 3 metres between the proposed flank wall and the boundary, helping this part of the proposal to comply with the Council's 45 degree code (horizontal plane). In these circumstances it is not considered that the proposal would have a detrimental impact upon the outlook of this or any other neighbouring property. Consideration of the broader visual impact of the development when viewed from within neighbouring dwellings and their outdoor spaces set out above (visual amenity).

#### *Overshadowing of neighbouring gardens*

The Assessment also includes an analysis of the sunlight and shadow impacts upon the following neighbouring gardens:

- 10 Rainsford Close (rear garden);
- 14 Rainsford Close (rear garden); and
- 15-20 Laburnum Court (rear garden).

The impacts upon space to the front of nos. 14 & 15 Rainsford Close have also been analysed, although these are forecourts rather than useable amenity areas.

The BRE shadow guideline relates to the amount of a garden or amenity area receiving at least two hours of sunlight on 21<sup>st</sup> March (the Spring Equinox) and the change as a result of development. In this regard the analysis found that all of the gardens/areas assessed (including the forecourts) would comply with the BRE guideline levels after the development.

#### *External noise, vibration, dust, air quality and light pollution*

The part of the development occupying the north (Anmer Lodge) half of the site would be predominantly residential in character. Occupiers of neighbouring properties surrounding this part of the site have, in recent years, enjoyed very low levels of activity associated with the site (whilst it has been vacant) and prior to that, only modest levels of activity associated with its former use. The proposed residential development would, by its nature, bring increased levels of vehicular & pedestrian movement, and indeed general domestic activity, to this part of the site. It is considered that the amenity impact of the likely resulting levels of noise associated with this residential part of the development would not be incompatible with the surrounding residential areas.

Coverdale Close would be used by delivery lorries serving the proposed retail store, and this aspect of the proposed development would be likely to have some impact upon the amenities of occupiers in Greyfell Close and Rainsford Close in terms of noise and (potentially) vibration. The applicant has advised that the proposed delivery time would be 6.30am and this is crucial to the operation of the proposed store (as a food store) to ensure that it is fully stocked with fresh produce before it opens at 8.00am. It is not

considered that a 6.30am delivery time is unreasonable but middle-of-night deliveries would be more intrusive and such deliveries should, therefore, be restricted. This could be secured as a condition of planning permission.

Turning to the south half of the site, and clearly the activity associated with the proposed retail store and car parking areas, as well as the introduction of comparatively denser levels of residential occupation, within this part of the development can be expected to have some impact upon the amenity of neighbouring occupiers. However this part of the site is within Stanmore district centre (where commercial uses and car parking are to be expected) and any impacts must be viewed in the context of the need to make effective use of this allocated/town centre site.

The proposed hours of use of the retail store are 08:00 to 21:00 Monday to Saturday, and six hours between 10:00 and 17:00 on Sundays. Such opening hours are within normal parameters for a food store of this type/scale, and within the context of the town centre location the likely noise impacts (trolleys, parking & etc.) associated with the hours of use are not considered to be unacceptable. However given the relationship of the store with residential premises within the development and surrounding the site, it is not considered that 24 hour opening would be appropriate here and therefore a condition controlling the hours of use is recommended.

As with the existing town centre car park, so too the proposed ground level car park would wrap around the side and rear boundaries of nos. 5-8 Dennis Gardens. It is considered that, overall, the development would achieve a benefit in terms of the impact of car parking activity upon the occupiers of Dennis Gardens, not least because a car park management plan (proposed as a condition) allows for tighter control of the times of access to and operation of the car park than currently exists. Nevertheless, any new/replacement boundary treatment to these boundaries (to ensure adequate height/enclosure etc) can be controlled by condition as part of the hard and soft landscaping details.

The proposed upper deck of the multi storey car park would provide parking for residents only, but nevertheless introduces the potential for new/additional noise, light pollution and fumes to affect neighbouring properties at this elevated level. In view of the separation from properties in The Broadway, and their location already within a commercial town centre environment, it is not considered that the resulting impact upon the amenity of occupiers of property in The Broadway would justify withholding planning permission. However the relationship between the upper deck and nos. 5-8 Dennis Gardens is more immediate and should be mitigated. It is considered that this could be achieved through control of details of the finish of the ventilation panels, as a condition of planning permission.

Details of possible advertisements for the proposed retail store have not been submitted. In the event that illuminated advertisements are required, any impacts upon amenity would be assessed as part of any application for advertisement consent.

There is no reason to believe that lighting of the public realm and car parking areas within the development would cause any significant nuisance to neighbouring occupiers. It is proposed to control, as a condition of planning permissions, details of the ventilation/extraction equipment and other plant associated with the development, to ensure that any noise, exhaust and vibration is mitigated and does not give to unreasonable nuisance to residential occupiers within or surrounding the development.

A full assessment of the air quality implications of the development is set out in a separate section of this report. No evidence has been submitted in relation to wind tunnel and microclimate affects, but these are not considered to be significant issues for this site or the subject proposal.

## **Traffic, Parking, Servicing and Sustainable Transport**

### **Parking**

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. London Plan policy 6.3 states that 'development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed'. Policies 6.9 and 6.10 relate to the provision of cycle and pedestrian friendly environments, whilst policy 6.13 relates to parking standards. Core Strategy policy CS1Q seeks to 'secure enhancements to the capacity, accessibility and environmental quality of the transport network', whilst policy CS1R reinforces the aims of London Plan policy 6.13, which aims to contribute to modal shift through the application of parking standards and implementation of a Travel Plan. Policy DM42 *Parking* of the Development Management Policies Local Plan document gives local interpretation to the London plan car parking standards including specific provision for motorcycles. Policy DM43 *Transport Assessments and Travel Plans* sets out Harrow's requirements for transport assessments and travel plans. Policy DM44 *Servicing* sets out the requirements for the servicing of non-residential development proposals.

### *Commercial Parking*

The existing on-site surface car parking quantum within Stanmore car park situated adjacent to Anmer Lodge consists of 51 spaces leased to third parties, 9 council pay & display spaces and 91 spaces dedicated to Lidl's retail operation totalling 151 spaces. To maintain the contractual obligations under the existing lease agreements and council parking provisions there is a requirement to re-provide this total of 151 spaces in a revised format within the proposed multi-storey car park (MSCP) which is to be located within the redeveloped site envelope. It is noted that as part of the phased building programme, consisting of phases 1&2, all 151 spaces will initially be consolidated at surface level in the northern segment of the site following demolition of Anmer Lodge as part of the 1<sup>st</sup> phase. This is a temporary arrangement and these spaces will be decanted into the newly constructed MSCP at the conclusion of phase 1.

The MSCP is proposed to accommodate 201 spaces to include the above spaces with an additional 50 new spaces for the proposed retail store.

The retail store would equate to 1,692m<sup>2</sup> (including plant and loading bay) or 1395m<sup>2</sup> (retail floor space only) GFA hence the maximum parking requirement for this retail element would be in the region of up to 70 spaces in accord with London Plan 2011 standards for a site that exhibits a public transport accessibility level (PTAL) of 2. At the pre-application stage TfL have indicated that a lower quantum of provision would be apt based on their interpretation of the relevant standard. This would then equate to a maximum of 40 spaces unless general town centre on and off street facilities demonstrate that a short fall of parking provision exists in the locality. The applicant has undertaken parking demand surveys which indicate that the availability of spare parking

capacity outside of the site is in fact marginal. Independent observations verify this to be case hence it is considered that the full provision of 50 spaces is justifiable and acceptable in the context of this methodology and London Plan maximum standard.

The parking requirement for electric vehicle charging point (EVCP) provision in line with London Plan 2011 standards for the A1 use and would equate to 5 EVCPs with a further 5 spaces acting as 'passive' provision for the new A1 use. In accord with the Housing Design Guide 2010 10% of parking spaces would be disabled compliant culminating in 5 spaces.

In terms of cycle parking for the A1 element there would be a provision of 11 secure and accessible spaces in total which includes 6 cycle stands in front of the retail store with a further 5 within a separate storage compound. This provision accords with London Plan 2011 standards and therefore is welcomed and accepted.

### *Residential Parking*

The number of proposed on-site parking spaces are to be dispersed within the proposed multi-storey car park (at mezzanine level) and undercroft (at Block C)/ surface level areas and would equate to 93 dedicated to the new residential content. This would represent a parking ratio of 0.77 spaces per dwelling which falls within London Plan 2011 maximum parking standards for the proposed mix of 120 units and is therefore considered appropriate given the site's public transport accessibility level (PTAL 2) and surrounding parking restraints which take the form of an extensive Controlled Parking Zone (CPZ). The site would be made 'resident permit restricted' to prevent new residential occupiers from obtaining a permit for the surrounding Stanmore CPZ which will assist in achieving parking restraint thereby lessening the need for private car ownership associated with the site which would otherwise potentially increase on-street parking demand and be of detriment to existing permit holders in the area. This is to be secured by appropriate condition.

To further this aim toward sustainable modal shift it is proposed to explore the viability and introduce a 'Car Club' to serve new and existing residents in the area. Car clubs are privately operated 'pool cars' and members of the club can book a car as little as an hour before use. Bookings can be for an hour, for 2 to 3 days or longer and is more economic than conventional car hire. Car clubs therefore encourage people to forego private car ownership and they are also attractive to people that make very limited use of a car. While not having the expense of buying, insuring and maintaining their own vehicle, members have access to a car that is parked conveniently in dedicated parking spaces within a few minutes walk of their home. Research has shown that car club cars can replace between 6 to 20 privately owned vehicles. This facility is to be secured by condition.

The parking requirement for electric vehicle charging point (EVCP) provision in line with London Plan 2011 standards for the C3 use would equate to 19 EVCPs with a further 19 spaces acting as 'passive' provision for future activation. In accord with the Housing Design Guide 2010 10% of parking spaces should be disabled compliant equating to 10 spaces. It is proposed to initially provide 2 spaces on a demand led basis with an option to increase the provision up to a level of 10 spaces once further demand is demonstrated. This mechanism would be controlled within the parking management strategy regime as described below and is considered acceptable within that context.

In terms of cycle parking there would be a provision of 130 secure and accessible spaces in total provided for residents and their visitors within secure communal areas for the flatted element with individual storage units for individual dwelling units. These provisions

accord with London Plan 2011 standards and therefore considered appropriate as proposed.

### *Motorcycle Parking*

The council's Development Management Policy (DM42) requires that new developments provide one motorcycle/scooter parking space per 20 parking spaces provided. Consequently there will be 5 spaces provided for the residential content with 3 spaces serving the retail provision which therefore satisfies this policy requirement.

### *Parking Management Strategy (PMS)*

On the premise of best controlling the mixed use profile of parking usage within the site which includes new residential, commercial and relocated lease provisions, it is idered that the application of a PMS is a key tool which helps to ensure an unhindered and functional operation for all the parking uses within the site envelope. This will involve creating an internal site management regime that will enforce and oversee overall parking control on a site wide basis thus ensuring the harmonious and mutual coexistence of the mix of parking uses. The PMS may be supported by enforcement structures which encourage the correct use of parking places which would assist in ensuring that parking demand and allocation is managed coherently. The PMS should also set out the methodology behind the allocation/control of parking places for the residential and commercial elements with reference toward the lease of spaces rather than individual sale, priority allocations toward wheelchair units with monitoring of EVCP usage and demand. The PMS is to be conditioned accordingly.

As a consequence of a successful internal PMS, it must be anticipated that there is some potential for the surrounding public road network to be impacted by some displaced parking as some new residents may endeavour to seek alternative parking facilities within the public realm. The surrounding locality is in the main encompassed by an established CPZ however there are areas which are uncontrolled such as parts of Dennis Lane and other neighbouring roads which could possibly bear the brunt of any future displacement. Also the existing surrounding CPZ operates on a time limited basis i.e Monday to Friday @ 3pm to 4pm which may not be adequate to deter new residents of the site who do not wish to part with their motor car and therefore resort to park unencumbered during the evening time and overnight within the CPZ.

As a result a sum of £30,000 is sought under a section 106 Planning Obligation (The Town & Country Planning Act 1990) in order to facilitate the investigation and possible review/extension of the surrounding Controlled Parking Zone and/or general parking controls/provisions in order to safeguard the surrounding public realm.

## **Traffic Generation**

### *Residential Traffic Generation*

A London database of trip generation for different land uses (TRAVL) has been applied by the applicant and the combination of the highest level of trips have been chosen to illustrate the maximum impact on the local road network.

In order to determine the appropriate modal split between all arrivals and departures from the site, the TRAVL data has been compared to the data within the 2011 National Census for the Stanmore Park ward. It is noted that TRAVL data is not site specific and is reliant on many parameters linked to the context and characteristics of a particular site. On that premise there are inbuilt inaccuracies with the data base which understandably

cannot reflect precise site circumstance. It is therefore considered reasonable that the 'worst case' percentile 'private car' residential household use of approximately 55 % derived from the National Census can be applied to this site owing to the comparability and accuracy of the demographic activity profile for the Stanmore Park ward. On this basis it has been demonstrated that the 120 residential units would result in a 2-way in and out traffic generation up to approximately 41 vehicles in both the am and pm peak traffic periods.

In terms of directional traffic assignment it is important to note that actual levels of use/reassignment that takes place will depend upon factors such as wider network conditions such as congestion, drivers tolerance to delays/congestion, origin and destination of trips etc. The balance of this assignment between junction access/egress points will change dynamically from day to day. In considering the impact of traffic, members should therefore be mindful of this dynamic condition. It has however been assumed for calculation purposes that the Stanmore Hill/Coverdale Close junction would, in the main, be impacted in traffic generation terms with a balanced distribution of vehicles turning in and out of the road onto Stanmore Hill.

With this balanced proportionality in mind, this junction could potentially exhibit additional new residential usage of approximately 41 vehicles per hour in the am peak with 39 during the pm peak with a 50/50 percentage split in assignment at the junction. This does not factor in any potential further reductions by way of modal shift toward sustainable means of travel resulting from a successful travel plan and parking management strategy hence it is anticipated that realistically this potential rise in traffic will in fact be reduced. In a similar vein there have been recent independent studies made of how car ownership within new developments is linked with actual car usage. Early findings suggest that a significant proportion of car ownership does not necessarily reflect in actual usage with some site examples demonstrating that in the region of 50 % of vehicles parked on-site are not used during peak traffic hours further lessening end game impacts on the highway network. However for robustness in analysis terms such assumptions have not been taken into account in order to demonstrate a worst case scenario.

#### *Commercial Traffic Generation*

The proposed retail store (1395m<sup>2</sup> GFA) usage could, in comparison with the residential use, generate a potentially higher traffic level at Dennis Lane/rear service road junction of up to approximately 36 two-way vehicles during am peak with 60 during the pm period with a Saturday peak activity figure of 69 between 12.30 and 1.30 pm.

Although this is considered a reasonable and realistic assumption, in terms of the predicted morning peak activity it is noted that anecdotal evidence from existing supermarket/food store related activities in Harrow, and London in general, suggests that the potential traffic generation is likely to be an overestimate as such retail facilities are relatively dormant during this morning period. The predicted figures do however reflect the clear disparity between peak store patronage (late Friday & Saturday am and early pm) and weekday peak traffic times which clearly do not coincide resulting in significantly reduced impacts by retail operations at both the crucial morning and afternoon weekday peak traffic weekday periods.

With particular regard to the pm peak traffic period, net store impacts are also likely to be 'softened' owing to the 'linked trip' principle as vehicles already on the highway network divert from their normal travel destinations to the store on-route from work, school 'pick up' runs etc resulting in fewer 'new' trips on the network. The opening hours sought by the applicant are 7am to 11pm Monday to Saturday and six hours between 10am to 6pm

Sunday opening period. The aspect of a later weekday closing time will again assist in lessening any concentrated impacts during peak late afternoon/early evening traffic periods as peak customer discharge from the store at the time of store closure is avoided with a more evenly spread dispersion throughout the evening period.

As The Broadway eastern access 'link' road is proposed to reform to a 'pedestrian priority' access with The Broadway western egress to remain for vehicular exit it has been assumed for calculation purposes that the Dennis Lane junction would, in the main, be impacted in traffic generation terms with a balanced distribution of vehicles turning in and out of the rear service road onto Dennis Lane. As with the residential content, dynamic traffic reassignment will also play a significant role in end game traffic outcomes. It is also accepted that some modal shift toward more sustainable travel will apply to any future demand generated by the store but this cannot be accurately quantified as modal shift is heavily dependant on numerous extraneous factors, such as the combined affects of spatial planning and controls of development, fares pricing and public transport accessibility, road space control and parking pricing mechanisms within Harrow and London as a whole, contributing to successful modal shift outcomes. However a Trip Rate Information Computer System (TRICS) research report (95/2) on Diverted/Transferred and Pass-by trips confirms that some trips are already on the immediate road network and are therefore likely to divert into the site as mentioned earlier. This research shows that under certain conditions up to 90% of existing 'on network' road traffic can be diverted to a retail store site. This is generally considered to be an optimistic figure and a lower figure in the region of 25% suggested by the applicant is considered fair and reasonable and typical to assume for this type of store scenario.

*Combined Traffic Generation Impact of new residential and retail uses*

The total predicted additional traffic generation on the local highway network for the 2016 opening year is summarized as follows:-

| <b>Table 3</b>         |   |   |  |
|------------------------|---|---|--|
|                        | <b>AM peak hour 2 way trips (8am - 9am)</b> | <b>PM peak hour trips 2 way (4pm - 5pm)</b> | <b>Saturday peak hour 2 way trips (12.30-1.30pm)</b> |
| <b>C3</b> (120 units)  | 41  | 39  | N/A  |
| <b>A1</b> (1400m2 GFA) | 36  | 60 (5pm-6pm)                                | 69   |
| <b>TOTAL</b>           | <b>77</b>                                   | <b>99</b>                                   | <b>69</b>  |

As a comparative indicator the current baseline traffic movements along Dennis Lane, Stanmore Hill and the A410 corridor amount to an approximate total of 400-500, 800-900 and in excess of 2000 2-way vehicle movements in the peak am & pm peak traffic hours respectively.

As Members and the local community are aware, there are historical and current traffic junction issues along The Uxbridge Road (A410) via Church Road, The Broadway and London Road which create significant congestion during peak traffic periods. Although the anticipated traffic generation from the proposals will be distributed throughout the area as traffic reassignment is dynamic in nature it will clearly add some burden to the existing network which includes the Uxbridge Road corridor. It is noted that in terms of committed development in Stanmore the redevelopment of the Royal National Orthopaedic Hospital is the only significant permission of note in Stanmore and this has been considered. However general impacts are relatively dissipated in terms of 'real world' impacts along this section of the A410 corridor and hence are not considered substantive.



In recent times the Council in partnership with Transport for London has, in its commitment to achieving overall betterment to the road network, reviewed possible interventions to remedy current congestion issues. They have taken the form of attempting to better manage traffic flow by way of updating all the existing signal junction installations (including the pelican crossing in The Broadway) within Stanmore town centre so they become adaptive and respond automatically to fluctuations in traffic flow through the placement of on-street detectors which inform this optimisation technique. This tool applied to achieve this improved connectivity between signal installations is termed as SCOOT (Split Cycle Optimisation Technique) and was installed in early 2013. The location has been monitored and has been under review in an attempt to further optimise traffic flow through this key traffic corridor.

The applicant has confirmed that the 3 signal junctions @Elm Park, Stanmore Hill and Marsh Lane within the Stanmore A410 corridor are operating at or above workable capacity which results in very little flexibility in further loading of each installation at the year of opening and future baseline assessment which includes for traffic growth. It is noted under previous Institute of Highways and Transportation (IHT) guidance a development traffic generation threshold of up to 5% was considered to be acceptable in impact terms unless exceptional circumstances on the local network prevail. The predicted overall imposition of marginally in excess of 4% on daily traffic flows in the area (approximately 1000 development related vehicle movements in a 24 hour time window on an average day compared with 24,000 through The Broadway) which as mentioned earlier does not factor linked trips, dynamic reassignment, car club provision resulting in lower residential car usage etc. Hence in real terms this % imposition is likely to be reduced.

Therefore owing to the comparatively low predicted development impacts and continuing work associated with the optimisation of traffic signal capacity on the A410 corridor, the predicted level of impact is considered to be broadly manageable subject to application of a range of measures referenced within the following appraisal. Once in place these measures would contribute to minimising and mitigating predicted imposition on the local road network with particular focus on the A410 Uxbridge Road corridor.

### **Appraisal of the Surrounding Road Junction and Site Access Infrastructure**

The redevelopment site currently exhibits 3 direct vehicular access points with 1 located off Stanmore Hill via Coverdale Close, 1 from Dennis lane and 1 from The Broadway service road. These and surrounding junctions on the road network are proposed to remain to serve the redevelopment with appropriate modification where necessary as outlined below:-

#### *Marsh Lane/The Broadway/Dennis Lane*

As referred to earlier this junction is currently operating above workable capacity. The applicant has proposed to include widening of Dennis Lane at this junction to allow for an additional southbound lane in an attempt to create additional vehicle capacity on this leg of the junction. However the feasibility of such a proposal is restrained by virtue of the need to accommodate and relocate the existing pedestrian 'sheep pen' reservation as this forms an essential part of the pedestrian facility within the signal junction as a whole. Also the western kerblines of Dennis Lane would need to be readjusted to provide the required road width that would accommodate both the relocated 'sheep pen' and additional running lane. This substantial realignment would cause detriment to the public realm by virtue of substantive tree loss on the public highway with reduced footway

capacities hence the proposal is considered inappropriate. However it is feasible to 'free up' some junction capacity by installing a comprehensive 'yellow box' covering the whole intersection with potential camera enforcement at the junction thus allowing for improved gapping of queue lengths on the A410 to ease movements through the junction thereby improving capacity at the junction. This would be executed under s106 of the Town & Country Planning Act 1990 with an estimated implementation cost of £10,000.

#### *The Broadway/Church Road/Stanmore Hill*

This junction is incorporated within the proposed regime for achieving improved traffic flows through the A410 corridor however particular reference is made to the lack of signal controlled pedestrian facilities at this junction. This has been a historical deficiency at this location mainly due to the challenge of optimising traffic flows through this convoluted junction which a pedestrian phase is likely to prejudice to some degree. The status quo of the junction has recently been brought into serious question owing to a recent pedestrian fatality resulting in a Coroner's inquest. The lack of adequate pedestrian facilities was cited as a contributory cause to the death with a strong recommendation for remedy at the junction.

It is clear the introduction of a suitably designed pedestrian phase will potentially be in conflict with the ultimate aim of improving capacity and overall traffic flows through this traffic corridor via the SCOOT mechanism as outlined earlier. However the Council is now bound to undertake a balanced decision on prioritising between improving traffic flow through this junction and improving safety for pedestrians. This challenge is heightened as it is anticipated that the 120 residential units and retail store will inherently generate additional footfall through this junction thereby further increasing the potential risk for pedestrians. A compromise and balanced solution between achieving improved traffic junction capacity and pedestrian safety is hence unavoidable.

Therefore on the premise of the Coroner's findings and the Council's duty of care to the community it is considered that priority is afforded to the introduction of a full pedestrian facility which will still be incorporated within the signal optimising regime but will unavoidably lead to an element of traffic delay. Final designs will however best harmonise the operation of the pedestrian phase with the overall aim of maximising vehicle capacity at this junction.

Indicative designs have been prepared in partnership with Transport for London however these will need to be finalised. A contribution of £75,000 towards the total costs of implementing pedestrian crossing facilities will be sought through the section 106 Planning Obligation.

#### *(A4140) Stanmore Hill/Coverdale Close*

Coverdale Close originally fully served the Anmer Lodge social services function with access to residential units in Greyfell Close and Rainsford Close and some leased parking facilities. The redevelopment would maintain access and egress to the aforementioned existing residential units with the dominant change in use profile being the usage of the junction and Coverdale Close as the sole access for servicing the retail store and new residential uses.

The applicant is proposing a loading bay located at the north face of the proposed store located in the north-west corner. It is anticipated that up to 3 HGV deliveries would arrive per day during early morning (6.30am to 7am), mid-day (11am to 2pm) and evening (6pm to 8pm). A similar number of 'lighter goods' van type deliveries would also be envisaged.

In terms of frequency it is considered that this level of activity is of a relatively small scale in comparison to existing baseline traffic movement in the area as a whole and hence is not at a level envisaged to create a marked detrimental impact on the highway and in this context is considered acceptable. In safety terms junction sight-line provisions conform to Manual for Streets (2007) safety standards hence the current arrangement is considered fit for purpose. However to physically better facilitate HGV movements within Coverdale Close some highway kerb line adjustment would need to be undertaken in order to provide carriageway widening. It is highlighted that such road widening would be of benefit to all service vehicles such as refuse trucks servicing this location which includes the existing residential units in both Greyfell and Rainsford Close. To facilitate the new road layout it will be necessary to transfer some of the existing Pay and Display parking bays from the northern to the southern kerb side of Coverdale Close. This will require amendments to the existing Traffic Management Order (TMO) and relocation of Pay & Display machinery, normally at cost to the Council, which formalises the placement of such provisions. As the proposed widening line is within land in the ownership of Harrow council this 'widening' solution is considered acceptable and the transference of Pay & Display machines and TMO amendments would be executed under a section 106 Planning Obligation with a cost estimate of £50,000.

The number of bays are maintained under this arrangement, however, they are located at one end of the road rather than being spread along the road as currently.

When considering the existing Stanmore Hill/Coverdale Close junction itself it is considered suitable to remain a priority junction in its current form as it can cater for the 'turning in and out' of the junction by larger vehicles without measurable impediment or safety detriment. However to aid and address the current aspect of peak time vehicle queue backs from the signalized junction at Church Road/The Broadway it is proposed to install a 'yellow box' at the junction to allow for adequate gapping of queue lengths to assist in the efficient traffic discharge through this junction. This again would be funded by the developer under a section 106 Planning Obligation within the above quoted cost estimate.

The full servicing regime will be secured under a planning condition for agreement post-planning permission and will take the form of a full Delivery and Servicing Plan (DSP).

#### *Dennis Lane/Site Access Road*

This priority junction and access road currently serve the existing 151 space surface car park which incorporates public and leased spaces. Access and servicing to other existing small business units and a series of residents parking bays is also facilitated and is to be maintained post development. This access road would therefore remain to serve the redevelopment with access to an additional net parking provision of 50 parking spaces located within the new MSCP for the use of the retail store with a commensurate rise in vehicle usage of this service road. It is noted that the MSCP will utilise a modified version of the existing access (located directly off the rear service road) into the council car park to allow for an effective ingress and egress. As the anticipated upturn in vehicular activity is predicted to be modest there are no substantive changes proposed to the layout of the road with the exception of the provision of a raised pedestrian crossing facility linking the existing north/southbound footways on the west side of Dennis Lane. It is also proposed to consider replacing the existing 'keep clear' junction marking with a 'yellow box' provision at the junction with Dennis Lane to allow an improved egress from the access road and Oak Lodge Close located opposite the site. These enhancements would be

funded by the developer under a section 106 Planning Obligation estimated at £15,000.

#### *The Broadway - Western 'two-way' link road accessing the site*

At present this aperture forms a 'link' between The Broadway and the rear service road (behind the main shopping parade) which is to be the main access road into the site via Dennis Lane as described above. This 'link' road is within council ownership and is adopted public highway. However only one half of the road is utilised for moving traffic as the remaining half is used as an informal parking provision for a neighbouring business unit. As a result of this limited available road width the existing environment for pedestrians and vehicles is grossly deficient in design terms which includes sub-standard pedestrian permeability arising from the lack of a satisfactory mutual co-existence with the motor car.

On this premise the additional draw and attraction of the new store and residential quota is likely to exaggerate these current deficiencies with an increase in footfall hence it is recommended that this link roadway be reconfigured to afford 'pedestrian priority' with enhancement of the road surface designs with introduction of lighting and suitable street furniture treatment to dramatically improve the pedestrian environment. This would be achieved by creating a streetscape which facilitates a change in road user philosophy whereby pedestrians/cyclists are afforded informal priority in the use of the road over the motor vehicle. Indicative designs have been put forward within the submission however final designs would be undertaken in-house and financed via a s.106 Planning Obligation financial contribution with an allocated costing of £100,000.

#### *The Broadway - Eastern 'one-way' link road egress from the site*

This 'link' road operates as a 'one way' (southbound) exit road from the rear service road (behind the main shopping parade) to The Broadway. It is noted that local traders have highlighted certain inadequacies with regard to the level of traffic activity utilising this link road which the development is likely to heighten. However it is considered that the link serves a useful purpose in dispersing traffic thereby reducing current and future net loading on the Dennis Lane service road and Marsh Lane/The Broadway/Dennis Lane junction itself.

On this premise this arrangement is to remain as it will continue to disperse traffic movement from the location and relieve some pressure from the aforementioned road network on the principle of traffic reassignment. There are no modifications or alterations considered to be applicable or necessary given the satisfactory provisions in place.

#### *All other site envelope boundary connections with adopted public highway*

In order to ensure a satisfactory design transition between the development envelope and the public highway, any necessary adjustments to the access/egress arrangements, where proposed, would be undertaken under s278 of the Highways Act 1980 with all related implementation costs absorbed by the developer at source, negating any direct up front financial contribution, at no cost to the Council.

### **Construction Phasing**

The scheme will be delivered in 2 separate and distinct phases with anticipated full completion late 2017. The commercial aspect is the first phase indicated for completion in 2016 with the remaining residential phase 2 geared toward the latter 2017 time frame.

Phase 1 would include:-

- Demolition of Anmer Lodge.

- Creation of temporary car park.
- Creation of temporary vehicular access between the existing car park access and new temporary car park.
- Provision of temporary car park over relocated culvert.
- Construction of the retail store and MSCP and residential blocks above with decant from temporary car park.

Phase 2 would include:-

- Construction of remaining residential units.
- Site roadways

The proposed phasing would inherently generate variations of traffic flow imposition on the highway network as construction progresses. The Council is satisfied that once the appropriate highway mitigation is provided from the onset of the initial first phase as outlined within this report and with submission of a satisfactory construction logistics plan (CLP) then both phases will be afforded the necessary provisions to function without significant anticipated detriment to the surrounding road network.

### **Internal (thru-site) Roadways/Cycling/ Pedestrian/ Servicing Provisions**

It has been demonstrated that the roadways within and adjoining the site can adequately cater for service, refuse collection and emergency vehicles without hindrance by allowing such vehicles to enter and leave the site in a forward gear thereby conforming to the Department for Transport's Manual for Streets 2007 (MfS) established standards and best practice.

To facilitate pedestrian and cycling activity through the site there will be the opportunity to create a suitable link to run between the north and south elements of the site thereby allowing a substantively improved passage between The Broadway and Coverdale Close/Stanmore Hill by both sustainable travel means. In design terms this will produce a cohesive and coherent working layout thereby ensuring exemplary pedestrian and cycling permeability throughout the site with safe and appropriate interaction with vehicular traffic both on and off site with enhanced linkage to cycle routes beyond the site which potentially includes meshing with the Council's vision of improving the cycling environment in an area on the Uxbridge Road A410 corridor between Stanmore Station and the junction of Marsh Lane. This 'internal site permeability' rationale conforms to best practice principles as set out MfS (2007) guidance for new development streetscape design and is therefore considered acceptable within that context.

To further assist in promoting such travel modes with a commensurate general improvement of directional signage in the area, Transport for London recommend the application of their way-finding signage initiative to encourage walking by way of map post signage. Such matters are covered by the Harrow CIL.

### **Framework Travel Plans - Residential and Commercial**

Specific Framework Travel Plans (FTP) have been submitted in order to capture and develop both the residential and commercial components encompassing the whole site. This approach conforms with Transport for London's (TfL) guidelines as it addresses all good practice mechanisms necessary to achieve a modal shift away from the private motor car thereby leading toward a sustainable personal travel mode to and from the site. The FTP's represent a long term strategy for best managing travel by residents, commercial customers, employees, visitors and delivery related activities. It supports

measures that promote and support sustainable travel choices and reduce single occupancy car journeys. These measures would for example include marketing and promotion of sustainable travel modes, encouragement of travel smart initiatives, promotion of car clubs, car sharing and working from home. Implementation, monitoring and management of the FTP would be undertaken by an appointed Travel Plan co-ordinator who would work in partnership with Harrow and TfL together with stakeholders within the site. To achieve this aim modal shift targets relating to all sustainable travel modes such as walking, cycling, public transport use would be established post permission. Henceforth it is expected that individual travel plans which evolve from each use type would develop this target aim. Full detailed individual Travel Plans for both the residential and commercial development with appropriate modal shift targets will therefore be submitted post permission and secured via a section 106 Planning Obligation.

### **Construction Logistics Plan (CLP) and Service Delivery Plan (SDP)**

A full and detailed CLP (for both phases 1 & 2) and SDP will be a requirement to be secured under planning condition given the constraints and sensitivities of the local road network. The CLP will be secured in order to minimize/avoid potential detriment to the public realm during phases 1 & 2 of the construction regime anticipated for completion late 2017.

### **Synopsis of Highway Interventions and Transport contributions**

To facilitate the redevelopment there will be a comprehensive public realm improvement regime applied to the local road network as assessed within this report. These improvements are to be fully funded by the developer and are summarized as follows:-

#### *The Broadway/Church Road /Stanmore Hill Junction*

Due to the current lack of pedestrian crossing facilities and the recent pedestrian fatality at this junction as well as the likely increase in usage at this site, the developer will, via a section 106 Planning Obligation, contribute to the funding the related implementation costs of an improvement to benefit existing and future pedestrian users in this location. A contribution of £75,000 towards the total costs of implementing pedestrian crossing facilities will be sought through the section 106 Planning Obligation.

#### *Marsh Lane/The Broadway/Dennis Lane Junction*

It is proposed to install a comprehensive 'yellow box' covering the whole intersection with potential camera enforcement at the junction to allow for improved gapping of queue lengths on the A410 to ease movements and improve capacity at the junction. This would be financed through the section 106 Planning Obligation at an estimated cost of £10,000.

#### *Coverdale Close/Stanmore Hill*

To maintain efficient vehicular passage through this junction and Coverdale Close itself, the developer will, via a section 106 Planning Obligation, fund all the related implementation costs of the following measures estimated at £50,000:-

- A 'yellow box' provision at this junction to promote ease of access and egress from this junction.
- Road widening in Coverdale Close to allow service and other vehicles to use the roadway without mutual impediment.
- Relocation of Pay & Display machinery and associated amendments to the Traffic Management Order to facilitate transfer the existing Pay and Display parking bays to the southern kerb side of Coverdale Close.

### *Dennis Lane/Site Access Road*

To ease traffic and pedestrian movement the developer will, through a s106 payment estimated at £15,000, fund all the related implementation costs of providing a raised pedestrian crossing facility and potential 'yellow box' at its junction with Dennis Lane/Oak Lodge Close.

### *The Broadway - Western 'two-way' link road accessing the site*

To promote an improved pedestrian environment in proximity of the new development, the developer will fund, via a s106 contribution, the creation of a 'pedestrian priority' environment with enhancement of the road surface/lighting treatment through this access road to dramatically improve upon the existing substandard provisions. This is estimated at £100,000.

### *Legible London signage*

To facilitate a general improvement of directional signage in the area, a financial contribution to the provision of two suitably located 'totem' type map posts in the vicinity can be secured through the Harrow CIL.

### *Controlled Parking Zone/Parking Controls Contribution*

A sum of £30,000 is sought to facilitate a review and possible amendment to the existing Controlled Parking Zone and/or general parking controls in order to safeguard the surrounding public realm in the event of displaced parking resulting from the proposal. The sum would be secured via a section 106 Planning Obligation.

### *Bus Stop contribution*

At the suggestion of Transport for London (TfL) a sum of £10,000 is requested and this can be secured by way of CIL payment to provide upgrade to a bus stop in the vicinity of the site in The Broadway serving the eastbound 142, 324, 340, 615 and H12 bus routes in line with TfL's "Accessible Bus Stop Design guidelines.

## **Financial Summary**

It is broadly estimated that the above contributions needed to mitigate the impacts of the proposed development would be at least £280,000 on the section 106 Planning Obligation with potential contingency costs involved with any transitional access/egress adaptation between the site and adopted public realm of up to £20,000 delivered via the s278 mechanism.

## **Conclusion**

It is therefore concluded that the principle of this redevelopment is broadly acceptable and conforms with Local Development Framework Core Strategy and National Planning Policy Framework objectives subject to the application of mitigation measures with associated securement of monies (where applicable) as outlined within this report.

## **Phasing and Proposed Temporary Car Park**

To fulfil contractual obligations to maintain a minimum of 151 car parking spaces (i.e. the number currently available on the site to leaseholders, shoppers and others) throughout the development works, the applicant proposes a phased approach to the development. Phase 1 would comprise the following:

- demolition of Anmer Lodge;
- construction of the new access road from Coverdale Close and into the site;
- excavation and construction of the basement car park;

- construction of the food store and multi-storey car park; and
- construction of Blocks A & B over.

During this phase, a temporary car park would be provided on the north part of the site, linked to the existing service road behind The Broadway via a temporary access at the rear of nos. 5-12 Dennis Gardens.

Upon completion of Phase 1 and the opening of the basement and multi-storey car parks, the temporary car park would be removed. This would release the north part of the site for the development of Phase 2, comprising the undercroft car park and Blocks C & D.

A drawing showing an indicative layout of the proposed temporary car park has been submitted with the application and is, in principle, acceptable. The construction, use and then removal of the temporary access to the rear of nos. 5-12 Dennis Gardens would involve some disturbance to the occupiers of those properties. However, this solution would maintain a more direct link between the car park and The Broadway and in so doing would help to mitigate some of the inevitable disruption to businesses in Stanmore district centre. It is therefore considered preferable to the alternative of temporarily re-routing vehicular and pedestrian traffic via Rainsford Close & Coverdale Close.

Details of the surfacing, drainage arrangements, levels and means of enclosure/securing of the proposed temporary car park have not been submitted. Control of these details is considered necessary, to ensure that the car park is fit for purpose for the duration of Phase 1, to prevent surface water flooding and to safeguard the security and amenity of neighbouring occupiers. It is considered that these matters can be adequately controlled by conditions.

### **Design and Local Character**

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

London Plan Policy 7.4 *Local Character* provides some context criteria for the consideration of design. Policy 7.6 *Architecture* sets out a wide ranging set of criteria for the consideration of proposed buildings and structures. Many of these – relating to issues of amenity, climate change, the quality of indoor and outdoor spaces, inclusive design and land-use optimisation – are dealt with in separate sections of this report. Those relating to character (7.4) and architecture, form and activities/uses (7.5) are incorporated in the appraisal below.

Core Strategy Policy CS1 requires development proposals to respond positively to the local and historic context, and to reinforce positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design. Policy DM1 *Achieving a High Standard of Development* of the Development Management Policies Local Plan document requires all development to achieve a high standard of design and layout. It goes on to set out a number of design and layout considerations to this end. Further, local guidance is set out in the Harrow Residential Design Guide SPD.

The Design and Access Statement submitted with the application provides a detailed explanation of the context of the site, the urban design concept of the proposal and movement through the site.



### *Massing, bulk, scale and height of buildings*

Early on in the design process it was recognised that the site falls into two distinct zones: the commercial area to the south of the site currently used as a town centre car park; and the quasi-residential environment of Anmer Lodge to the north of the site. The fall in levels, from north to south, and its 'backland' location are also defining characteristics of the site.

The proposal would introduce substantial buildings into the commercial zone whilst shaping the form of development and site levels in the north part of the site to create a managed transition between the buildings in the commercial zone and those of the immediately surrounding suburban area.

Both the retail store and the multi storey car park would have a strong horizontal emphasis and be of consistent height, providing a degree of visual unity between them. They would each have large footprints which, together with their use, would emphasise that this is a town centre location. Blocks A & B over, by reason of their heights, would have a strong vertical emphasis. They would have an obvious north-south axis, and in so doing would give definition to the proposed street between the retail store and the multi-storey car park. They would also help to define a vista along the street towards the north residential zone, thereby contributing to visual connectivity with that part of the site.

Blocks A & B would be the highest buildings within the development. Block A would have a maximum of five storeys of residential accommodation on-top of the retail store and Block B would have a maximum of four storeys on-top of the multi-storey car park. Block B would be sited to front the new street and achieve the maximum separation from the east site boundary. Block A would be sited more centrally above the retail store so as to provide a suitable gap between Blocks A & B and also maintaining a separation from the west site boundary. Both blocks employ a stepped design so that the four/five storey components are located away from the south site boundary and, combined with the separations from the east and west boundaries, would effectively occupy the central part of the site.

Blocks C & D would maintain a north-south axis through the site forming a more traditional residential street frontage between the commercial zone and Rainsford Close. Block C would have a maximum height of six storeys at its southern end, away from the site boundaries and, again, effectively occupying the central part of the site. Block D would have a maximum height of four storeys and this component would similarly be located at the southern end of the block, away from the site boundaries. The proposed central square would provide a setting for the tallest components of each of the blocks. Furthermore, a slight stagger in the alignment of the north-street running through the site, as well as differentiating the commercial and residential zones of the street, means that the six storey component of Block C would form a visual landmark to (and provide natural surveillance through) the commercial section of the street.

The north-south street would be the subject of a gradient between the central square and Rainsford Close. The gradient, together with rapid reductions in storey height of Block C (down to a minimum of three storeys), would provide the necessary transition between the commercial zone and the more traditional, suburban character of Rainsford Close. The flatted component of Block D would similarly step-down to three storeys towards the east site boundary and would use the street gradient to achieve the same three-storey height along its north-south axis. Beyond the flatted component, the use of alternate two

and three storeys for the houses along the remainder of the street frontage would help to articulate the transition between the development and the two storey houses & maisonettes surrounding this part of the site.

The west wing of Block C would step down abruptly from six to three storeys (but accommodating the undercroft car park below) where it would front the proposed new access road from Coverdale Close, and the north wing of Block C would also be three storeys but set-back from the Rainsford Close frontage. These components would be viewed within the context of amenity space forming the route protection area around the TPO protected Wellingtonia tree, and their heights would be dwarfed by that retained tree. A gap between these two wings, would provide interesting glimpses into Block C's central courtyard, and the other components of the Block, from the public realm.

In the context of national, regional and local policies that require efficient use of previously-developed sites in accessible locations, and the need to accommodate a retail store and replacement as well as additional car parking on the site, it is considered that the proposal provides an appropriate response. The massing and proportions of the retail store and car park buildings in the south part of the site would give it a clear commercial character, whilst the scale and height of Blocks A & B strike a reasonable balance between the need to increase residential density on this site and Stanmore's town centre's character as a vibrant but still outer-London district centre. The location of the highest components of all blocks towards the centre of the site, away from the site boundaries and as a defining characteristic of the proposed central square, with diminishing height and scale towards the edges, would provide a satisfactory interface with the site's more traditional suburban surroundings.

#### *Appearance*

Architecturally, the proposal is typical of more recent residential developments (such as Stanmore Place) in London, being unapologetically modern in appearance and avoiding any attempt to produce a pastiche of more traditional local or historical building styles. All of the blocks would have a flat roof. The elevations would be articulated through the use of projecting and inset building sections & balconies, and the use of contrasting-coloured materials.

The predominant material would be brick and it is indicated that the principal colour would be light – a stone or buff brick – whilst inset elevations, feature panels (such as those beside windows) and some of the top floor 'penthouse' levels would be of a contrasting colour brick, cladding or metal panels. The use of floor-to-ceiling high windows in most elevations and glazed stair wells would help to animate the buildings and give vertical emphasis to the residential blocks. Window 'reveals' – setting back the window from the outer face of the exterior elevation – is a valuable design feature which further articulates elevations with depth, light and shade, and are proposed as part of the detailed treatment of the buildings. Patterned brick panels are also proposed to alleviate otherwise blank parts of the buildings' elevations, such as the ground-level bin and cycle stores.

The design proposes imposing 'double height' entrances to Blocks A & B. These would reflect the height and horizontal emphasis of the commercial components of the buildings, to which they would relate, and would help to differentiate the appearance of this part of the development with the more domestic scale of entrances used in Blocks C & D.

All of the flats, including those at ground floor level, would have balconies as private

amenity spaces. To avoid the creation of 114 uniformly-designed balconies, the proposal is to employ a mix of inset and projecting balconies and to use either 'hit & miss' brickwork or glazing as the balustrade treatment. The applicant has indicated that glazing would make up the majority of the balustrade treatment and would comprise coloured, translucent panels which provide privacy (and so discourages additional screening being applied by future occupiers).

Every indication is that the design and finish of the development would, if approved, be carried out to a high standard. The final choice of materials and the details described are critical to achieving the high quality finish that has been promised and ensuring that the development exploits this opportunity to reinforce and enhance the positive attributes of Stanmore's built environment. It is therefore considered that the materials and other detailed aspects of the design, as set out in the Applicant's Design & Access Statement, should be controlled by conditions of planning permission.

No details of the arrangements for the accommodation of external services (telecommunications equipment, any extraction plant etc) have been submitted with the application. However it is considered that such details can also be adequately controlled by condition.

### *Context*

Unlike many other town centres in Harrow, buildings in Stanmore district centre do not give the centre a coherent historic village or Metroland character. Instead there is an interesting cross section comprising isolated historic buildings from different eras, some inter-war parades and, unusually in Harrow, a high proportion of buildings from the mid to late 20<sup>th</sup> Century. Allied to this is the absence of a single dominant architectural form, although brick is a common material. These observations apply equally to many of the surrounding suburban areas of Stanmore.

The proposal is therefore considered to offer the most appropriate response to its context: by marking the next chapter in Stanmore's development with a contemporary, high quality design.

In terms of building heights, the character of Stanmore is similarly a mixed. Heights in Stanmore district centre range from some two storey, many three storey and a small number of four storey buildings. Notably there is also one nine-storey building. The immediately surrounding residential property comprises mainly two and three storey houses & flats. However the wider residential area includes some larger blocks of four, five and seven storeys. The highest component of the proposal is Block A: this would have (at its highest point) five storeys of residential accommodation above the retail storey – equivalent to, say, two residential storeys – giving an overall height equivalent to seven residential storeys. Block B would have (at its highest point) four storeys of residential accommodation above the multi-storey car park – also equivalent to two storeys – thereby giving an overall height equivalent to six residential storeys.

Clearly the proposal would increase the number of buildings in Stanmore over four storeys, but this is not indicative of harm, and in the context described above the proposed heights could not be said to be alien to Stanmore. Importantly, the higher buildings are proposed to be located to the south/centre of the site where they would have a clear visual relationship with Stanmore district centre, the proposal's commercial zone, and nearby high buildings, whilst minimising their impact upon neighbouring property. They would also occupy the part of the lower levels of the application site. It is

not considered that this aspect of the proposal's design and layout would be out of context with its surroundings.

Turning to development pattern, or urban grain, there is no immediate cue for the proposal as this is a backland site with no existing main-road frontage to The Broadway. The retail store and multi-storey car park would, of course, involve substantial building footprints; however developments with large footprints have been achieved elsewhere (eg nearby Sainsbury's in Stanmore, Sainsbury's and Marks & Spencer in Pinner) without detriment to the local character and development pattern. To the north of the site, the east wing of Block C and the houses to Block D would match closely the alignment and depths of the terraced houses in Rainsford Close, reflecting the grain of that existing residential street.

#### *Space around buildings*

The siting of Blocks A & B away from the east and west site boundaries, their separation from each other, and their distinct north-south axis, ensures that they would be seen within the setting of clear visual gaps above ground floor level, and these gaps would remain permanently open. Similarly the arrangement of the highest parts of all of the blocks around the proposed central square would also provide an appropriate visual setting within the site.

The configuration of Block C would effectively envelop space within it and this would form a communal courtyard area. To the north-west of Block C there would be an extensive amenity area required to accommodate and safeguard the TPO-protected Wellingtonia tree. The amenity area around the tree would also form a useful visual connection with the adjacent part of Coverdale Close where similar roadside amenity areas create an informal green link to Stanmore Recreation Ground. Block D fronts directly onto the proposed north-south street in part as a response to the grain of development in Rainsford Close, but also to maximise space to the rear as an appropriate, traditional garden interface with neighbouring residential property at the rear.

Overall, it is considered that the provision and distribution of gaps between buildings and surface level spaces throughout the site appropriately responds to the need to provide setting for the buildings, amenity space for future occupiers, buffers to neighbouring properties and for greening of the public realm. A Landscape Strategy has been submitted with the application and the proposals are assessed in greater detail in the landscape section of this report.

#### *Retention of natural features of merit*

Other than the TPO-protected Wellingtonia tree, the proposal does not seek to retain any existing trees or landscaping on the site. An Assessment of the amenity value of the existing trees on the site has been submitted with the application and the findings are dealt with separately in this report. As noted above, however, it is considered that the proposed layout provides acceptable opportunities for new trees and landscaping to be planted.

A culverted watercourse flows through the site and planning policies call for such features to be opened up and integrated into the landscaping and flood risk management proposals of new development. The subject development proposes to divert the watercourse, in a culvert. Justification for this response to the existing culvert has been submitted with the application and is assessed in greater detail in the flood risk section of this report.

Similarly the potential of the development to make provision for biodiversity enhancement across the site is addressed in the relevant section of this report.

#### *Functionality, access and movement*

In its pre-application response to the applicant, the GLA welcomed the provision through the site of a new link between The Broadway and Stanmore Recreation Ground, accepting that the need to make the retail store visible through the gap from The Broadway eliminates the possibility of a more visually legible pedestrian link through the site, but raised two other issues. The first identified a need to activate the new pedestrian street by the introduction of appropriate uses to the western car park frontage and by exploiting the opportunity to site the residential entrances to Blocks A & B also onto the frontage of this street. The second identified a need to improve security to the back-of-shop areas to the rear of existing adjacent premises in The Broadway.

It is considered that works to the rear of the shops in The Broadway are not realistically deliverable, as they are beyond the applicant's control and are likely to be in many multiples of different ownership. However, in its formal Stage One report the GLA has reiterated its wish to see appropriate uses to the western car park frontage. The applicant has indicated an intention to respond to this and other matters raised in the GLA's Stage One report. This will be reported to the Planning Committee at the meeting. Officers do not consider that the new pedestrian street would be inactive and, therefore, the absence of uses (other than the car park use itself) to this side of the street is not considered to render the proposal unacceptable.

The proposed store would be serviced at the rear with access from Stanmore Hill via Coverdale Close. The loading bay would be sited at the western edge of the site where it would be of minimal potential nuisance to neighbouring and future occupiers. To further minimise potential nuisance, control by condition of the hours of delivery is recommended.

As noted above, the proposal makes provision for waste and recycling to be accessed and stored within the buildings. The adequacy of the proposed arrangements is addressed in the waste & recycling section of this report.

Overall, it is considered that the design and layout of the proposal would ensure proper functioning of the development. The provision of a basement car park is a desirable attribute of the scheme, as it ensures that the site accommodates the required number of replacement and additional car parking spaces without resorting to substantial surface parking areas, or a larger above-ground multi-storey car park, that would be likely to dominate the appearance of the development. The proposal makes appropriate provision for the substantial segregation of shopper traffic, which would use the existing commercial service road from Dennis Lane, and residential traffic that would use the access from Coverdale Close (and Rainsford Close). As noted above, the design and layout of the development would secure a visual connection between the proposed retail store and the development, whilst improvements to the service road could secure a safe and convenient pedestrian route between the site and The Broadway. Compared to its current condition as a barrier to north-south movement, the development would bring significant pedestrian permeability improvements to the area and is particularly commendable, as recognised by the GLA, for the delivery of a new direct link between the district centre and its nearest area of public open space.

### *Other planning considerations*

Policy DM1 goes on to resist proposals that would frustrate the delivery of allocated sites or prejudice the future development adjoining land. In this regard it is welcomed that the site has been brought forward for comprehensive redevelopment and, as noted in a preceding section of this report, the proposal would deliver the principal components of the Local Plan site allocation.

Following the applicant's meeting with the GLA the applicant has also sought to demonstrate, in the submitted Design & Access Statement, how the proposal would integrate with any future development of the adjoining surface car park to the west of the application site. However it must be emphasised that no planning applications or pre-application approaches have to date been made to the Council about the potential redevelopment of the neighbouring site, and it is not allocated for redevelopment in the Local Plan.

The submitted statement points out that Block A has been moved away from the site's west boundary with the adjoining surface car park and shows indicatively that the adjoining site could be developed, with the subject development in situ, to complete the urban composition of this backland area. It is noted also that the west flank wall of the proposed store, which would be contiguous with the west boundary, would be blank.

It is therefore concluded that the proposal would be unlikely to prejudice future development of the neighbouring site. However Officers again emphasise that there are no mooted or emerging proposals in respect of the neighbouring site.

## **Tall Buildings, Views and Townscape**

### *Tall Buildings*

Paragraph 7.25 of the reasoned justification to London Plan Policy 7.7 *Location and Design of Tall and Large Buildings* states that "Tall and large buildings are those that are substantially taller than their surroundings, cause a significant change to the skyline or are larger than the threshold sizes set for referral of planning applications to the Mayor". The CABE/English Heritage definition<sup>25</sup> is similarly relative, advising that its evaluation criteria are "...relevant to buildings which are substantially taller than their neighbours and/or which significantly change the skyline".

Within the context of the Harrow & Wealdstone Intensification Area, the Core Strategy defines<sup>26</sup> taller, landmark buildings as those at or over 30 metres high. The Development Management Policies Local Plan document contains no further definition, but at paragraph 2.10 of the reasoned justification to Policy DM1 notes that the prevailing building heights in the Borough's district and local centres are two and three storeys and that such areas are sensitive to development of taller buildings.

It is not considered that the proposed development would be substantially taller than its surroundings (see above) or cause a significant change to the skyline (see below). The proposed buildings would fall below both the relevant Mayoral referral threshold and the Core Strategy definition of 30 metres. In terms of Policy DM1, justification for the height of the development relative to the design merits of the proposal and local character have been set out in the preceding section of this report. In all of these circumstances it is

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<sup>25</sup> See paragraph 4.1 of the publication *Guidance on tall buildings*, CABE/English Heritage (2007).

<sup>26</sup> See paragraph 5.15, footnote 23, of the reasoned justification to Policy CS2 *Harrow & Wealdstone*.

not considered that the development comprises tall and large buildings to which London Plan Policy 7.25 applies.

### *Protected Views*

London Plan Policy 7.12 Implementing the London View Management Framework allows boroughs to apply the principles for the designation and management of strategic London views to local views. Harrow's locally protected views and vistas are designated in the Local Plan and Policy DM3 *Protected Views and Vistas* of the Development Management Policies document sets out the criteria for their protection.

The application site falls within the 'wider setting consultation area' of a protected long-range view of Harrow-on-the-Hill and St. Mary's Church ('the landmark') from Stanmore Country Park extension at Wood Lane. The landmark viewing corridor falls some way to the west of the application site; the objective of the wider setting consultation area is to ensure that development forms an attractive element in the setting of the view, and preserves or enhances the viewer's ability to recognise and appreciate the landmark.

At the time of writing this report Stanmore Country Park extension viewing platform (at Wood Lane) was inaccessible due to construction work being undertaken at the site. However, the applicant's Design & Access Statement demonstrates that the proposed development would be unlikely even to be visible from the Wood Farm protected viewing point. This is because of: the location of the viewing point at a site level much higher than the level of the application site; and the relative proximity of the application site to the viewing point; and the obscuring effect of a level area of grassland immediately in front of the viewing point. Therefore it is concluded that the proposal would have no material impact within the wider setting consultation area and so would not affect the viewer's ability to recognise and appreciate the landmark, nor indeed harm the overall composition of the view.

The applicant's Design and Access Statement further demonstrates that, even from vantage points downhill of the designated protected viewpoint, the development would appear to project only marginally above the canopy of trees in the foreground and would appear significantly lower than the existing 9 storey tower in Church Road.

It is not considered that the proposal would materially affect views to/from or the wider setting of the Harrow Weald Ridge Area of Special Character (Policy DM6).

### *Townscape*

As well as the visual impact from the Wood Farm protected viewing point, the applicant's Design & Access Statement includes a number of photographs to demonstrate the likely visual impact of the development from other vantage points. These are views towards the site taken from:

- The Broadway through the west alleyway (from south side of The Broadway);
- Marsh Lane junction with London Road (east side);
- Church Road junction with Elm Park (central pedestrian refuge);
- Church Road junction with Stanmore Hill/The Broadway (central pedestrian refuge);
- Stanmore Hill junction with Coverdale Close (east side);
- Stanmore Hill junction with Stangate Gardens (east side); and
- Stanmore Recreation Ground.

The photographs suggest that, given the effect of perspective and the presence of

buildings and/or trees in the foreground, the development would be either wholly or substantially obscured in views from these vantage points. Even where the tops of the proposed buildings are indicated as being visible in these vantage points, or if they were to be visible from others, it should be borne in mind that visibility does not equate to harm. Where it would be seen, the proposal would help to locate and define Stanmore district centre as a town centre.

### **Setting of Conservation Areas**

The application site does not contain or immediately adjoin any conservation area. However, the surrounding area contains a number of conservation areas and most notably, because of their proximity in relation to the application site, these include the Stanmore Hill Conservation Area, the Little Common Conservation Area and the Kerry Avenue Conservation Area.

The NPPF defines conservation areas as designated heritage assets and the setting of a heritage asset as 'the surroundings in which a heritage asset is experienced'. Paragraph 132 states that, when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. London Plan Policy 7.8 *Heritage Assets and Archaeology* calls for development affecting heritage assets and their settings to conserve their significance.

Core Strategy Policy CS1 D resists proposals that would harm the significance of heritage assets including their setting. Policy DM7 *Heritage Assets* of the Development Management Policies Local Plan document sets out detailed criteria for assessing the impact of proposals that affect heritage assets. Those relevant to 'setting' are addressed below.

The Stanmore & Edgware Conservation Areas SPD, and appraisal & management strategies for each of the constituent conservation areas, was adopted December 2013. The SPD lists among the special character features of both the Stanmore Hill and Little Common conservation areas their topography, and goes on to recognise that development not immediately adjacent to a conservation area but which nevertheless impacts on views into or out of the conservation area may affect the area's setting.

The Stanmore Hill Appraisal & Management Strategy identifies a number of key short and long range views. Short range views typically involve historic buildings or open spaces as focal points viewed from within the conservation area. The longer range views typically follow the highway alignments of Green Lane and Stanmore Hill and include some views out of the Area towards the Wembley Stadium arch. None of the identified views relate specifically to the application site, although the Strategy points out that the identified views are not comprehensive, and elsewhere the Strategy refers to the greenery that exists within the immediate setting of the conservation area.

Although further away from the application site than the Stanmore Hill Conservation Area, the Little Common and Kerry Avenue Conservation Areas appraisal and management strategies also make references to key views from within their areas. For Little Common, the key views are predominantly of the buildings within the conservation area, although long range views south out of the area, from the top of Stanmore Hill, are also cited. In the case of Kerry Avenue, there is an identified view west from the crossroads with Valencia & Glanleam Roads, although this is described as '...typical of a view down a relatively verdant, quiet suburban road disappearing round a bend'.



It is therefore considered that the proposal's potential to impact upon the setting of Stanmore's conservation areas principally derives from the visual impact that it might have in views south/south-east from more elevated parts of Stanmore Hill.

As noted in the appraisal of townscape impacts above, the applicant's Design & Access Statement includes photographs from two vantage points in Stanmore Hill – as the junctions with Coverdale Close and Stangate Gardens. In both instances these suggest that the development would be wholly obscured by existing buildings and vegetation alongside the east side of Stanmore Hill.

However, both junctions occupy the lower slopes of Stanmore Hill. Observations from more elevated vantage points further north along Stanmore Hill have, therefore, been made by the case officer. It was observed that substantial tree screening along the east side of Stanmore Hill wholly obscures views of the site and Stanmore district centre generally from within the Stanmore Hill Conservation Area. It is therefore considered highly unlikely that the proposed development would be visible from within the Conservation Area. Even if the top of the development were visible from these vantage points, it would appear as a relatively distant, minor feature above the tree canopies that dominate the foreground and would not, it is considered, have anything like a significant visual impact.

Similarly in views out from the part of Stanmore Hill within the Little Common Conservation Area it is unlikely that the development would be visible, or (if it were) have any significant visual impact.

The Appraisal & Management Strategy for the Kerry Avenue Conservation Area suggests that the view west along Valencia Road is the least significant of the views obtained from the Kerry Avenue/Valencia Road/Glanleam Road junction. Any glimpses of the development from this vantage point would be set in the context of other development and vegetation in the foreground, and would not be of significant visual impact.

As noted elsewhere in this report, the proposal would involve the loss of existing trees on the site other than the TPO-protected Wellingtonia tree. However, given the limited extent to which the site features in views out of the surrounding conservation areas, and the opportunities provided by the proposal to introduce replacement trees and landscaping to the site, it is not considered that the loss of the existing greenery would negatively impact upon the setting of the surrounding conservation areas.

Due to its backland position and its occupation of the very lower slopes of the land ridge that forms Stanmore Hill, it is not considered that there are any significant views out from the site into the Stanmore Hill. Given the distance of the application site from the other areas, neither does the site afford views into the Little Common and Kerry Avenue conservation areas.

Taking all of the above circumstances into account, it is considered that the proposal would have no material impact upon the setting of the surrounding conservation areas or any other aspect of the areas' significance. By the absence of any material impacts, the proposal would preserve the character and appearance of the surrounding conservation areas.

### **Lifetime Neighbourhoods**

The concept of Lifetime Neighbourhoods is a golden thread that runs through the London

Plan and which has been embraced locally in Harrow's Local Plan. It is an extension of the Lifetime Homes principle at neighbourhood level. The London Plan provides the following definition:

*"A lifetime neighbourhood is designed to be welcoming, accessible and inviting for everyone, regardless of age, health or disability, is sustainable in terms of climate change, transport services, housing, public services, civic space and amenities making it possible for people to enjoy a fulfilling life and take part in the economic, civic and social life of the community...."*

The London Plan views lifetime neighbourhoods as a particularly important driver of economic growth in Outer London, by helping to create environments in which people will want to live and work<sup>27</sup>. At Policy 2.15 *Town Centres* it goes on to require development proposals in town centres to promote lifetime neighbourhoods whilst Policy 4.8 *Supporting a Successful and Diverse Retail Sector* supports convenience retail in district, neighbourhood and more local centres as a means of securing strong lifetime neighbourhoods. Policy 7.1 *Building London's Neighbourhoods and Communities*<sup>28</sup> calls for development to: improve access to infrastructure; to meet the needs of the community at all stages of life; and reinforce the character, legibility, permeability and accessibility of the neighbourhood.

Lifetime Neighbourhoods are further embraced and promoted locally through Harrow's Local Plan. Policy DM2 *Achieving Lifetime Neighbourhoods* of the Development Management Policies Local Plan document requires the location, design and layout of development, and any associated improvements to the public realm, transport and other infrastructure, to contribute to the creation of lifetime neighbourhoods. In particular it calls for:

- non-residential development to be located to sustain town centres and local employment opportunities, and to be accessible to all;
- new residential development to ensure good access to services and facilities, and to provide accessible homes;
- all proposals to be safe and secure in accordance with Secured by Design principles;
- major proposals to demonstrate how they contribute to lifetime neighbourhoods within and beyond the site boundary;
- improvements to the public realm must achieve an inclusive, legible pedestrian and cycling environment; and
- accessible bus stops and provision of car parking for disabled people;
- major development within town centres to make provision for the comfort and convenience of all users.

Each of these points is addressed below.

#### Location & Accessibility of Non-Residential Development

The proposed food store, its ancillary café and the associated new & replacement town centre/retail-use car parking would be located in the southern part of the site that is within Stanmore district centre. As such, the proposal would be likely to encourage linked trips between the site and the range of shops, services and offices available throughout Stanmore district centre and in so doing would help to sustain this vibrant town centre.

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<sup>27</sup> See reasoned justification to London Plan Policy 2.6.

<sup>28</sup> The Policy is proposed to be renamed to Lifetime Neighbourhoods in the Mayor's draft further alterations to the Plan (2014).

Both through linked trips associated with the new food store and from the spending power of the future occupiers of the proposed residential component of the scheme, it is likely that the development would help to support existing employment within Stanmore district centre. More directly, the applicant has indicated that as a Marks & Spencer Simply Food store the proposal would generate in the region of 65 permanent jobs. Further consideration of the local economic benefits of the proposal is set out in the economic development section of this report.

The principal pedestrian entrances to and between the food store and the car park would be at a level threshold from the new central street that would be formed between the store and the car park. However the street itself would be at a level higher than the service road that is contiguous with the southern boundary of the site. The submitted drawings suggest that the difference in levels would be as much as 1 metre, with a flight of steps and a separate ramp proposed to provide access between the two levels. Such an arrangement, although not ideal, is considered to be acceptable in principle (it works, for example, in the approach to the Sainsbury's store from Pinner High Street) but the detailed design of the ramp and steps will require further development to ensure compliance with the Council's Access for All SPD (2006) and to dovetail with any scheme for improving the pedestrian link (e.g. a raised-level shared pedestrian/vehicular surface) between the site and The Broadway via the western alleyway. It is considered reasonable to reserve such detail for later consideration as a condition of any planning permission granted.

The car park would have two secondary pedestrian entrances onto the new central street and the store would have a secondary access onto the street from the ancillary café; indeed part of the street would be utilised for outdoor seating for the café. The submitted drawings indicate that the north section of the central street (beyond the principal pedestrian entrances) would be gently rising, meaning that there will be a difference between the internal floor levels of the store & car park and the street at these secondary pedestrian points and that the external seating area for the ancillary café will not be level. Furthermore, the Access for All SPD provides detailed guidance in relation to the design and layout of outdoor seating areas in streets. To ensure a level threshold at all pedestrian access points to the store and car park, to ensure an acceptable gradient in the north section of the central street, and to ensure that the design and layout of the café outdoor seating area is satisfactory in terms of pedestrian safety and disabled persons' access, it is considered necessary to control these details as a condition of planning permission.

The internal lower ground level of the multi storey car park (i.e. the proposed store car park) will be at the same level as the new central street, but the external surface parking area to the east of the multi-storey structure will by definition need to negotiate the change in level down to the level of the service road from Dennis Lane. As well as

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<sup>29</sup> The following route numbers: 324, H12, 615, 142 and 340.

<sup>30</sup> London Plan Policy 3.8 *Housing Choice*.

<sup>31</sup> Core Strategy Policy CS1 K.

<sup>32</sup> In blocks of flats, this is taken as the communal entrance to the block and not each individual flat entrance.

<sup>33</sup> No gradient more than 1 in 60 and no crossfall more than 1 in 40.

<sup>34</sup> However Harrow's Accessible Homes SPD calls for a communal lift in blocks of flats which are more than two storeys high.

<sup>35</sup> The store opening hours are still under consideration, but the submitted Planning Statement indicates that they would typically be 08:00-21:00 hours Monday to Saturday and six hours between 10:00 and 17:00 hours on Sunday.

providing access to the store for drivers parking in this part of the site, it is likely that the lower ground car park will be used as a cut-through for pedestrians approaching the store from the direction of Dennis Lane. It is therefore considered necessary to exercise control of the levels of this surface car park area, and to ensure that adequate provision is made within the layout of the lower ground car park for pedestrians (including those with mobility impairments and disabled people) to safely negotiate a route through from the car park to the new central street. Again however these detailed matters can be controlled as a condition of planning permission.

### Location & Accessibility of Residential Development

Occupiers of the proposed flats and houses throughout the site would enjoy good access to the services and facilities available within Stanmore district centre. These include a library, a community hall (Bernays Memorial Hall), a diverse range of national-multiple and independent local retailers, cafes and restaurants, public houses and a post office. The wider area of Stanmore includes places of worship, schools and health care facilities. The district centre is served by five local bus services<sup>29</sup> including routes that go directly to either Stanmore or Edgware Underground stations (travelling east) or to Harrow bus station (travelling south).

Both the London Plan<sup>30</sup> and Harrow's Local Plan<sup>31</sup> require all new homes to meet Lifetime Home' standards and at least 10 per cent to be wheelchair accessible/adaptable (i.e. to meet 'Wheelchair Home' standards). Lifetime Homes are homes designed to be adaptable to future occupiers' needs at any point in the life cycle. Wheelchair Homes are designed to be suitable for occupation by a wheelchair user, potentially with adaptations to meet a specific occupier's needs. Documentation submitted with the application states that all of the units would conform to the Lifetime Home standards and that ten per cent of the units will be wheelchair accessible units (although the wheelchair units have not been identified on the application drawings).

The Lifetime Home (LH) standards comprise 16 design criteria that are reproduced in Harrow's Accessible Homes SPD (2010).

#### *Parking width/widening capability (LH1)*

The proposal makes provision for 93 residential parking spaces, which is less than one space per dwelling. Parking provision for every home is not a requirement under the LH standards but there are requirements relating to enlargement capability and the route between parking space and the home.

In terms of communal provision for flats, it is considered that each block should have at least one space expandable to 3.3 metres' width close to the principal block entrance with clear access 1.2 metres' wide between the space and the stair/lift core. The submitted drawings show a number of spaces adjacent to the residential entrance of Blocks A & D respectively and, during the course of the application, a revised parking plan has been submitted to show that expandable spaces can be achieved. The mezzanine level of the proposed multi-storey car park and the undercroft parking area would provide spaces with direct in-building access to the lift/stair cores of Block B & C respectively. These can be secured by condition.

The proposed six houses to the north-east corner of the site would benefit from a forecourt block of communal car parking bays. It is considered that this forecourt block of bays should provide at least one expandable bay for each house with clear access 1.2 metres' wide between the space and the house. Again this has been demonstrated by

the revised parking plan and can be secured by condition.

#### *Approach to dwelling from parking (LH2) and Approach to All Entrances (LH3)*

Where car parking is being provided, the distance between the space and the entrance<sup>32</sup> should not be more than 50 metres and the route between the space and the home should be level or gently sloping<sup>33</sup>.

The distribution of residential parking spaces across the site is not in direct proportion to the distribution of homes. Block B (27 flats) would contain 44 residential parking spaces on the mezzanine level of the multi-storey car park and Block C (35 flats) would contain 21 spaces within the undercroft car park. There would be 32 outdoor/surface level residential spaces scattered throughout the rest of the north part of the site including 16 spaces in front of Block D (14 flats and 6 houses) and 4 spaces would be in front of Block A (38 flats). It will therefore be necessary to ensure that the distance between the parking space and the entrance does not exceed a walking distance of 50 metres. This can be managed as part of an access strategy that can be secured by condition.

Securing a level or gently sloping approach to the dwelling, both from the allocated parking space (LH2) and more generally (LH3) represents a more significant challenge. The residential section of the new central street has a gradient of 1 in 15 and the proposed new access road from Coverdale Close will similarly have quite a pronounced gradient and cross fall. This has potential implications both for occupiers moving between the allocated car parking space and the home, and for the ability of future residents/visitors with mobility impairments/disabilities to easily move through the site. The applicant has responded to this point as follows:

- Blocks A & B would be served by the multi-storey car park
- passage from the car parking space to the entrance level should be relatively level as the direction of travel would be across the slope; and
- the units in Block C would be served by the undercroft car park or from proposed bays in Rainsford Close.

In view of the above and subject to recommended conditions it is considered that the allocation of spaces to individual home should ensure that this part of the Standards can be met.

#### *Entrances (LH4)*

To comply with this LH standard all communal entrances to the flatted blocks, and the entrances to each house, must have level access across the threshold with an appropriate external landing area. It is considered that this should be achievable but in the absence of satisfactory details on the submitted drawings control should be exercised as a condition of any planning permission.

In addition the entrances should be illuminated and main entrances should be covered. The houses would have recessed covered front entrances. The entrances to the flat blocks have canopies but no details of illumination have been submitted. It is nevertheless considered that satisfactory arrangements can be achieved and therefore that detailed control should be exercised as a condition of any planning permission.

#### *Communal stairs and lifts (LH5)*

It is not a LH requirement for flats above ground level to have lift access<sup>34</sup> but, where a lift is provided, it should be wheelchair accessible. However communal stairs must be 'easy going'.

The flats in blocks A & B would be provided with two lifts. Blocks C & D would each have one lift however it should be noted that not all flats in Block C would be served by the lift. The southern part of Block C (being the tallest part) would benefit from the lift, however the north and west sections of Block C (accessed from Rainsford Close) would each be served by its own stair core and would not have access to the lift.

Details of the communal stairs in all blocks (to ensure that they are 'easy going') and the lifts (to ensure that they are wheelchair accessible) can be controlled as a condition of any planning permission.

#### *Internal Specifications of Communal Areas and Individual Flats (LH6-16)*

The remaining Lifetime Home standards deal with the internal layout, sizes and specifications within communal areas and individual homes. As noted above, the applicant has confirmed that all units would meet the Lifetime Home standards and in respect of the internal standards it is considered sufficient to secure this undertaking as a condition of planning permission.

In conclusion, it is considered that the detailed matters identified above can be adequately resolved and/or detailed by condition, and therefore the proposal would meet the Lifetime Home standards.

The Wheelchair Home (WH) standards comprise a checklist of design features as explained in the Mayor of London's Wheelchair accessible housing Best Practice Guidance (2007) and reproduced in Harrow's Accessible Homes SPD (2010).

Ten per cent of the development's residential units would equate to 12 homes as wheelchair accessible homes. For homes located above ground-floor level, the WH standards specify minimum internal dimensions for a main lift and call for the provision of a second lift to ensure continued access to the homes when the main lift is not in service. Blocks A & B (only) would contain dual lift cores. Therefore the development could provide 12 WH standard homes as follows:

- From any of the 38 flats in Block A, subject to the provision of a level disabled-person's parking space (designated for each WH standard flat) with an acceptable route from the parking space to the entrance. As there are only four parking spaces adjacent to the entrance of Block A, and given the gradients/ distances to parking elsewhere on the site, it is considered that the realistic capacity of Block A is no more than 4 WH standard flats.
- From any of the 27 flats in Block B. This block is particularly well suited as covered disabled-person's parking spaces (designated for each WH standard flat) could be accommodated within the mezzanine level of the multi-storey car park, which would have direct level access to the residential lift cores of Block B.
- From any of the 3 flats at ground floor level in Block C, as these would have direct level access from the covered undercroft parking area where disabled-person's parking spaces (designated for each WH standard flat) could be accommodated.
- From any of the 3 flats at ground floor level in Block D, subject to the provision of a level disabled-person's parking space (designated for each WH standard flat) with an acceptable route from the parking space to the entrance.

The above analysis shows that there is adequate potential capacity within the proposed development to accommodate a mix of affordable and/or private wheelchair accessible 1,

2 or 3 bedroom flats. The proposed houses, each having a direct external entrance, would require a covered parking space and together with the steep gradient at this part of the site are considered unsuitable for provision as WH standard homes.

As with the Lifetime Home standards above, it is proposed to address the general issues of moving around outside of the site (i.e. the public realm and use of outdoor spaces) through a detailed access strategy. In respect of the internal WH standards, it is considered sufficient to secure these as a condition of any planning permission.

### Secured by Design

The Association of Chief Police Officers (ACPO) publication New Homes (2014) sets out up-to-date design and layout guidance for minimising opportunities for crime in new development. The proposal's performance against these Secured by Design principles is assessed below:

*Street Layout (streets should be open, direct, well used and overlooked; dwellings should face each other; exposed gable ends/windowless elevations should be avoided)*

The proposed street layout creates natural pedestrian desire lines for existing residents in Coverdale Close and Rainsford Close, as well as future residents of the development, to move through the site to/from The Broadway. The central pedestrianised street between the store and the car park would therefore benefit from north-south pedestrian traffic at all times, and would be particularly vibrant with shoppers and users of the store's ancillary café during the store's opening hours<sup>35</sup>.

All of the proposed streets, including the central pedestrianised street between the store and the car park, would be overlooked by the residential components of the development, providing natural surveillance. Furthermore, the north elevation of Block C would contain a number of active windows and as well as entrances to the block that would introduce additional natural surveillance to the adjacent part of Rainsford Close.

The new access road from Coverdale Close would lead to the access ramps up to the mezzanine (residential) parking level of the proposed multi-storey car park. This, combined with the provision of a small number of surface level spaces at the end of the access road and natural surveillance provided by adjacent flats in Blocks B & D would help to secure the short section of the road between Blocks B & D. However the submitted drawings show that the rear amenity space to Block C would open onto this section of the access road, posing a risk to the security of the future occupiers of Block D and existing residents of neighbouring properties in Dennis Gardens. However it is considered that this matter could be resolved through the provision of suitable boundary treatment as a condition of any planning permission.

Other than the end elevation of the proposed house adjacent to Rainsford Close, there would be windows in every elevation of the residential blocks providing a good level of inter-visibility between the blocks and around the development. The end house would result in a blank end-wall but this would wall would be within the curtilage of that house so reducing the risk of graffiti on the wall and other crime in the gap between the new house and no. 14 Rainsford Close.

The arrangements for securing the food store's proposed Loading Bay and the existing electricity sub station to the west of the site have not been detailed. Again however it is considered that these matters can be adequately addressed by condition.

The existing service road behind The Broadway, to the south of the site, would benefit from increased pedestrian traffic between the site and The Broadway, as well as associated physical improvements (including lighting and, if necessary, CCTV) to its environment, funded by the proposed development.

The south elevation of the multi storey car park would follow the boundary with the existing service road, resulting in a wall some 32.5 metres long and 9 metres high adjacent to the service road. However this wall would be perforated by the car park's ventilation panels meaning that there would not be substantial blank sections and allowing a degree of inter-visibility between the ground & mezzanine car park levels and the service road.

Part of the south elevation of the food store would also follow the boundary with the existing service road. This section would have a length of 22 metres and a height of between 8 and 8.5 metres and would be completely blank, although railings from the roof garden over would provide some sense of natural surveillance. Beyond the wall would be a stairwell & lift core (serving the basement car park) with escape doors onto the service road. The applicant has advised that this is unavoidable due to the need to accommodate 'back of house' functions in this part of the store and the prior importance of activating the new central street; however it is considered that details of elevational treatment e.g. to install textured brickwork patterns to this elevation, and/or means of enclosure, would help to mitigate the risk of graffiti and anti-social activity. It is considered that these details can be secured by condition.

The west (rear) elevation of the food store would also be blank over a substantial length. However it is likely that this wall would be fenced off from the adjacent car park and that there would be a narrow landscape buffer. Furthermore the retention of a blank wall here is desirable to avoid prejudicing any future redevelopment of the adjacent car park site.

*Footpaths (footpaths should be well-integrated, well lit and not isolated)*

As noted above, the pedestrianised section of the proposed new central street is expected to be vibrant by association with the store, is expected to enjoy good north-south pedestrian traffic and would be overlooked by the flats above Blocks A & B. The width of the street and its straight configuration mean that it is capable of being well lit and, if necessary, provided with CCTV coverage.

Throughout the rest of the proposal, the use of shared surfaces or more conventional footways alongside carriageway mean that they would benefit from full natural surveillance (there would be no isolated footpaths) and, again, the shared surfaces and footways are capable of being well lit and, if necessary, provided with CCTV coverage.

Details of streetlighting and other equipment can be controlled as a condition of planning permission.

*Planting & Seating (planting should be used as a buffer between footpaths and elevations; careful consideration should be given to the location of any seating)*

Blocks C & D (being the blocks with ground level residential units) make provision for planting areas between elevations with habitable room windows and footpaths/shared surfaces. The submitted Design and Access Statement suggests that seating may be provided in the pedestrian street, as an 'edge' treatment to the proposed planters alongside the car park. Such seating would be sufficiently distant from windows in Blocks A & B above as to present an unacceptable risk of nuisance to future occupiers.



*Communal Areas & Dwelling Boundaries (there should be clear delineation between public and private space; low boundary treatment and planting should be used to maintain natural surveillance)*

Subject to adequate enclosure of the amenity space to Block D, each block would have communal open space that would be separate and secure from the public realm: Blocks A & B would each have communal roof gardens whilst Block C would have a central courtyard garden and Block D a rear communal garden. The houses forming part of Block D would each have their own private rear gardens.

Each flat would also have its own private balcony. For the flats on the first floor of Blocks A & B this will require clear demarcation between the private balconies and the surrounding communal roof garden areas. There is a lift/stair core in the south-west corner of the retail store, providing access from the basement car park up to the podium roof garden of Block A. The applicant has confirmed that this is for emergency escape only and will not provide public access to the podium.

For the ground floor flats in Blocks C & D this will require clear demarcation between the private balconies and the public realm (and, in the case of Block D, the rear communal garden). The submitted drawings show that, generally, such demarcation can be achieved by the use of planting areas (for privacy/separation) and formal balcony enclosures (for security). Details of these can be controlled by condition as part of the hard and soft landscaping details.

More generally, provision of the boundary treatment and planting can be secured as a condition of planning permission, as can the arrangements for the long term management of the planters, landscaped areas and communal spaces.

*Car Parking (should be in small groups & overlooked; access to internal car parks should be controlled; car parking spaces should be well lit)*

The surface level residential car parking spaces are distributed throughout the north part of the site and are grouped in blocks of between 3 and 6 bays, although the close proximity of the blocks fronting Block D would effectively create a larger single grouping of spaces. Nevertheless, all spaces would be overlooked by homes within the development and details of adequate lighting can be controlled as a condition of planning permission.

Both the undercroft car park to Block C and the mezzanine car park to Block B will require a means of access control at their respective points of vehicular entry/exit and, internally, where there is direct access from the car park to residential stair/lift cores. No access control details have been submitted, but these can be secured, as can details of the adequacy of internal lighting, as a condition of planning permission.

The submitted Transport Assessment states that the commercial car park opening times remain to be confirmed, but that it is likely that it will be shut and secured overnight. The operation of the car park, including opening hours, can be agreed through the submission of a Car Park Management Plan prior to occupation of Phase 1, to be secured by condition. And again the car parks access control and lighting details can be secured as a condition of planning permission.

*Cycle and Bin Storage (internal bin & cycle stores should be secure; external bin storage should not support climbing e.g. to first floor windows)*

Residential cycle storage would be provided in secure communal enclosures within Blocks C & D. This would serve all of the proposed flats and the houses. The cycle stores would all be suitably enclosed without windows.

The Transport Assessment states that cycle storage for the food store staff would be provided in a secure and sheltered enclosure, whilst general-use cycle parking (for visitors and shoppers) would be provided in the form of stands in front of the store and throughout the site. Details of the proposed staff and general-use cycle parking facilities have not been shown on the drawings, but the design/location of these can be controlled as a condition of planning permission to ensure that they do not compromise the security of cyclists or residents.

Similarly the bin storage for the proposed flats would be provided in secure (windowless) communal enclosures located within Blocks B, C & D. The proposed houses would each have an enclosed bin store within the building envelope and an enclosure for two further bins on the forecourt but with sufficient separation from the terrace to avoid any security risk from climbing.

#### Contribution to Wider Creation of a Lifetime Neighbourhood

As noted above and elsewhere in this report, the development would be inclusive and accessible to future residents and visitors alike, and would create employment opportunities and contribute positively to the vibrancy of the district centre. By providing a mix of homes suitable for occupation throughout the life cycle, together with a proportion of homes suitable for wheelchair users, and its physical connection with Coverdale Close and Rainsford Close, the development would contribute to the creation of a settled, integrated community. Future occupiers would enjoy access to public open space (north of the site) and to community facilities, public transport and economic opportunities in Stanmore district centre (to the south). Through its CIL liability, the development will contribute to the funding of additional social and other infrastructure made necessary by the new residents.

In terms of potential new character zones, the applicant's Design & Access Statement identifies the west alleyway between The Broadway and the existing service road (that abuts the southern boundary of the site) as a 'pedestrian link', and the section of the existing service road between that alleyway and the proposed new central street as an 'arrival square'. In terms of movement within and around the site, the Design & Access Statement clearly identifies that part of the service road and the west alleyway as integral to north-south pedestrian flow.

Possible off-site improvements listed in the applicant's Planning Statement and Transport Assessment include the creation of a pedestrian priority environment across the service road and through the west alleyway.

The suggested, or suitable alternative, proposals to create a pedestrian-friendly link between The Broadway and the site, via the west alleyway and the existing service road, are necessary to secure the proper integration of the development and its residents with the existing district centre and the wider Stanmore community. As both the alleyway and the service road are within the control of the Council there should be no barrier to the delivery of these improvements to ensure an integrated, fully accessible pedestrian-friendly environment between The Broadway and the application site upon completion of phase one of the development.

The Broadway and Church Road, forming part of the A410 London distributor road carrying east-west traffic through the north of the Borough, is a significant barrier to north-south pedestrian permeability within Stanmore district centre, and at the junction with Stanmore Hill there is a further impediment to east-west permeability for pedestrians due to the lack of a pedestrian phase at this junction. The Planning Statement and Transport Assessment refer to the potential improvement of the Church Road/Stanmore Hill junction to provide a pedestrian crossing. Again the delivery of this improvement, with funding from the development, is within the control of the Council and TfL, and would represent a much-needed benefit to the safety, convenience and accessibility of Stanmore district centre.

#### Improvements to the Public Realm

As described above, the proposal will fund necessary qualitative improvements to the public realm between The Broadway and the application site and may also help to fund pedestrian improvements to the Stanmore Hill/Church Road junction. By opening up the site to north-south pedestrian and cycle movement the proposal exploits the opportunity presented by the site's development, and reflected in its allocation, to strengthen permeability between residential areas and the district centre/public transport facilities. It also provides an opportunity for a more direct and pedestrian-friendly route, through the site, from The Broadway and via Coverdale Close to Stanmore Recreation Ground.

#### Bus Stops & Disabled Persons' Parking

The provision of new/improved bus stops in the area would be within the control of Transport for London in consultation with the Council. The proposal makes provision for disabled persons' parking on the site and is considered acceptable in this regard.

#### Comfort and Convenience Amenities

The reasoned justification to the policy recognises that the availability of basic amenities such as rain canopies and publicly accessible toilets benefit everyone, but particularly those with mobility or other health impairments. The applicant has advised that customer toilets will be included within the store and that further details of the store elevations will be worked-up at detailed design stage. It is therefore considered appropriate to control these details as a condition of any planning permission.

#### **Flood Risk**

The site is within Flood Zone 1, meaning that the site is assessed as having a less than 1 in 1,000 annual probability of fluvial flooding from main rivers. In accordance with the NPPF and associated Technical guidance, the proposed uses are appropriate in Flood Zone 1 without the need for sequential/exception testing.

The NPPF states that a site-specific flood risk assessment (FRA) is required for proposals of 1 hectare or greater in Flood Zone 1. The application site area is just under 1 hectare (0.95ha). Notwithstanding that the site is just below the threshold for which a site-specific FRA is required, an FRA has nevertheless been submitted with the application.

The FRA identifies as the only potentially significant (i.e. moderate-high) flood risk to the site as being overland flow during periods of intense rainfall, when local infiltration and drainage capacity is insufficient to cope with the volume of rainfall and so the water flows overland. The identified risk is associated with modelled overland flows from Stanmore Country Park, to the north, through the site and continuing southward across The Broadway and Glebe Road. The modelled risk (1 in 30 and 1 in 200 year events) shows

that it would be the eastern and southern parts of the site that would be affected.

Paragraph 103 of the NPPF states that, when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. London Plan Policy 5.12 *Flood Risk Management* states that development proposals must have regard to measures proposed in Catchment Flood Management Plans. It is noted that the EA's Thames Catchment Flood Management Plan (2009) focuses on the adaptation of the urban environment to increase resistance and resilience to flood water, and that this objective informed the preparation of Harrow's Local Plan policies on flood risk management.

Core Strategy Policy CS1 U undertakes to manage development to achieve an overall reduction in flood risk and increased resilience to flood events. Policy DM9 *Managing Flood Risk* of the Development Management Policies Local Plan document includes design and layout criteria for proposals requiring an FRA. Although an FRA was not strictly required for the application, based on site area, as one has been submitted it is considered appropriate to assess the proposal against these criteria:

- *Minimise flood risk on site and not increase flood risk elsewhere*

The development has been designed to locate gardens/amenity areas and car parking along the eastern/southern parts of the site. This would help to minimise the risk of overland flow inundating the residential and retail premises on the site by creating a 'diversion path' for overland flows along the eastern edge of the site.

In terms of the risk of flooding elsewhere, the proposal makes provision to manage discharge rates from the site to a level equivalent to the greenfield run-off rate. The risk to properties adjacent and 'downstream' of the site is therefore likely to reduce, through the implementation of the proposed sustainable drainage measures, notwithstanding the increase in development on the site.

- *Wherever possible, reduce flood risk overall*

The design and layout of the proposal will help to manage surface water flood risk both from overland flows and associated with increased development of the site.

- *Ensure a dry means of escape for occupiers of residential development*

This criterion is primarily in place to ensure that occupiers of proposed dwellings on sites with medium-high fluvial flood risk (i.e. Flood Zones 2 & 3) have a means of escape to 'dry' land (i.e. Flood Zone 1). In the subject instance the whole of the site is within Zone 1. As the nature of the flood risk here is overland flow it is not considered necessary to ensure a dry means of escape.

As noted above, the proposal would create a 'diversion path' for overland flows along the eastern edge of the site. This would mean that the communal and private entrances to the residential parts of the development (and indeed the retail store) would be 'dry' during an overland flow flood event.

- *Achieve appropriate finished floor levels*

The submitted FRA notes that, as the site is within Flood Zone 1, finished floor levels do not need to take into consideration this mitigation measure. Nevertheless, the FRA goes on to recommend that all dwellings incorporate a minimum freeboard above surrounding street levels of 150mm minimum.

The applicant has advised that the only home with a finished floor level potentially below the adjacent street level would be unit C.01 and that, to reduce the risk of surface water flooding into this unit, its external access onto an area of proposed private amenity space has been substituted with a window (sill height 750mm). Although this would deprive this one unit of access to a private amenity area it is considered an acceptable trade off for mitigating the risk of internal inundation during, for example, a flash flood event.

- *Not create habitable basements in areas of medium and high flood risk*

Again, this criterion is primarily in place to prevent the formation of new basement dwellings/habitable spaces on sites with medium-high fluvial flood risk (i.e. Flood Zones 2 & 3). In the subject instance the whole of the site is within Zone 1 and no basement dwellings/habitable spaces are proposed.

Nevertheless, to avoid inundation of the proposed basement car park the FRA recommends a drainage gully along the length of its entrance. This will need to be designed with sufficient capacity to ensure that surface water flows (taking into account climate change) will be prevented from entering the basement. It is considered that such details could be adequately secured as a condition of planning permission.

Policy DM9 requires FRA proposals to demonstrate resistance and resilience to all relevant sources of flooding. In this regard the submitted FRA highlights additional flood risks to the site from groundwater (a low-to-moderate risk) and from sewers (a low risk), and for all relevant forms takes into account the possible effects of climate change.

Resistance methods are those employed to prevent floodwater reaching or entering properties, whilst resilience measures are used to minimise damage caused by floodwater. The submitted FRA sets out a number of resistance and resilience design details, many of which would only be relevant to the proposed ground floor properties. The implementation of the recommended design details can be adequately secured as a condition of planning permission.

### **Sustainable Drainage**

Both the London Plan<sup>36</sup> and Harrow's Core Strategy<sup>37</sup> seek to achieve greenfield rainwater run-off rates from new development through the integration and deployment of sustainable urban drainage systems. The objective is to help restore a more natural response to rainfall within river catchments, and to address/prevent localised surface water flooding. It is noted that the site is within a critical drainage area (CDA) as identified locally in Harrow's Surface Water Management Plan (2012).

London Plan Policy 5.13 *Sustainable Drainage* sets out a hierarchy of sustainable drainage measures, with the aim of managing surface water run-off as close to source as possible. Policy DM10 *On Site Water Management and Surface Water Attenuation* of Harrow's Development Management Policies Local Plan document sets out the design and layout criteria for major development proposals. Both policies also cross-refer to the need for water consumption efficiency.

### *Greenfield run-off rates*

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<sup>36</sup> Policy 5.13.

<sup>37</sup> Paragraph 4.32.

The Council's Drainage Team has advised that the run-off rate from the site should not exceed 5 litres per second (5l/s), which is the Greenfield run-off rate for the site. The submitted FRA is predicated on achieving this rate.

#### *Sustainable drainage measures*

To achieve the above run-off rate the submitted FRA proposes the following measures:

- permeable paving (with a sub base for surface water storage) to part of the north central street/parking bays and to the surface car parking area east of the multi-storey car park;
- storage cells within the roof gardens west of Block A and east of Block B; and
- an underground tank, located beneath the surface car parking area east of the multi-storey car park, where surface water would be stored and then pumped into the public surface water drainage network at a rate not exceeding 5l/s.

The proposed measures, taken together, would provide the necessary surface water storage volume for the site. In addition, the FRA proposes a green roof to Block D although this has been excluded from the volume calculations.

In terms of the London Plan hierarchy of measures, it was agreed between the applicant and the Council during pre-application discussions that the site is not suitable for a gravity based drainage system and that an underground tank with pump is the only workable solution. However sustainable measures that are higher up the hierarchy have been used wherever possible and include green roofs, permeable paving and podium-deck water storage cells. Infiltration techniques and rainwater gardens have been discounted because the site is located on London clay and because of the lack of suitable locations within the proposed development.

The proposed measures therefore represent the next most suitable options for the site. Consideration has been given to opening-up the culvert that runs through the site, recognising that this could achieve wider biodiversity and amenity benefits, but this has been discounted (see *diversion of watercourse* section of this report). Consideration has been given to opening-up the culver that runs through the site, recognising that this could achieve wider biodiversity and amenity benefits, but this has been discounted (see *water use and waste water capacity* section of this report).

Consideration of measures for the efficient use of mains water by future occupiers of the development is addressed as part of the assessment of the proposal's overall sustainable design and construction methods (see *sustainable design and construction* section of this report).

The submitted FRA states that the proposed drainage strategy will need to be reviewed at the detailed design stage. With this in mind, and at the recommendation of the Council's Drainage Team, it is recommended that the details of surface water attenuation and disposal be controlled by conditions.

#### *Separation of surface and foul water systems*

Again, the Council's Drainage Team has recommended that details of the foul water disposal system be controlled by condition. Through such controls it will be possible for the Council to ensure that separate surface water and foul water drainage systems are implemented, reducing the risk of foul water flooding and water contamination.

#### *Safe storage and passage of flood water in excessive events*

The FRA shows that the capacity of the proposed sustainable drainage measures on the site has been designed to manage the calculated run-off from the development in a 1 in 100 year plus 30% climate change event. This is considered to be an acceptable basis for future-proofing the development.

#### *Arrangements for the management and maintenance of drainage measures*

Pending the implementation of arrangements for the approval and adoption of sustainable drainage systems under the Flood and Water Management Act (2010), the development has been designed to contain the proposed site-specific drainage systems within areas that would not be offered to the Council for adoption as public highway. However the Council's Drainage team have suggested a number of detailed controls as conditions of any planning permission.

#### **Diversion of Watercourse**

The site contains a culverted ordinary (i.e. non main river) watercourse. The culvert inlet is situated in Stanmore Country Park. The culvert enters the site across the boundary with Rainsford Close, continues southward adjacent to the eastern boundary of the site to the rear of no. 5 Dennis Gardens, where it changes direction to cross the site roughly parallel to the north side of the existing town centre car park, and then changes direction again to run south out of the site and through the west alleyway into The Broadway.

To accommodate the development, specifically the basement car park, it is proposed to divert the culvert via a new north-south link from behind no. 5 Dennis Gardens to the existing service road, and then westward underneath the service road until it rejoins the section running south through the west alleyway and into The Broadway.

Policy DM11 *Protection and Enhancement of River Corridors and Watercourses* of the Development Management Policies Local Plan document seeks a suitable buffer either side of an ordinary watercourse and sets out the following requirements for major developments on sites containing a culverted watercourse:

- to have regard to the Thames River Basin Management Plan and the London River Restoration Action Plan; and
- to investigate and, where feasible, secure the implementation of a scheme for restoring culverted sections of the watercourse.

As noted above, the proposal is not to deculvert that part of the watercourse that flows through the site but instead simply to divert it along the site's eastern edge and underneath the existing town centre service road, in order to enable the form of development proposed. The applicant's Planning Statement confirms that the opportunities to open-up the watercourse were reviewed but that it was not possible to integrate it into areas of public realm primarily due to the need to maximise the proposed basement car parking.

Clearly the design and layout of the proposal necessitates a trade-off between the desirability in visual/townscape terms of placing a substantial amount of the necessary on-site car parking below ground level and the environmental/amenity benefits that would arise from an open watercourse flowing through the site. Without the basement car park, which would accommodate 129 spaces, the scheme would require a number of additional levels of parking in the proposed multi-storey car park, or a substantial increase in surface-level car parking, to meet contractual obligations (to re-provide leased spaces) and the parking needs of the development. It is likely that the impacts of additional above-ground provision would be unacceptable. In these circumstances, it is accepted

that restoration of the culverted section through the site is not feasible and, by association therefore, it is meaningless to appraise the relevant provisions of the Management and Action Plans cited in the policy.

Policy DM11 goes on to seek a financial contribution towards relevant other enhancement and restoration projects from developments where on-site works are financially viable but not feasible. In this case the financial viability of on-site deculverting has not been specifically modelled; however, it can be extrapolated from the viability assessment carried-out in respect of affordable housing policy that the proposed development would be unlikely to be able to shoulder the additional costs that may be associated with the restoration of the watercourse through the site. However it can be noted that the proposal would be liable for payments under the Harrow CIL and it is therefore within the discretion of the Council to use Levy funds to implement any relevant Green Grid projects in the area.

The Council's Drainage team has been in discussions with the applicant regarding the maintenance of a suitable 3 metre buffer either side of the culvert and this has been agreed. However, as part of the buffer would run through the gardens of the proposed houses it is considered necessary to control permitted development rights in respect of those houses to ensure that no future development takes place within the agreed buffer.

The Council's Drainage Team has advised the applicant directly that the diversion of the culvert requires Land Drainage Consent from the Council. This is entirely separate from the planning process, however it can be noted that the Drainage Team has indicated that, in principle, it appears that Consent would be granted. In terms of planning, it is considered that the diversion of the culvert is acceptable subject to the control of details to include an assessment of the integrity of the existing section of culvert that is to be retained, can be secured as a condition of planning permission. A contribution towards the cost to the Council of the future maintenance of that part of the culvert that would be re-routed underneath the service road is necessary and can be secured as a financial obligation of a section 106 Planning Obligation.

The proposal also involves the diversion of a foul water sewer that flows through the site. This is a matter between the applicant and the utility provider – Thames Water. However it is noted that the FRA states that Thames Water have given their approval in principle.

### **Landscaping**

Paragraph 58 of the NPPF states that planning decisions to ensure that developments are visually attractive as a result of, *inter alia*, appropriate landscaping. London Plan Policy 7.5 *Public Realm* seeks landscape treatment, street furniture and infrastructure of the highest quality and calls for opportunities for greening to be maximised. Policy DM22 *Trees and Landscaping* of the Development Management Policies Local Plan requires landscaping that: is appropriate to the character of the area; is well laid out; achieves a visual setting for buildings; provides sufficient space for new planting to grow; and supports biodiversity.

A Landscape Strategy has been submitted with the application.

### *Appropriateness of landscaping*

The site forms a transition between the more urban character of Stanmore district centre and the suburban character of surrounding residential areas. At present, there is a stark contrast between the existing surface-level town centre car park and the more leafy



appearance of the grounds of Anmer Lodge. The challenge for the proposal is to deliver a scheme of hard and soft landscaping which achieves an appropriate, managed transition between The Broadway and Coverdale/Rainsford Closes.

To this end the Landscape Strategy proposes 9 landscape character areas across the site:

1. The Promenade: forming the space between the retail store and the multi-storey car park (and above the basement car park), this would take on the character of a vibrant street with the store entrance, trolley park and café on one side and planters with wall-edge seating on the other side. Treatment of the hardsurfaces, car park venting panels, lighting and planting would emphasise its town-centre character.
2. Central Square: forming the 'crossroads' between The Promenade, the shared-surface residential street beyond and the access road from Coverdale Close, this would be a paved square shared by vehicles and pedestrians.
3. Shared Surface Lane: this would be a one-way street (north-to-south) descending from Rainsford Close to the Central Square, using surface materials to define the pedestrian walkway. The presence of planting along Block C, street trees and parking bays fronting the houses/Block D, would define its more residential/suburban character.
4. The Street: forming the main two-way road into & out of the site via Coverdale Close and on to Stanmore Hill, this would be a traditional black-top carriageway and raised outer footways. This utilitarian approach emphasises its functionality to drivers and pedestrians passing through this part of the site.
5. Northern Frontage: forming the interface to the existing long section of Rainsford Close, this area would be dominated by the protected Wellingtonia tree and green amenity space around it and would be a strong visual link to the character of green amenity areas that already exist in the approach to the site from Coverdale Close. This area will also provide for the change in levels around the north-west corner of Block C (i.e. descending from Coverdale Close into the site).
6. Podium Gardens: these are the rooftop amenity areas serving Block A (above the retail store), Block B (above the multi-storey car park) and the internal courtyard of Block C (above the undercroft car park). These will be residential spaces laid out with planting, useable decked areas and privacy screening for adjacent same-level flats. Such communal roof gardens would be a new and interesting addition to the character of development in this part of Stanmore.
7. Southeast Parking Court: the Strategy proposes tree planting and climbers to soften the impact of the small surface parking area to the east of the multi-storey car park. It is the least inspiring component of the landscape proposals, but sufficient to help mitigate the otherwise fully-hardsurfaced appearance of this corner of the development.
8. Rear Gardens: these would be traditional rear gardens comprising a communal amenity space to the flatted part of Block D and private gardens for the proposed houses. They would back on to the gardens of neighbouring property in Dennis Gardens and Laburnum Court, thereby reinforcing suburban character at this sensitive interface of the site.
9. Link to Broadway: For the success of the site's relationship with The Broadway and the rest of Stanmore district centre, the space across the existing service road and western alleyway is critical. The Strategy, noting that it is outside of the application site, nevertheless provides an indicative solution comprising a shared surface with high-quality paving and trees. The link is within the control of the Council (it forms part of the adopted Highway) and therefore securing improvements to it, with funding from the development, is also within the control of the Council.

It is concluded that the proposed Landscape Strategy is appropriate to the proposed

development and the relationship of the site to its surroundings.

### *Layout of landscaping and visual setting*

In general terms it is considered that the hard landscaping proposals are well conceived, providing a well defined pedestrian-priority focus to the north-south route through the site and clear vehicular routes into and out of the site. The landscaping strategy for the site benefits from the effort that has been made to accommodate a substantial proportion of the required on-site parking within the basement, multi-storey and undercroft areas. The streetside planting areas, street trees and planting to the car park vent panels would, overtime, enhance and soften the appearance of the buildings when viewed from within and outside of the site. The podium and rear garden areas would contribute positively to the living conditions of future occupiers of the development and would help to provide visual amenity to existing residents when viewed from neighbouring property.

### *Sufficiency of space for new and existing trees/planting*

The Council's Landscape Officer has highlighted the following areas where further information will be required to ensure that the Landscape Strategy's proposals can be effectively realised:

- details of the proposed hard and soft landscaping, together with changes in site levels and any necessary retaining structures, within and around the root protection area of the Wellingtonia tree;
- details of the size of the raised planting beds and the proposed management/maintenance arrangements for the planting beds and decking within the podium gardens;
- details of the size of the raised planting beds/wall-edge seating and the proposed management/maintenance arrangements for the planting beds and car park ventilation panels within the promenade; and
- details of the space available for soft landscaping within the south-east parking court.

It is considered that these matters can be adequately addressed as part of the hard and soft landscaping details by condition.

### *Supports biodiversity*

The Council's Biodiversity Officer has recommended a number of proposed measures that could be incorporated into the development to help support local biodiversity. These are detailed in a separate section of this report (see below).

Within the context of climate change mitigation, London Plan Policy 5.10 *Urban Greening* seeks the integration of green infrastructure – such as trees, green roofs/walls and soft landscaping – into development proposals. Policy 5.11 *Green Roofs* and Development Site Environs echoes the need for green infrastructure to deliver as many identified environmental objectives<sup>38</sup> as possible.

As noted above, the proposal would incorporate green infrastructure, in the form of planting beds, street trees and surface & roof gardens, into the development. Although not *per-se* green walls, the opportunity for climber-planting to the car park ventilation panels would be a further visual enhancement to the perception of greenery within the

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<sup>38</sup> Those objectives are: adaptation to climate change; sustainable drainage; mitigation of climate change; enhancement of biodiversity; accessible roof space; improvements to the appearance and resilience of buildings; and growing food.

development. Taken together, these provisions would support biodiversity and help to counter the urban heat island effect at the micro-level.

As a flat-roof development the proposal offers considerable potential for the provision of green roof areas, excluding the roofspaces required as a usable amenity for future residents. The applicant has indicated an intention to install green roofs and this would achieve green infrastructure and biodiversity benefits across the development, consistent with London Plan and Local Plan policies. The Council's Biodiversity Officer has advised that there is no conflict between the provision of green roofs and the use of the roofspace to accommodate photovoltaic panels; indeed, it is further advised that the two compliment each other as the panels provide opportunities for planting of species providing slightly more shade, whilst the cooling effect of the green roofs increases the efficiency of the panels with power outputs typically up by 6 per cent. To ensure that the site makes the maximum possible contribution to green infrastructure, consistent with policies and biodiversity objectives, it is recommended that the provision of green roofs be secured by condition.

### **Trees**

London Plan Policy 7.21 *Trees and Woodland* states that existing trees of value should be retained and that, wherever appropriate, additional trees should be planted in new development. Policy DM22 *Trees and Landscaping* of the Development Management Policies Local Plan document resists the loss of TPO and other trees of significant amenity value only where it can be demonstrated that their loss would be outweighed by the wider public benefits of the proposal.

An Arboricultural Report has been submitted with the application. The Report provides a comprehensive quality assessment of trees within and immediately surrounding the site and identified those that are proposed for retention and those for removal. The quality assessment uses the following grading system:

- Category A: these are trees of high quality with an estimated remaining lifespan of at least 40 years;
- Category B: these are trees of moderate quality with a remaining life expectancy of at least 20 years;
- Category C: these are trees of low quality with a remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm; and
- Category U: these are trees in such a condition that they cannot realistically be retained as living trees for longer than ten years.

For categories A-C there is a 1-3 sub-category system, where 1 represents mainly arboricultural qualities, 2 represents mainly landscape qualities and 3 represents mainly cultural values.

Table 4 below provides a numerical overview of the individual trees identified in the Report for removal and those proposed to be retained. Only one is categorised as A1 and this is the TPO protected Wellingtonia tree to the north-west corner of the site, proposed for retention. Other than this TPO protected tree, and category U tree which is outside of the site (to the rear of shops in The Broadway), all of the individual trees shown in the Report as being within the site boundary would be removed. Conversely, all of the trees shown in the Report as being on/outside the site boundary would be retained (the Report identifies an associated root protection area for each of them).

| <b>Table 4: Individual Trees</b> |                |                 |
|----------------------------------|----------------|-----------------|
| <b>Category</b>                  | <b>Removed</b> | <b>Retained</b> |
| A1                               | 0              | 1               |
| B1                               | 14             | 9               |
| C1                               | 26             | 2               |
| U                                | 9              | 0               |
| Totals:                          | 49             | 12              |

Table 5 below provides a numerical overview of the groups of trees identified in the Report for removal and those proposed to be retained. Again all of the groups of trees that are shown in the Report as being within the site boundary would be removed whilst only one group is outside of the application site – to the rear of the existing library car park – and identified for retention with an associated root protection area.

| <b>Table 5: Groups of Trees</b> |                |                 |
|---------------------------------|----------------|-----------------|
| <b>Category</b>                 | <b>Removed</b> | <b>Retained</b> |
| B2                              | 1              | 1               |
| C2                              | 7              | 0               |
| Totals:                         | 8              | 1               |

As well as individual and groups of trees the Report also identifies three category C2 Leyland Cypress hedges. These are located to the north-east corner of the site along the boundary between Anmer Lodge and Laburnham Gardens. Two of the hedges are within the application site and would be removed. One, outside of the site boundary, would be retained.

Other than the TPO protected Wellingtonia tree, which it is proposed to retain, the development would necessitate the removal of all trees that are existing within the application site boundary. The majority, as individuals, groups and hedges, fall within category C (trees of low quality). However a significant proportion of the individual trees that would be removed fall within category B (trees of moderate quality).

Clearly, the loss of so many trees is regrettable. However the Report's assessment of their quality demonstrates that they are not of significant amenity value and, therefore, need not be an impediment to the redevelopment of this Local Plan allocated site. The proposed site plan suggests that there is scope for new tree planting within the development – notably as street trees and as garden trees to the rear of the private gardens/communal amenity space of the houses/flats forming proposed Block D. The provision of adequate (in terms of number) and appropriate (in terms of species) tree planting can be secured, by condition of planning permission, as part of the hard and soft landscaping details. Similarly the agreement and implementation of safeguards for the root protection areas of retained trees outside of but adjoining the site, including those that could be affected by excavations to create the basement car park and to divert an existing culvert, can be secured as a condition of planning permission.

The Council's Tree Officer has indicated that, whilst the Block C adequately avoids the root protection area (RPA) of the protected Wellingtonia tree, the site layout as submitted shows an excessive proportion of hardsurfacing within the RPA and has requested that this be resolved. Subject to the resolution of this matter together with controls for the protection of the Wellingtonia tree during and after construction, all of which can be secured by conditions of any planning permission, the proposal would make adequate

provision for the retention and survival of the TPO protected Wellingtonia tree.

### **Ecology and Biodiversity**

By inference, the NPPF emphasises that one of the best ways to conserve the natural environment is to encourage the effective use of land by re-using previously-developed land to meet development needs<sup>39</sup>. At paragraph 118 the NPPF sets out the principles for conserving and enhancing biodiversity, which include resisting development that would: (i) cause significant harm that cannot be avoided, mitigated or compensated-for; or (ii) have an adverse affect on a Site of Special Scientific Interest (SSSI). Opportunities to incorporate biodiversity in and around developments are encouraged.

London Plan Policy 7.19 *Biodiversity and Access to Nature* echoes the need for development proposals to make a positive contribution to biodiversity, to protect statutory sites, species and habitats, and to help achieve Biodiversity Action Plan targets. Criteria for the Protection and Enhancement respectively of *Biodiversity and Access to Nature* are set out in Policies DM20 and DM21 of the Development Management Policies Local Plan document. These are addressed below.

The applicant has submitted an Ecological Data Search and Ecological Assessment.

#### *Protection*

Noting that the site is enveloped by residential development to the north and east, and commercial development to the south and west, the Assessment finds that the existing site is of limited ecological value. In particular:

- Site Habitats: These comprise the existing buildings, hardstandings, amenity grassland, species-poor hedgerow and ornamental planting. They are assessed as having negligible ecological value.
- Surrounding Habitats: These comprise domestic gardens and a number of semi-mature trees. Again, they are not assessed as being of notable ecological value.
- Flora: One invasive species (Japanese knotweed) was found and will require controlled treatment and removal from the site to extinguish it. No other notable species were recorded.
- Fauna: No evidence of any protected, rare or notable species were recorded at the site. Furthermore, the potential of the site in its current condition to support breeding birds, bats and reptiles is assessed as being low.

Notwithstanding the Assessment's finding that the site is unlikely to support bats, the Council's Biodiversity Officer has advised that there is woodland within 200 metres of the site which is a known local centre for bat activity. In response, the applicant's ecology consultant (SLR Consulting Ltd) has proposed by letter dated 11<sup>th</sup> March 2014 that an inspection of the buildings for evidence of bat activity should be carried out and that, if necessary, an additional activity survey using bat detectors will be required. It is understood that the inspection is scheduled for 24<sup>th</sup> March. The results of the inspection and any consequent recommendations will be reported to the Planning Committee as addendum information.

The 11<sup>th</sup> March letter also advises that works to treat the Japanese knotweed on the site is already underway and proposes mitigation of potential impacts upon nesting birds and reptiles by recommending:

- site clearance to take place outside of the bird nesting season or, if this is not

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<sup>39</sup> See paragraph 111.

possible, the site to be inspected and if nests are found exclusion zones to be set-up; and

- the site to be checked prior to clearance for reptiles and, if any are found, they are to be moved to a safe location.

A condition is recommended to ensure that the mitigations set out in the letter are implemented. Any additional necessary measures arising from the bat inspection will be reported to the Planning Committee as addendum information.

By virtue of its location in Stanmore occupiers of the site would benefit from a high level of accessibility to local natural/semi-natural environments. In particular, the submitted Data Search reveals that the following local nature reserves (LNR) can be found within a 2km radius of the site. These are: Bentley Priory, Stanmore Common and Stanmore Country Park. The Data Search also notes that Bentley Priory contains a Site of Special Scientific Interest (SSSI). The impact of growth in the Borough upon such 'statutory' sites<sup>40</sup> was assessed as part of the Sustainability Appraisal of Harrow's Local Plan documents, including the site allocations document. The Sustainability Appraisal found no adverse consequences for sites that cannot be mitigated through planning policies or management techniques at receptor sites. An Environmental Impact Assessment Scoping Opinion issued prior to the subject planning application has identified no specific impacts upon these nearby sites arising from the proposed development.

### *Enhancement*

Having regard to Harrow's Biodiversity Action Plan, the nature of the development and the interface of the site with surrounding environments, it is considered that the incorporation of features which recreate significant components of the natural environment could achieve a net enhancement of biodiversity value at the site.

The 11<sup>th</sup> March letter makes recommendations for some key and some additional potential site enhancements. The specific recommendations are:

- installation of 4 x sparrow nesting boxes; and
- provision of fresh water into the landscaping.

The potential site enhancements are:

- implementation of good horticultural practice (i.e. avoiding peat and pesticides); and
- provision of leaflets about wildlife friendly gardening to all properties with private gardens.

As noted in the *landscaping* section of this report, it is intended that the proposal will also make provision for green roofs. Green roofs bring environmental and ecological benefits and would so represent a further and significant biodiversity enhancement.

The above measures are consistent with the expectations of Policy DM21 and can, it is considered, be secured as conditions of any planning permission. The provision of ecologically-enhancing trees and other planting to the private and communal gardens, and to the public realm areas throughout the rest of the development, can be secured as part of the hard and soft landscaping details to be controlled by condition. In terms of measures not proposed: it is not considered that the site is suitable for a green corridor or green chain, given its relationship with the more dense/commercial development of

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<sup>40</sup> i.e. sites of international or national ecological importance, such as European-designations (none in Harrow), SSSIs and LNRs.

Stanmore district centre and its isolation from any existing green chain or corridor in the area; and the site does not offer any meaningful opportunity for allotment provision.

Beyond the site boundary, implementation of Harrow's Biodiversity Action Plan and management plans for the publicly accessible sites referred to above are, in part, funded by the Community Infrastructure Levy.

### **Carbon Dioxide Emissions Reductions**

The NPPF<sup>41</sup> requires new development to comply with adopted local policies on decentralised energy supply and to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

London Plan Policy 5.2 *Minimising Carbon Dioxide Emissions* applies the following hierarchy for the reduction of carbon dioxide emissions from new development: use less energy; supply energy more efficiently; and use renewable energy. The policy goes on to set out carbon dioxide reduction targets for residential and non-residential development, and requires detailed energy assessments to be submitted with applications for major development.

The application satisfies the London Plan requirement for energy assessment by the submission of an Energy Strategy report including an addendum (relating to the retail proposal) to that report. A Code for Sustainable Homes report has also been submitted.

#### *CO2 Reduction Target – Residential*

The London Plan carbon dioxide reduction target for residential development during the period 2013-2016 is to achieve a 40% improvement on the 2010 Building Regulations.

The 2010 Building Regulations impose a CO2 emissions ceiling for new dwellings of 165.90 tonnes per annum (tpa). A 40% reduction equates to emissions savings of 66.36 tpa. The submitted Energy Strategy report notes that proposal would achieve emissions savings of 67.40 tpa (equivalent to 40.6%).

Appraisal of the methods used to achieve this reduction, relative to the London Plan energy hierarchy, is set out below.

#### *CO2 Reduction Target – Retail*

The London Plan carbon dioxide reduction target for non-residential development during the period 2013-2016 is also to achieve a 40% improvement on the 2010 Building Regulations.

The relevant 2010 Building Regulations CO2 emissions ceiling is 66.92 tonnes per annum (tpa). A 40% reduction equates to emissions savings of 26.77 tpa. The submitted Energy Strategy addendum report notes that proposal would achieve emissions savings of 35.31 tpa (equivalent to 52.8%).

Appraisal of the methods used to achieve this reduction, relative to the London Plan energy hierarchy, is set out below.

#### *Use less energy (lean measures)*

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<sup>41</sup> Paragraph 96.

The Energy Strategy reports attribute residential CO2 savings of 25.69 tpa and retail store CO2 savings of 3.55 tpa from measures that would reduce energy demand on the site. The measures comprise: the use of highly insulating building materials; air tightness; mechanical ventilation and accredited construction details (to ensure the correct ventilation within buildings is achieved); and additionally – in respect of the retail store only – recovery of waste heat from air conditioning units to provide hot water and other in-store energy controls such as lighting.

#### *Supply energy more efficiently (clean measures)*

The Energy Strategy reports attribute residential CO2 savings of 22.09 tpa and commercial CO2 savings of 31.77 tpa from the installation of a site-wide Combined Heat and Power (CHP) network. The CHP network would provide heating and domestic hot water to the site, and would generate electricity for the retail store.

#### *Use renewable energy (green measures)*

The Energy Strategy report attributes residential CO2 savings of 19.62 tpa from the use of renewable energy. Specifically, photovoltaic panels are proposed on the roofs (requiring approx. 400m<sup>2</sup> roofspace) that would make a contribution to the electricity supply of the homes on the site.

The Energy Strategy addendum report notes that there is no need for renewable energy in respect of the retail store as all of its required CO2 emissions savings are delivered by methods higher up the hierarchy (primarily through the CHP scheme).

### **Sustainable Design and Construction**

As noted above, the NPPF requires new development to comply with adopted local policies on decentralised energy supply and to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. London Plan Policy 5.3 *Sustainable Design and Construction* requires development proposals to meet the minimum standards outlined in the Mayor's SPG<sup>42</sup> and sets out the principles for sustainable design and construction. Policy DM12 *Sustainable Design and Layout* of Harrow's Development Management Policies Local Plan document sets out Harrow's local requirements.

#### *Minimising carbon dioxide emissions across the site*

As explained in the preceding section of this report, the proposal would achieve the London Plan's targets for CO2 emissions reductions both from the residential and retail components of the development. It is noted that the submitted Code for Sustainable Homes report indicates that the proposed homes within the development would achieve Code Level 4, of which a substantial proportion of the score (36.4%) would be achieved through energy and CO2 emissions reductions measures. The measures would include the provision of energy display devices, the installation of energy efficient white goods and energy efficient external lighting.

#### *Avoiding internal overheating and the urban heat island effect*

London Plan Policy 5.9 *Overheating and Cooling* provides further detail on this point, requiring development proposals to follow a cooling hierarchy (to avoid overheating and reliance on air conditioning systems) and requiring major development to demonstrate how the proposal would minimise overheating and meet its cooling needs. The

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<sup>42</sup> For the purposes of this assessment the more up-to-date consultation draft supplementary planning guidance *Sustainable Design and Construction* (2013) has been used.



importance of passive measures and insulating building materials are emphasised in Harrow's Policy DM12 and the Mayor's draft SPG.

The applicant has advised that excessive heat generation would be mitigated by the proposed high standard of building (thermal properties and construction standards) meaning that heat demand will be low. Efficient heat generators and appropriate controls within the homes will minimise excessive heat production and informative metering will also enable the occupiers to minimise energy consumption. The balconies will provide shading to some windows and the implantation of green roofs will help to reduce heat entering the buildings.

#### *Efficient use of natural resources*

The submitted Code for Sustainable Homes report indicates that a 'Green Guide' rating of A-D would be achieved for all five materials elements<sup>43</sup> in the development, exceeding the minimum requirement for at least three elements to be so scored. A site waste management plan, suggested as a condition, would help to identify opportunities to salvage for re-use existing materials on the site.

#### *Minimising pollution*

It is not considered that the proposed uses (retail/residential) pose a significant threat of future land contamination.

Air quality issues are dealt with in a separate section of this report (see below). It has been shown that the proposal would have minimal impact upon air quality affecting surrounding residents and future residents of the development, but mitigation measures are required (and are proposed) to reduce dust and emissions during construction.

Noise issues are dealt with in a separate section of this report (see below). It has been shown that, with adequate controls and mitigation, the proposal would not lead to an unacceptable noise environment for neighbouring residents and future occupiers of the development.

As an existing backland site within an existing town centre & suburban environment, it is unlikely that the development would result in inappropriate levels of lighting (leading to light pollution). The siting, design, luminance and, if necessary, times of illumination of lighting associated with the commercial activities (including the car parking) and any advertisements can be controlled by condition and through advertisement consent applications respectively. Street lighting will also be a matter for agreement between the developer and the Council.

Subject to control, by condition, of the culvert works and drainage arrangements, it is not considered that the proposal poses a significant risk of water pollution.

#### *Minimising waste and maximising reuse/recycling*

The proposed waste and recycling arrangements are dealt with in a separate section of this report. It is considered that the design and layout of the proposal would ensure that future occupiers of the development contribute to the Borough's good record in managing down the amount of waste sent to landfill and improving rates of recycling. A site waste management plan, suggested as a condition, would allow for the efficient handling of

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<sup>43</sup> Those elements are: the roof, external walls, internal walls, upper & ground floors, and windows.

<sup>44</sup> Incorporating the Housing SPG Design Standards at Appendix 4 of the draft SPG.

construction, excavation and demolition waste from the site.

#### *Avoiding impacts from natural hazards*

The only identified natural hazard relevant to the site is that of surface water flooding and – in particular – that associated with overland flow from Stanmore Country Park. The issue is dealt with in a separate section of this report (see below) and, with mitigation, is found to be acceptable.

#### *Comfort and security of future occupiers*

As set out elsewhere in this report (see above) the proposal would meet Lifetime Home Standards and contribute to the creation of a Lifetime Neighbourhood, including the Secured by Design principles. It is considered that the development would offer a good level of comfort and security to future occupiers.

#### *Sustainable procurement*

The submitted Code for Sustainable Homes report demonstrates that the development would secure credits for the use of sustainably-sourced materials with a lower environmental impact. This would be achieved by meeting at least the mandatory grade ratings for materials, by all timber coming from accredited sources and 80% of the building elements having a certified Environmental Management System.

#### *Biodiversity and green infrastructure*

As set out elsewhere in this report (see above) the existing site is considered to be of very limited ecological value, so its redevelopment would not be detrimental to biodiversity. Furthermore, the proposal offers the potential to enhance biodiversity both through the provision of on-site features and, indirectly, by helping to fund Harrow's Biodiversity Action Plan through the Community Infrastructure Levy.

London Plan Policies 5.10 *Urban Greening* and 5.11 *Green Roofs and Development Site Surroundings* call for the provision of green infrastructure on site, including planting, green roofs and green walls. As set out elsewhere in this report (see above) the proposal does make provision for a range of forms of green infrastructure across the site, which can be secured by condition as part of the hard and soft landscaping details.

#### *Minimum standards in Mayor's SPG*

It is concluded that, subject to further details that can be secured by condition, the proposal would meet the minimum standards outlined in the Mayor of London's draft Sustainable Building Design SPG (2013)<sup>44</sup> and, by association, would comply with Policies 5.3 and DM12, and related London Plan and Local Plan policies relevant to sustainability.

#### **Decentralised and Renewable Energy**

London Plan Policy 5.6 *Decentralised Energy in Development Proposals* applies a hierarchy to the selection of appropriate energy systems for major development proposals and calls for opportunities to extend CHP systems beyond the site boundary to adjacent sites to be examined. Policy DM13 *Decentralised Energy Systems* of the Development Management Policies Local Plan document supports decentralised energy networks and seeks connection to existing systems where feasible.

In terms of the hierarchy, the submitted Energy Strategy report confirms that there are no existing or proposed networks in the vicinity of the site. Therefore the proposed site-wide CHP scheme is consistent with the next preference (for site-wide networks) of the

hierarchy. As there are no adjacent allocated development sites, nor any adjacent sites currently being promoted for redevelopment, it is not considered necessary to build-in facilities to extend the CHP network beyond the site boundary.

London Plan Policy 5.7 *Renewable Energy* requires development proposals to achieve reductions in CO2 emissions through the use of on-site renewables, where feasible. Policy DM14 *Renewable Energy Technology* of the Development Management Policies Local Plan document echoes this requirement. The proposal would incorporate photovoltaic panels as a contributor to the CO2 emissions reductions that can be achieved by the development.

### **Air Quality, Ventilation and Odour**

London Plan Policy 7.14 *Improving Air Quality* provides further detail in relation to the air quality impacts of development. Specifically, it requires: minimisation of increased exposure to poor air quality; provision to address local problems of air quality; measures to reduce emissions during demolition and construction; ensure on-site provision of measures to reduce emissions; and assessment of the air quality implications of biomass boilers. The draft SPG provides further amplification.

An Air Quality Assessment has been submitted with the application. The Assessment reports that the whole of the Borough has been designated as an Air Quality Management Area (AQMA), due to exceedances of the annual mean objective levels for nitrogen oxide (NO2) and particulates (PM10), and that monitoring stations 60 metres south of the site and 2.3 km south-east of the site recorded NO2 objective level exceedances in 2012.

However, the Assessment goes on to predict the air quality impacts of the development upon identified existing receptors immediately surrounding the site and upon future receptors within the proposed development. The Assessment predicts that, during the construction phase, the works could lead to dust and particulates affecting existing receptors within 200 metres of the site. In terms of operation phase, i.e. when the development is completed and becomes operational in 2016, the Assessment predicts that annual mean NO2 and PM10 concentrations would be well below objective levels in relation to existing surrounding and on-development receptors. The Assessment also finds that hourly exceedances of NO2 and PM10 objective level concentrations, limited to 35 times per year, would be unlikely to occur.

Therefore, in terms of the site and its immediate surroundings, the proposal would not increase exposure to poor air quality and measures to address localised or on-site air quality at operation phase are not necessary. However measures to reduce emissions during demolition and construction are proposed; the submitted Assessment outlines a series of measures the implementation of which can be secured as a condition of planning permission. The proposed CHP scheme would be gas operated and so there would be no biomass boilers.

The Mayor's draft SPG recommends a NOx energy rating for CHP gas boilers and sets out 'air quality neutral' benchmarks. The applicant has confirmed that the gas boilers/proposed CHP would meet the SPG minimum air quality neutral standards.

As noted elsewhere in this report, it is proposed to incorporate a mechanical vent heat recovery system to serve the development; these work by expelling internal air over a heat exchanger to warm the intake of fresh air. This will help to ensure that the

development is ventilated in a sustainable manner and, as air quality within/surrounding the site has been shown not to exceed objective NO<sub>2</sub> and PM<sub>10</sub> levels, the proposed system would not expose occupiers within the buildings to harmful air quality.

The application has been accompanied by a short Statement on car park ventilation. It confirms that the multi-storey and undercroft car parks would have open side panels providing natural cross ventilation. For the basement car park, it states that fans at ceiling level will continuously blow air through the car park towards an extract point where it will be ducted to a rising shaft, discharging the air above the highest dwelling or accessible area in Block B. Sensors within the car park will monitor CO levels and will control the fans to ensure that CO levels are maintained at levels below HSE guidelines.

Fire Safety within the development is a matter for the Building Regulations and relevant fire authority.

Recognising that the proposed development introduces residential use to the rear of commercial premises in The Broadway, which include a number of restaurant and hot food take-away uses, the applicant has also submitted an Odour Impact Assessment. The Assessment reports that the nearest potential sources of odour are a fish & chip shop and a Turkish restaurant, both approximately 20 metres to the south of the site. However both of these have extract systems in place – as evidenced by extensive ductwork at the rear of the premises – and provided that these are properly maintained should not result in odour complaints from future occupiers of the development. Any statutory nuisance (e.g. arising from a failure to maintain extract equipment) can be abated through the Environmental Health regime. Similarly the potential impact of any future proposals for additional restaurants, take-aways etc in The Broadway can be controlled through the planning system and Environmental Health regime.

### **Noise**

Noise is recognised by the NPPF<sup>45</sup> as a legitimate planning concern. London Plan Policy 7.15 *Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes* (incorporating the 2014 draft further alterations) sets out planning decisions criteria for the consideration of noise by and affecting development proposals. The noise impact of proposed use/activity is also one of the privacy and amenity considerations set out in Policy DM1 of the Development Management Policies Local Plan document.

A Noise Assessment has been submitted with the application. The Assessment is underpinned by surveys carried out in November 2013 and addresses the following:

- existing impacts from traffic and extraction equipment;
- the impact of changes in traffic noise resulting from the proposed development;
- the impact of noise associated with new plant & equipment from the proposed development; and
- the impact of delivery noise to the retail store within the proposed development.

The author of the Noise Assessment has provided the following clarification during the course of the application:

- the proposed store's delivery area would be enclosed on three sides meaning that no receptors outside of the site would have a line of sight to the activities within the delivery area;

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<sup>45</sup> See paragraphs 109 and 123.

- the only impact to flats above the delivery area in Block A would be vehicles reversing into and leaving the delivery area;
- vents in the double glazing would provide ventilation in line with Building Regulations otherwise thermal comfort could be achieved by opening windows or a whole-building ventilation system;
- delivery noise should not be an issue; and
- a small parapet on each of the multi-storey car park levels would provide additional noise shielding to properties in Dennis Gardens.

*Avoid significant adverse noise impacts on health and quality of life*

In terms of the development's exposure to noise from existing noise, predominantly traffic, most of the site would fall within the lowest noise exposure category<sup>46</sup> during the daytime and at night. This indicates no significant impact from existing noise sources to the majority of the homes within the development. At some of the outer edges of the development, particularly at night, the site would fall within the subsequent noise exposure category<sup>47</sup> indicating that some mitigation may be required (see below) but not so significant as to justify withholding planning permission.

Based on the predicted changes in traffic flow resulting from the development for the planned opening year (2016), and compared against a 'no development' alternative (i.e. to take account of predicted changes in background levels of traffic), the Assessment finds that daytime and night time traffic noise levels from the development would be broadly in line with the 'no development' noise levels for that year at sensitive receptor locations surrounding the site. The impact of traffic noise resulting from the development is therefore regarded as negligible.

The Assessment notes that the final location of any external plant for the retail store has not been finalised. In relation to deliveries to the store, the Assessment notes that existing residential properties will be substantially shielded from delivery noise by the intervening development but that night time deliveries would breach guideline night time noise levels to flats in the adjacent part of proposed Block C. The Assessment concludes that mitigation in relation to both of these noise impacts (i.e. plant and deliveries) is required (see below).

Subject to satisfactory mitigation of the identified potential impacts, it is not considered that noise would lead to significant adverse health or quality of life impacts for neighbouring residents and future occupiers of the development.

*Mitigate and minimise existing and potential impacts of noise*

As noted above, the Assessment recommends mitigation in relation to specific identified noise impacts.

To protect future occupiers of the development from existing background noise, the Assessment recommends the installation of noise-reduction double glazing to the affected elevations of each block. The Assessment indicates that, with the correct specification, such noise reducing double glazing would achieve a 'good' rating for ambient indoor noise levels to bedrooms and a 'reasonable' rating for living rooms.

Control of any external plant required for the retail store is recommended in the

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<sup>46</sup> Category NEC A of PPG 24 (now revoked).

<sup>47</sup> Category NEC B.

Assessment, to safeguard existing and proposed residential properties. Such control should, it is considered, extend to any external plant required in association with the ventilation of internal car park areas.

The Assessment recommends the mitigation of noise from deliveries to the retail store could be achieved by the installation of noise reducing double glazing – as outlined above for other parts of the development – to the adjacent flats in Block C. The Assessment notes that the incorporation of a vent system within the double glazing units would allow adequate ventilation without the need to open windows. Nevertheless, it is considered that control of delivery times is necessary to prevent the potential for adverse night-time impacts associated with the arrival and departure of delivery vehicles, on occasions when residents of the development may have windows open for additional ventilation and in the interests of the residential amenity of existing residents in Greyfell Close and Rainsford Close.

Conditions are suggested to ensure that satisfactory mitigation of the noise impacts identified in the Assessment is achieved.

#### *Improve and enhance the acoustic environment*

As noted in the *residential amenity of neighbouring occupiers* section of this report, it is considered that the proposal would be likely to achieve an overall benefit in general disturbance to the occupiers of neighbouring properties in Dennis Gardens. This is because the general impacts of existing car parking activity would be substantially contained within buildings. It is proposed to control details of the vent panels to the elevations of the multi-storey car park and boundary treatment, and to secure a car park management plan, by conditions.

#### *Separate new noise sensitive development from major noise sources; Where separation is not possible, apply good acoustic design principles*

The major noise source within the vicinity of the site is traffic noise from The Broadway. By its backland nature, the site is separated from The Broadway by development fronting The Broadway and the residual impact can be addressed by proposed mitigation (see above).

The retail component of the scheme would be located within the part of the site that falls within Stanmore district centre, where such uses alongside residential use are to be expected. The applicant has indicated that the store and the commercial car park would be closed overnight. Noise issues related associated with delivery and servicing of the store can be addressed by proposed mitigation (see above).

#### *Have regard to the impact of aviation noise on noise sensitive development*

The development would not be significantly affected by aviation noise.

#### *Promote new technology and improved practices to reduce noise at source*

As noted above, it is proposed to secure mitigation of noise impacts through control of certain details as conditions of planning permission. Such controls will allow the most appropriate technologies and practices, available at the time that the conditions are discharged, to be used.

### **Electricity and Gas Supply**

The draft further alterations to the London Plan (2014) proposed the introduction of a new policy, Policy 5.4A *Electricity and Gas Supply*, which calls for developers to engage with

boroughs and energy companies to identify the gas and electricity requirements of their proposals. This new policy is published for consultation but is not currently a part of the adopted development plan and, therefore, it has limited weight.

Adopted Core Strategy Policy CS1 Z requires proposals to demonstrate that adequate existing or proposed infrastructure capacity exists or can be secured both on and off the site to serve the development.

The application has been accompanied by a short Utility Statement. The Statement explains that a new electricity sub-station is required to serve the development and that the proposal makes provision for this within the site. For gas, the Statement explains that a new gas supply will be provided to the plant rooms in the basement of Block A. These plant rooms will accommodate gas-fired boilers that will serve the whole development (i.e. the CHP scheme).

Finally, in respect of water supply, the Statement confirms that each block will have its own connection to the mains supply (see also Water Use section below).

### **Water Use and Waste Water Capacity**

Both the London Plan Policy 5.15 *Water Use and Supplies* and Policy DM10 *On Site Water Management and Surface Water Attenuation* of the Development Management Policies Local Plan document apply an upper-limit for mains water consumption in new residential development of 105 litres per person per day. The limit is justified by forecast regional imbalance between water supply and demand, taking into account climate change, and the approach is supported by NPPF paragraph 94.

The submitted Code for Sustainable Homes report states that the residential component of the development will achieve 105 litres per person per day through the installation of flow/usage controlled sanitary ware and high water-efficiency white goods. A condition, to ensure that this water-efficiency target is achieved, is recommended.

London Plan Policy 5.15 also requires development to incorporate water-saving measures and equipment. For the residential development this is inherent in the methods proposed to achieve the upper limit for mains water consumption. For the proposed food store, the applicant has advised that specific measures will be reviewed at the detailed design stage. Therefore, in the absence of details currently available, it is recommended that control be exercised as a condition of any planning permission.

London Plan Policy 5.14 *Water Quality and Waste Water Infrastructure* requires development to ensure adequate waste water infrastructure capacity. Core Strategy Policy CS1 Z echoes the need for proposals to demonstrate adequate existing or proposed infrastructure capacity. It is understood that Thames Water has advised the applicant that a foul drainage impact study will be required. This is a matter between the applicant and Thames Water and need not be the subject of involvement by the Council.

### **Waste and recycling**

London Plan Policy 5.13 *Sustainable Design and Construction* requires development to minimise the generation of waste and maximise reuse or recycling. These sentiments are echoed in Core Strategy Policy CS1 X. Policy DM45 *Waste Management* of Harrow's Development Management Policies Local Plan document requires proposals to make satisfactory provision for general waste, the separation of recyclable materials and the collection of organic material for composting. Detailed local design guidance is set out in

the Council's *Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties* (2008).

For flats, the Code of Practice seeks one x 1,100 litre bin for general waste and one x 1,280 litre bin for recyclable waste per 8 flats. For each block the proposal therefore requires:

- Block A (38 flats): 5 x general waste bins and 5 x recycling bins
- Block B (27 flats): 4 x general waste bins and 4 x recycling bins
- Block C (35 flats): 5 x general waste bins and 5 x recycling bins
- Block D (14 flats): 2 x general waste bins and 2 x recycling bins

The proposal makes provision for each block in accordance with the above numerical requirements. It should be noted that, at present, the Council does not operate a collection service for organic waste from blocks of flats, so no provision in this regard has been made.

In terms of location, the provision for the blocks would be made within the building envelope of that block except for Block A, which is constrained by the use of the ground floor area as a retail store. The provision for Block A would be made within Block C, broadly opposite the communal entrance to Block A. Subject to satisfactory arrangements being secured for access by disabled people (see Lifetime Neighbourhoods section of this report) this is considered to be acceptable for Block A. The provision for Blocks B & D would be adjacent to the respective stair core/communal entrance lobbies of those blocks providing convenient access for future occupiers. The provision for Block C is adjacent to the undercroft car park entrance and the applicant has added an additional door between the store and the undercroft car park, providing more direct access for residents within that block.

For houses, the Code of Practice applies Harrow's standard three wheelie-bin system i.e. one each for general waste, recycling and organic/compostable material. The proposal makes provision for each house in accordance with this requirement. One bin would be accommodated within the building envelope of each house and a further two bins would be accommodated within a separate enclosure to the front of each house.

The applicant has advised that waste streams from the proposed retail store would be collected and stored within the store to prevent contamination by pests. However this does not address how the waste is to be managed to maximise recycling and minimise the amount going to landfill. As this will in part be determined by the policies and practice of the final occupier of the store, it is considered that details should be reserved as a condition of any planning permission.

The proposed new road from Coverdale Close would provide access onto the site for collection vehicles. The communal bin stores for the blocks of flats and the bin stores/enclosures for the houses would all be accessible to collectors from the street frontage. These arrangements are considered to be satisfactory.

By their nature (being located within the building envelope of the blocks) the communal bin stores would be located below/adjacent to flats within the blocks, however this does not in itself indicate nuisance. The entrances to the bin stores have been located away from adjoining ground floor flats to minimise potential noise nuisance. In visual terms, the provision of bin stores within the building envelope of the blocks avoids the need for



detached bin enclosures within the grounds, which would reduce the available area for soft landscaping, and is therefore a desirable solution. The forecourt bin enclosures for the houses would, by contrast, introduce clutter into the streetscene; however as there are only six houses it is considered that the impact could be satisfactorily mitigated by suitable arrangements for the treatment/screening of these enclosures, which could be controlled as part of the hard and soft landscaping details by condition.

Details of the arrangements for the management of odour impacts from the communal bin stores have not been submitted. The stores will require natural ventilation and these should be located away from the windows of neighbouring flats. It is considered that this detail be controlled as a condition of planning permission.

Core Strategy Policy CS1 X seeks to promote waste as a resource, by encouraging the re-use of materials and recycling, and requires new development to address waste management from construction. It is considered that a waste management plan for the site should be sought to ensure the efficient handling of construction, excavation and demolition waste during the development works. The plan should make provision for recovery and re-use of salvaged materials from the site, wherever possible. A condition is suggested.

### **Other Infrastructure**

On 1<sup>st</sup> April 2012 the Mayor of London's Community Infrastructure Levy (CIL) came into force and applies to all development except medical and educational uses. In Harrow, the Mayor's CIL is charged at a rate of £35.00 per square metre. It used to help fund the Crossrail infrastructure project.

On 1<sup>st</sup> October 2013 Harrow Council's CIL came into force. It applies to new residential development at a rate of £110.00 per square metre and to retail development at a rate of £100.00 per square metre.

The proposed residential development comprises 10,674 square metres floorspace. This generates a liability of £373,590.00 for the Mayoral CIL and £1,174,140.00 for the Harrow CIL.

The proposed retail store comprises 1,692 square metres floorspace. This generates a liability of £59,220.00 for the Mayoral CIL and £169,200.00 for the Harrow CIL.

In addition it is considered that the commercial car parking areas are also liable under the Mayor's CIL (only). These comprise 6,274 square metres and so generate a further liability of £219,590.00.

The proposal therefore generates a maximum liability of £652,400.00 towards the Crossrail and £1,343,340 towards local infrastructure projects. However it should be noted that this is a gross (i.e. maximum) figure and does not include any relief that may be due to the applicant for existing buildings and the provision of affordable housing on the site.

London Plan Policy 8.2 *Planning Obligations* states that planning obligations should address strategic as well as local priorities and that affordable housing and public transport improvements should be given the highest importance. Core Strategy Policy CS1 AA requires all development to contribute to the delivery of strategic infrastructure identified in Harrow's Infrastructure Delivery Plan. Policy DM50 *Planning Obligations*

undertakes to seek s.106 Planning Obligations to secure the provision of affordable housing and other infrastructure needed to mitigate site specific impacts of the proposed development.

Pursuant to the aforementioned policy framework the Council has published a Planning Obligations supplementary planning document (SPD). The following assessment of the proposed development's infrastructure requirements has regard to the content of this SPD.

#### *Affordable Housing*

The proposal makes provision for 50 shared-ownership homes to be provided on the site. The form of provision (shared-ownership only) does not comply with the SPD but is justified by independent appraisal of development viability. In accordance with the SPD, it is proposed that a Planning Obligation be used to secure the 50 affordable homes, that a review mechanism be applied to take account of any changes in viability during the course of development, and to ensure that any grant in the shared-ownership homes is recycled in the event of the purchase of increased equity by future occupiers.

#### *Transport and Highways*

The SPD makes it clear that whilst general improvements to transport infrastructure are to be funded by the CIL and other sources, additional works required to accommodate or mitigate the impact of a proposed development should be funded by the developer.

The transport mitigation measures and off-site highways works are set out in detail in the *highways and transport* section of this report. The mitigation measures can be delivered through s.278 agreements, the Harrow CIL and s.106 Planning Obligations. The monetary value of the financial contributions that would be sought through Planning Obligations is £205,000.00.

#### *Public Rights of Way*

The site does not affect any public rights of way. General improvements to the public rights of way network in the area can be funded through the CIL.

#### *Public Open Space*

Policy DM19 *Provision of New Open Space* of the Development Management Policies Local Plan document supports major residential development proposals which make provision for new open space and states that new civic space may be required as an alternative to green open space in major town centre developments. Given the proximity to Stanmore Recreation Ground and its town centre location, it is considered that the site is a suitable candidate for the provision of new civic space.

Harrow's PPG 17 Study sets no quantitative standard for civic space but does establish some qualitative recommendations. It is considered that the development's proposed central square is an appropriate area of space (just over 300 square metres) and must be designated as such through an appropriate Planning Obligation, to ensure that it is permanently open and accessible as such a space. However it is not proposed to transfer ownership of the square to the Council and therefore any maintenance and other liabilities would be retained by the site owner (thus negating the need for a commuted sum for these). The finish of the square can be controlled as part of the hard and soft landscaping details by condition.

General improvements to local open spaces and relevant Green Grid projects can be

secured through the Harrow CIL.

### *Amenity Space*

The proposal meets and exceeds Mayor of London requirements for provision of on-site amenity space. Therefore, in accordance with the SPD, there is no need to make commuted sums for off-site open space enhancements.

### *Children and Young People's Play Space*

Policy DM28 *Children and Young People's Play Facilities* of the Development Management Policies Local Plan document requires on site provision of facilities where a development would result in a net increase in child yield. Applying the child yields at Appendix 1 of the SPD, it is calculated that the development would yield a total of 52 under 16's comprising 33 x 0-4 year olds, 13 x 5-10 year olds and 6 x 11-15 year olds.

Harrow's PPG 17 Study sets a quantitative standard of 4 square metres per child which, based in the above calculation of child yield from the development, equates to a requirement for at least 208 square metres. The Play Strategy (incorporated within the submitted Landscape Strategy) indicates that a total of 470 square metres will be provided as play space for 0-11 year olds within the roof gardens and Blocks A & B and the courtyard garden of Block C. The Planning Statement confirms that the play needs of 12+ year olds will not be met on site but noted that an equipped play area is located nearby (within 500 metres of the site) at Stanmore Recreation Ground.

It is proposed to secure the specified quantum, and agree details of the form of provision, for 0-11 year olds on-site as a condition of planning permission. In accordance with the SPD, a contribution to off-site provision for 12+ year olds is sought. The applicant's Planning Statement calculates the requirement for 12+ year olds as 60 square metres, and applying the SPD cost multiplier this generates a contribution requirement of £5,700.00. It is proposed to secure this contribution through a Planning Obligation as it is a site specific infrastructure requirement and not one that should be funded out of the Harrow CIL.

### *Public Art*

The SPD states that all major development that has a significant impact on its physical environment and setting will be required to make provision for public art. The provision of public realm is supported by London Plan Policy 7.5 *Public Realm*.

A piece of public art was secured in Stanmore district centre when the Sainsbury's store was developed and it is considered that a higher priority for the subject development is the public realm enhancement of the western alleyway link between The Broadway and the application site. As noted in the highways and transport section of this report, a sum of £100,000 is sought for the public realm improvements to the alleyway. In all of these circumstances it is not considered that a requirement for public art can be justified in this case.

### *Community Safety*

It is envisaged that street lighting and any CCTV or similar scheme to provide security within the site would be provided and operated by the developer.

General improvements to community safety infrastructure can be secured through the Harrow CIL.

### *Historic Environment*

The proposal would not materially affect any heritage asset. Therefore, in accordance with the SPD, no heritage related Obligations are required.

General heritage improvement projects can be secured through the Harrow CIL.

### *Employment and Training*

The SPD states that all major developments will need to contribute to local employment and training. The SPD identifies three types of employment and training obligation: construction training; general employment and training; and use of local suppliers. The employment and training mitigation measures are set out in detail in the *economic development* section of this report. The monetary value of the financial contributions that would be sought through Planning Obligations is £87,500.00.

### *Sustainable Design and Construction*

It has been demonstrated through the planning application submission documents that the proposal would meet London Plan CO2 reduction targets through a range of sustainable design and construction techniques. The implementation of these techniques can be secured through planning conditions. Therefore, in accordance with the SPD, no sustainability related Obligations are required.

### *Decentralised Energy Networks*

The planning application proposes the installation of a site-wide CHP network and it has been demonstrated that there are no existing or proposed networks in the area of the site that could be connected-to. The implementation of the proposed site-wide CHP scheme can be secured through planning conditions. Therefore, in accordance with the SPD, no CHP related Obligations are required.

### *Flood Risk*

It has been demonstrated through the planning application submission documents that the proposal would make adequate arrangements for the management of surface water flooding and that there is no feasible opportunity to deculvert the existing watercourse that flows through the site. The implementation of surface water management techniques can be secured through planning conditions. Therefore, in accordance with the SPD, no flood risk related Obligations are required.

General improvements to flood management infrastructure can be secured through the Harrow CIL.

### *Biodiversity*

It has been demonstrated through the planning application submission documents that the proposal would not be detrimental to biodiversity. The implementation of site specific enhancement measures can be secured through planning conditions. Therefore, in accordance with the SPD, no sustainability related Obligations are required.

General biodiversity improvement projects can be secured through the Harrow CIL.

### *Education & Health*

General improvements to health and education infrastructure can be secured through the Harrow CIL.

## **Equalities Impact**

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account in the assessment of this application and the Committee must be mindful of this duty *inter alia* when determining all planning applications.

The proposal has been designed to achieve a 'Lifetime Neighbourhood' within the site and the proposal would meet adopted policy requirements for Lifetime Homes and wheelchair adaptable homes. It would create a new civic space and, through Planning Obligations and CIL contributions, would mitigate impacts upon, and help to improve, infrastructure in the wider area. It is therefore considered that the proposal would achieve a high level of inclusive access and would contribute positively to social cohesion.

In light of the above, it is considered that the proposed development would not result in any infringement on Equalities legislation.

### **Human Rights Act**

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights ("the Convention") directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

This report has outlined the consultation that has been undertaken in relation to this planning application and the opportunities for people to make representations to the Council as the local planning authority. Members need to satisfy themselves that the measures proposed to minimise, *inter alia*, any adverse effects of the development are acceptable and that any potential interference with Article 8 rights will be legitimate and justified.

Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

In this context, the balance to be struck between individual rights and the wider public interest has been carefully considered. Officers consider that any interference with Convention rights is justified. Officers have also taken into account the mitigation measures governed by planning conditions and the associated section 106 Planning Obligation to be entered into.

### **S17 Crime & Disorder Act**

The proposed development would lead to the redevelopment of this backland site with new uses that would increase activity, footfall and natural surveillance within and around the site. These are consequences are all likely to act as a natural deterrent to crime.

The proposal has been assessed for compliance with the Secured by Design guidelines and has been found to be acceptable in this regard. Where mitigation of residual risks is required it is proposed to secure this as a condition of any planning permission.

It is therefore concluded that the proposal would therefore not increase the risk or fear of crime.

### **Consultation Responses**

In response to matters not addressed in the main report:

- the deadline for the submission of planning application and the sale price of the site are not material planning considerations;
- notwithstanding permissions for other projects and other uses (such as places of worship) in the area the subject application must be considered on its own merits;
- possible options for Dennis Lane at Oak Lodge Close and Valencia Road junctions being considered by officers;
- officers are content that the submitted Transport Assessment is a sound basis for assessing the impacts of the application proposals;
- it is not the role of the planning system to restrict the number of supermarkets in an area or to impede competition between traders;
- officers have assessed the application impartially (not 'in favour' of the developer or the Council);
- the Highway Authority is not in favour of widening of the Dennis Lane junction (so no loss of verge or street trees);
- as it is proposed to make the development 'resident permit restricted' there would be no material impact upon conservation areas (of increased on-street parking);
- the proposal will contribute to general infrastructure provision through the Harrow CIL;
- there is no evidence that the proposal would attract 'unwanted people' and increase crime;
- the Council is not allowing developers to run roughshod over residents;
- the capital receipt to the Council from the development is not a material planning consideration;
- the increase in population is taken into account as part of the London Plan and local housing targets which the proposal contributes to meeting;
- there is no evidence that the proposal would cause undue harm and anxiety to residents or lead to litter and debris;
- the Council as the drainage authority will ensure that works to the watercourse do not lead to flooding upstream;
- given the findings that the proposal is acceptable any reduction in the number of dwellings would be arbitrary;
- there is no evidence to demonstrate significant adverse impacts (during construction)

on the rest of Stanmore town centre requiring mitigation through the section 106 Planning Obligation – general improvements to the town centre can be secured through the CIL;

- it is not considered that there is any planning reason to restrict the proposed ancillary café to indoor seating only.

## **CONCLUSION**

The proposed development would make a more efficient use of this previously developed site which is partially within a town centre and is reasonably well served by public transport. It would deliver retail and residential uses in accordance with the site's allocation in the Local Plan. In all respects the proposal would accord with the Borough's spatial vision and strategy as set out in the Harrow Core Strategy. The development of the site is therefore considered to be acceptable in principle.

Although the proposal does not strictly comply with the affordable housing split sought in the London Plan it nevertheless makes provision for just over 40 per cent of the units on site to be shared ownership affordable homes, and this is considered to be acceptable. Provisions made through a section 106 Planning Obligation allow for any changes in viability during the development to be controlled.

The proposal would achieve a high standard of design and layout and the applicant has made every effort to mitigate the impacts on neighbouring occupiers. It has been demonstrated that, subject to mitigation measures, the impact upon traffic, parking and other components of local transport infrastructure would be acceptable. The proposal achieves a high level of environmental performance and would contribute to infrastructure via payments due through the Harrow CIL.

For all the reasons considered above, and weighing up the development plan policies and proposals and other material considerations, this application is recommended for grant. Conditions are recommended to ensure necessary mitigation and control over detailed matters over the proposal to ensure that the final development is acceptable.

## **CONDITIONS**

1 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 The development hereby approved shall be carried out in accordance with the approved plans listed on this decision notice, unless otherwise agreed in writing by the local planning authority.

REASON :To ensure that the development is carried out in accordance with the details submitted in the planning application.

## **Lifetime Neighbourhoods**

3 Unless otherwise agreed in writing by the local planning authority, the internal specification of the communal areas and of the individual flats and houses shall comply with the Lifetime Home Standards, and the internal specification of a minimum of 12 flats (and the communal areas serving them) shall comply with the Wheelchair Home Standards.

REASON: To ensure that all of the homes within the development comply with the

Lifetime Homes Standards and that a minimum of ten per cent comply with the Wheelchair Home Standards, in accordance with London Plan Policy 3.8 and Core Strategy Policy CS1 K.

4 Before the construction of any building on the site reaches damp proof course level, an inclusive access strategy for the site shall be submitted to, and approved in writing by, the local planning authority. The strategy shall explain how the impact of levels changes across the site are to be mitigated to achieve inclusive access, and must include the following specifications:

- a) the detailed design of ramps and steps within the external, publicly accessible areas of the development;
- b) the thresholds, door opening widths and landing areas at all entrances between the external, publicly accessible areas of the development and the retail store & car parks;
- c) the design and layout of the ancillary café external seating area;
- d) the levels and layout of a pedestrian route from the existing town centre service road to the retail store through the lower ground level car park and adjacent surface parking area;
- e) the thresholds, door opening widths, landing areas, canopies and external illumination at all communal entrance points to Blocks A-D and to all external entrance points to the dwellinghouses;
- f) the dimensions of the lifts and the heights and tread depths of communal stairs in Blocks A-D; and
- g) any additional external specifications required to comply with the Wheelchair Home Standards, including the allocation of a disabled persons' parking space for each wheelchair standard home.

The development shall be carried out in accordance with the approved access strategy, or any amendment or variation to it as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that all of the homes within the development comply with the Lifetime Homes Standards and that a minimum of ten per cent comply with the Wheelchair Home Standards, in accordance with London Plan Policy 3.8 and Core Strategy Policy CS1 K, and to ensure that the proposal contributes to the creation of a Lifetime Neighbourhood in accordance with Policy DM2 of the Local Plan.

5 Unless otherwise agreed in writing by the local planning authority, the layout of the residential car parking areas shall make provision for a minimum of one communal car parking space with widening capability to serve each of the Blocks A-D, and one car parking space with widening capability for each of the dwellinghouses, to be located as close as possible to the main entrance(s) of the blocks and dwellinghouses that they would serve, and the allocation of individual car parking spaces to individual homes shall ensure a distance of not more than 50 metres between the space and the relevant block or dwellinghouse.

REASON: To ensure that all of the homes within the development comply with the Lifetime Homes Standards in accordance with London Plan Policy 3.8 and Core Strategy Policy CS1 K.

6 Notwithstanding the details shown on the approved drawings, construction of the retail store hereby approved shall not progress beyond damp proof course level until the local planning authority has agreed in writing to:

- a) detailed elevations of the store to include: the arrangements to be made to



accommodate any projecting, fascia and other signage associated with the store; the provision of a canopy over the active shop front elevation; and the treatment of non-active elevations;

- b) the arrangements to be made for the provision of customer toilets including disabled persons' toilets;
- c) the arrangements to be made for the provision of secure cycle storage for staff employed at the store; and
- d) the arrangements to be made within the store for the sorting, storage and collection of waste and recyclable materials arising within the store.

The development shall be carried out in accordance with the approved elevations and arrangements, or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that all of the development achieves a high standard of design and layout and makes a positive contribution to the creation of Lifetime Neighbourhoods in accordance with Policies DM1 and DM2 of the Local Plan, and to ensure that the proposal makes satisfactory provision for cyclists and waste management in accordance with Policies DM42 and DM45 of the Local Plan.

### **Secured by Design**

7 Before the construction of any building on the site reaches damp proof course level, details of the boundary treatment, lighting and any CCTV equipment to be used at the perimeter and within the site have been submitted to, and approved in writing by, the local planning authority. The details shall include:

- a) the arrangements for enclosing and securing the areas around the food store loading bay and electricity sub station;
- b) the arrangements for enclosing and securing the communal amenity areas of Blocks A-D and the private gardens of the dwellinghouses;
- c) the arrangements for controlling access to and securing the basement, multi-storey and undercroft car parking areas;
- d) the arrangements for controlling access to and securing the communal stair/lift cores of Blocks A-D; and
- e) the arrangements for enclosing and securing the gardens of neighbouring property in relation to the lower ground level car park.

The development shall be carried out in accordance with the approved boundary treatment details, or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development is safe and secure, in accordance with Secured by Design Principles and Policy DM2 of the Local Plan, and to ensure that the development achieves a high standard of amenity for neighbouring occupiers and future occupiers of the development, in accordance with Policy DM1 of the Local Plan.

### **Transport**

8 The development hereby approved shall not be first occupied until a car parking management strategy for the whole site has been submitted to, and approved in writing by, the local planning authority. The development shall be managed in accordance with the approved car parking strategy, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure that the car parking is properly managed and appropriately allocated within the site, in accordance with Policy DM43 of the Local Plan.

9 Before the first use of the retail store hereby approved, a Delivery and Servicing Plan shall be submitted to, and approved in writing by, the local planning authority. The approved Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority, shall be adhered to throughout the operation of the store.

REASON: To minimise the impact of deliveries and servicing upon the amenity of neighbouring occupiers and to manage the impact upon the surrounding highway network, in accordance with Policies DM1, DM43 and DM44 of the Local Plan.

10 A Demolition Method Statement shall be submitted to and, approved in writing by, the local planning authority prior to any demolition taking place on the site and the demolition of the buildings and structures on the site shall be carried out in accordance with the approved Demolition Method Statement, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To minimise the impacts of demolition upon the amenities of neighbouring occupiers, in accordance with Policy DM1 of the Local Plan, and to ensure that development does not adversely affect safety on the transport network in accordance with Policy 6.3 of the London Plan.

11 No development shall take place, including any works of demolition, until a Construction Method Statement & Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The Method Statement shall provide 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 constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction; and
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works.

The development shall be carried out in accordance with the approved Method Statement & 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, in accordance with Policy DM1 of the Local Plan, and to ensure that development does not adversely affect safety on the transport network in accordance with Policy 6.3 of the London Plan and Policy DM43 of the Local Plan.

### **Design and Local Character**

12 Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the appearance & architecture, fenestration and balcony treatment details specified in the approved Design and Access Statement and on the approved drawings, and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of design in accordance with Policy DM1 of the Local Plan.

13 Before any building on the site reaches damp proof course level, details of the materials to be used in the external surfaces of the buildings have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details or any amendment or variation to them as may

be agreed in writing by the local planning authority.

REASON: To ensure that the development achieves a high standard of design in accordance with Policy DM1 of the Local Plan.

14 Any telecommunications apparatus, extraction plant, air conditioning units and other plant or equipment that is required to be installed on the exterior of the buildings shall be carried out in accordance with details which shall first have been submitted to, and approved in writing by, the local planning authority, and shall be permanently retained as such thereafter. The details shall include siting, appearance, any arrangements for minimising the visual impact and any arrangements for mitigating potential noise or vibration.

REASON: To encourage communal provision of satellite and digital television receiving equipment in accordance with Policy DM49 of the Local Plan, and to ensure that installations on the exterior of the buildings do not detract from the amenities of neighbouring occupiers and/or future occupiers of the development in accordance with Policy DM1 of the Local Plan.

### **Residential Amenity**

15 The homes within the development hereby approved shall be constructed to comply with the London Plan minimum space standards and the requirements of the London Housing Design Guide interim edition.

REASON: To ensure that the development provides high quality living accommodation for future occupiers, in accordance with Policy 3.5 of the London Plan and Policy CS1 K of the Core Strategy.

16 Before the construction of any building on the site reaches damp proof course level, details of privacy screens to be applied to the balconies of plots A1.8, A1.9, A2.8, A2.9, A3.8, A3.9, A4.6, A4.7, D.01, D1.2, D2.2, and D3.2 have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of privacy for future occupiers in accordance with Policy DM1 of the Local Plan.

17 The development hereby approved shall not be commenced until details of the site levels at the site boundaries in relation to the existing site levels of neighbouring properties, and details of any retaining structures required at the site boundaries, have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the development achieves a high standard of privacy and amenity for neighbouring occupiers, and to ensure that the development achieves a high standard of design, in accordance with Policy DM1 of the Local Plan.

18 Before the construction of any building on the site reaches damp proof course level, details of the screening (including any planting) of the ventilation panels in the external elevations of the multi-storey car park have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of privacy and amenity for neighbouring occupiers, and to ensure that the development achieves a high standard of design, in accordance with Policy DM1 of the Local Plan.

19 Before the construction of any building on the site reaches damp proof course level, details of the screening (including any planting) of east edge of the podium garden to Block B have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of privacy and amenity for neighbouring occupiers, and to ensure that the development achieves a high standard of design, in accordance with Policy DM1 of the Local Plan.

### **Flooding**

20 The development hereby approved shall not be commence until a scheme for the protection of the piped watercourse has been submitted to, and approved in writing by, the local planning authority. The scheme shall include:

- a) a structural survey by CCTV and trial holes to assess the construction, position, condition and expected life of the culvert;
- b) proposal of an agreed method of repair or replacement if required;
- c) full details demonstrating that the new structure does not impart any load on the culvert or destabilise it in any way;
- d) details of any necessary build over or adjacent to the culvert; details of access for future repairs, blockage clearance, maintenance and future condition surveys.

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

REASON: To protect the integrity of the piped watercourse structure, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework and to avoid adversely affecting the infrastructure of the watercourse in accordance with Policy DM11 of the Local Plan.

21 The development hereby approved shall not be occupied 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 the necessary construction and design criteria for the development proposals follow approved conditions, and to ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption.

22 The development of any buildings hereby approved 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 approved works, or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions, to ensure that adequate drainage facilities are provided, and to reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework and Policies DM9 and DM10 of the Local Plan.

23 The development of any buildings hereby approved 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 approved attenuation and works, or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions and to reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework and Policies DM9 and DM10 of the Local Plan.

24 Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the flood resistance and resilience measures described in section 10.4 of the approved Flood Risk Assessment dated December 2013.

REASON: To ensure that the development makes appropriate provision for flood risk mitigation in accordance with Policy DM9 of the Local Plan.

25 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended, or any order revoking and replacing that order with or without modification, the provisions of Classes A and E to Part 1 (Development within the curtilage of a dwellinghouse) of Schedule 2 of that Order shall not apply to the houses within the development hereby approved.

REASON: To protect the integrity of the culverted watercourse that flows through the site by ensuring the maintenance of an appropriate undeveloped buffer zone either side of the watercourse, in accordance with Policy DM11 of the Local Plan.

### **Landscaping**

26 Before the construction of any building on the site reaches damp proof course level, a scheme for the hard and soft landscaping of the development, to include details of on-site play equipment and any public seating, has been submitted to, and approved in writing by, the local planning authority. Soft landscape works shall include: planting plans and schedules of plants, noting species, plant sizes and proposed numbers / densities. The development shall be carried out in accordance with the approved scheme or any amendment or variation to it as may be agreed in writing by the local planning authority, and maintained in accordance with the approved scheme.

REASON: To ensure that the development makes appropriate provision for hard and soft landscaping in accordance with Policy DM22 of the Local Plan.

27 All planting, seeding or turfing comprised in the approved scheme 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 5 development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To ensure that the development makes appropriate provision for soft landscaping in accordance with Policy DM22 of the Local Plan.

28 Notwithstanding the details shown on the approved drawings, the development hereby approved shall not commence until the local planning authority has agreed in writing to:

- a) either: a revised plan reducing the amount of hardsurfacing within the root protection area of the TPO-protected Wellingtonia tree; or
- b) or: a method for the construction of the hardsurfacing within the root protection area

as shown on the approved drawings.

The development shall be carried out in accordance with the details approved under either (a) or (b) above, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure that the retention and survival of the TPO-protected Wellingtonia tree in accordance with Policy DM22 of the Local Plan.

29 The development hereby approved shall not be commence until details of the means of protection of the TPO-protected Wellingtonia tree and the neighbouring trees identified for retention in the approved Arboricultural Report have been submitted to, and approved in writing by, the local planning authority. The details shall include:

- a) the method of any excavation proposed within the root protection areas;
- b) the type of protective fencing;
- c) the height of protective fencing; and
- d) the location of protective fencing.

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

REASON: To ensure that the retention and survival of the TPO-protected Wellingtonia tree in accordance with Policy DM22 of the Local Plan.

30 Before the construction of any building on the site reaches damp proof course level, details of the provision of green roofs within the development shall be submitted to, and approved in writing by, the local planning authority. The details shall comprise:

- a) identification of the roof areas to be used for the provision of green roofs;
- b) details of the planting to be used; and
- c) details of the maintenance including irrigation.

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

REASON: To ensure that green roofs are provided as part of the development, in accordance with London Plan Policy 5.11, and to ensure that the development contributes to sustainability objectives in accordance with London Plan Policy 5.3 and 5.9 and Local Plan Policy DM12, and to ensure that the development contributes to urban greening biodiversity objectives in accordance with London Plan Policy 5.10 and Local Plan Policy DM21.

### **Ecology and Biodiversity**

31 Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the ecological recommendations for nesting birds, reptiles and Japanese knotweed as set out in the letter from SLR Consulting Limited and dated 11<sup>th</sup> March 2014.

REASON: To ensure that the development makes appropriate provision for the protection of biodiversity in accordance with Policy DM20 of the Local Plan.

32 Before the construction of any building on the site reaches damp proof course level, siting and specification details of the proposed sparrow terrace nesting boxes and fresh water sources, recommended in the letter from SLR Consulting Limited and dated 11<sup>th</sup> March 2014, have been submitted to, and approved in writing by, the local planning

authority. The development shall be carried out in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the enhancement of biodiversity in accordance with Policy DM21 of the Local Plan.

33 Before the construction of any building on the site reaches damp proof course level, the local planning authority shall be notified of the additional potential site enhancements, including the provision of green roof(s), as recommended in the letter from SLR Consulting Limited and dated 11<sup>th</sup> March 2014, are to be implemented. The notification shall include justification for the selection/non-selection of the enhancements to be implemented. The development hereby approved shall not be commence beyond damp proof course level until the siting and specification details of the insect hibernation box have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the notified and (where required) approved details or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the enhancement of biodiversity in accordance with Policy DM21 of the Local Plan.

### **Carbon Dioxide Emissions Reductions**

34 Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the proposals for emissions savings that are documented in the approved Energy Strategy Report dated 16<sup>th</sup> December 2013 and the Addendum to the Energy Strategy Report dated 20<sup>th</sup> January 2014.

REASON: To ensure that the development makes appropriate provision for the minimisation of carbon dioxide emissions in accordance with Policy 5.2 of the London Plan.

### **Sustainable Building Design**

35 Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the measures, including those for the management of mains water consumption, that are documented in the approved Code for Sustainable Homes Report dated 22<sup>nd</sup> November 2013.

REASON: To ensure that the development is carried out makes appropriate provision for the integration of sustainable design and construction measures, in accordance with Policy 5.3 of the London Plan and Policy DM12 of the Local Plan.

### **Air Quality, Ventilation and Odour**

36 The development hereby approved shall incorporate the Combined Heat and Power system as specified in the application and shall be gas operated.

REASON: To enable reassessment of the air quality impacts of the development in the event that biomass boilers are alternatively proposed, in accordance with Policy 7.14 of the London Plan.

37 Before the construction of any building on the site reaches damp proof course level, details of the means and siting of ventilation of the bin stores have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority and shall be permanently

retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of the development in accordance with Policy DM1 of the Local Plan.

### **Noise**

38 Deliveries to the retail store hereby approved shall take place only between the hours of 06:30 and 23:00 Mondays to Saturdays and between 08.30 and 23:00 on Sundays, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the development achieves a high standard of amenity for neighbouring occupiers and future occupiers of the development, in accordance with London Plan Policy 7.15 and Policy DM1 of the Local Plan.

39 The retail store hereby approved shall not be open for customers outside of the following hours:

a) 07:00 to 23:00 Mondays to Saturdays; and

b) 10:00 to 18:00 Sundays.

REASON: To ensure that the development achieves a high standard of amenity for neighbouring occupiers and future occupiers of the development, in accordance with London Plan Policy 7.15 and Policy DM1 of the Local Plan.

40 Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the proposals for the mitigation of noise that are set out in sections 8 and 9 of the approved Noise Assessment dated 15<sup>th</sup> January 2014, and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for neighbouring occupiers and future occupiers of the development, and to mitigate noise during construction, in accordance with London Plan Policy 7.15 and Policy DM1 of the Local Plan.

### **Water Use and Waste Water Capacity**

41 The retail store hereby approved shall not be occupied until details of the measures to make efficient use of mains water within the store have been submitted to, and approved in writing by, the local planning authority. The measures shall be implemented in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the development makes efficient use of mains water in accordance with London Plan Policy 5.15 and Policy DM10 of the Local Plan.

### **Waste and Recycling**

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

REASON: To ensure a high standard of amenity for future occupiers of the development and to ensure that the bins do not impede inclusive access within the site, in accordance with Policies DM1 and DM2 of the Local Plan.

43 The development hereby approved shall not be commenced until a waste management plan, setting out arrangements for the handling of excavation, demolition and construction waste arising from the development, and to make provision for the recovery and re-use of salvaged materials wherever possible, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plan or any amendment or variation to it as may be agreed in writing by the local planning authority.



REASON: To ensure that waste management on the site is addressed from construction stage and to promote waste as a resource, in accordance with Policy CS1 X of the Core Strategy.

### **Phasing/Temporary Car Park**

44 Works pursuant to the provision of a temporary car park on the site, and access to it, shall not be commenced until the following specifications have been submitted to, and approved in writing by, the local planning authority:

- a) the site levels (at the boundaries of the site) of the car park and its access in relation to the existing site levels of neighbouring properties;
- b) the arrangements for controlling access to and securing the car park and its access; and
- c) the arrangements for the disposal of surface water from the car park and its access.

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

REASON: To ensure that the temporary car park is safe and secure, in accordance with Secured by Design Principles and Policy DM2 of the Local Plan; to ensure that it achieves a high standard of amenity for neighbouring occupiers and future occupiers of the development, in accordance with Policy DM1 of the Local Plan; and to ensure that it makes appropriate provision for flood risk mitigation in accordance with Policy DM9 of the Local Plan.

### **INFORMATIVES**

1 INFORMATIVE: 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.

2 INFORMATIVE: There may be public sewers crossing this site, so no building will be permitted within 3 metres of the sewers. The applicant should contact the Area Service Manager Mogden at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure. Tel:- 08459 200800.

3 INFORMATIVE: 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 INFORMATIVE: 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.

(Include on all permissions involving building works where they could affect a public highway)

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

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

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

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

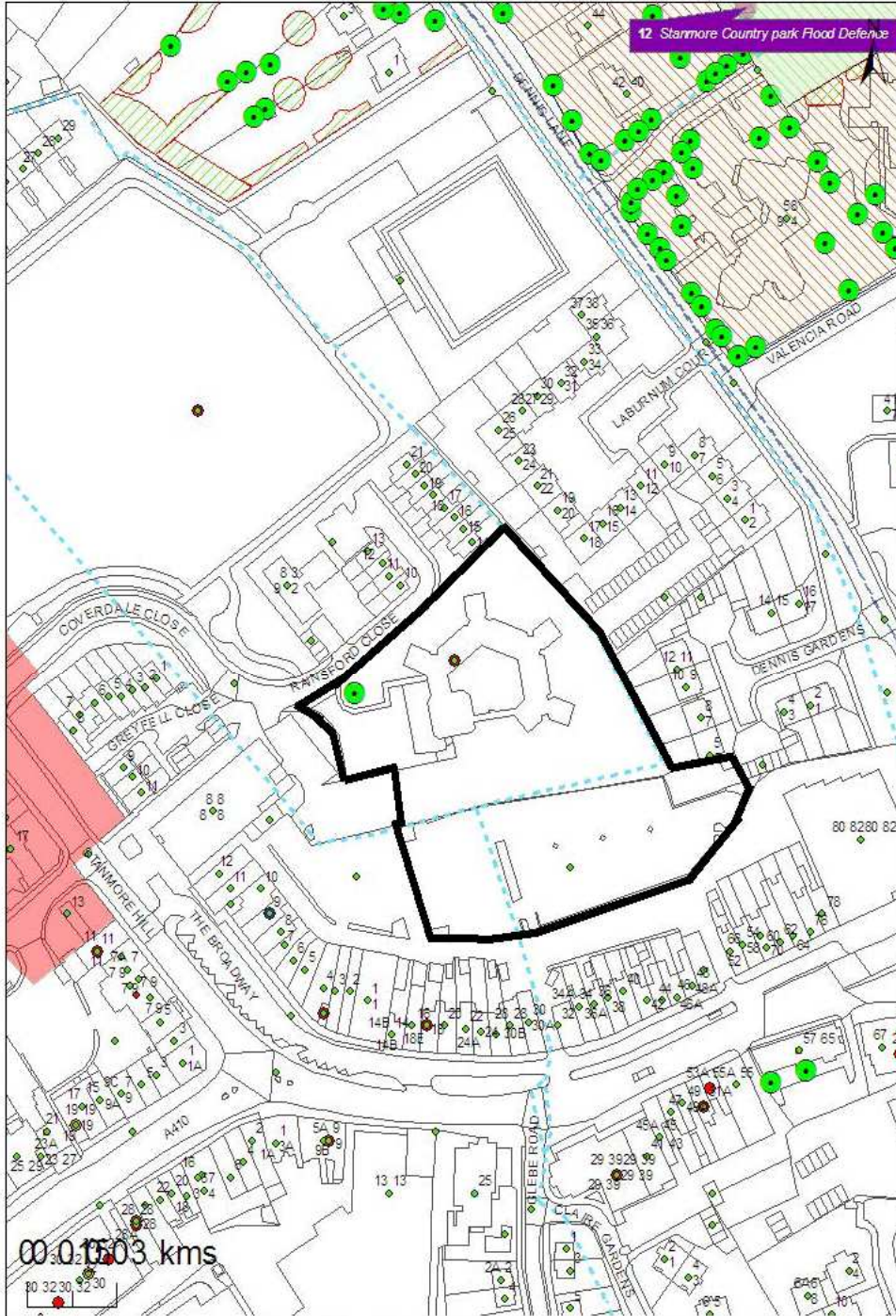
Textphone: 0870 1207 405

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

(updated 28.3.07)

Plan Nos: PL\_002 (Site Location Plan); PL\_003 Rev. A (Proposed Site Plan); PL\_004 Rev. A (Proposed Lower Ground Floor Plan); PL\_005 Rev. A (Proposed Upper Ground Floor Plan); PL\_006 Rev. B (Proposed First Floor Plan); PL\_007 Rev. B (Proposed Second Floor Plan); PL\_008 Rev. B (Proposed Third Floor Plan); PL\_009 Rev. B (Proposed Fourth Floor Plan); PL\_010 Rev. A (Proposed Fifth Floor Plan); PL\_011 Rev. A (Proposed Basement Floor Plan); PL\_012 (Existing Site Plan); PL\_013 (Existing Ground Floor Plan); PL\_014 (Existing First Floor Plan); PL\_015 (Existing Roof Plan); PL\_016 (Existing Elevations – North and West); PL\_017 (Existing Elevations – South and East); PL\_200 (Block A Elevations); PL\_201 Rev. B (Block B Elevations); PL\_202 Rev. A (Block C Elevations); PL\_203 (Block D Elevations); PL\_204 (Sections – Block C); PL\_223 (3b/5p House Elevations – Block D); PL\_224 (4b/7p House Elevations – Block D); PL\_250 Rev. A (Site Sections AA & BB); PL\_251 Rev. A (Site Sections CC & DD); PL\_252 (Site Sections EE & FF); PL\_500 Rev. A (Phase 1 and Temp. Car Park)

# AMNER LODGE, COVERDALE CLOSE, STANMORE



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**ITEM NO.** 1/02

**ADDRESS:** COLART LTD, WHITEFRIARS AVENUE, HARROW

**REFERENCE:** P/3961/13

**DESCRIPTION:** APPROVAL OF ALL RESERVED MATTERS FOLLOWING OUTLINE PLANNING PERMISSION FOR A COMPREHENSIVE MIXED USE DEVELOPMENT OF LAND AT FORMER WINSOR AND NEWTON FACTORY AND OFFICE BUILDINGS; DEMOLITION OF EXISTING BUILDINGS, THE RETENTION OF THE WINSOR AND NEWTON FORMER OFFICE BUILDING TO BE REFURBISHED FOR BUSINESS AND EMPLOYMENT USES (USE CLASSES B1(A), B1(B) AND B(C)) AND NEW B1 EMPLOYMENT SPACE EQUATING TO A TOTAL OF 2,921SQM; UP TO 195 NEW RESIDENTIAL DWELLINGS (USE CLASS C3); SAFEGUARDED AREA OF LAND FOR EDUCATION USE (USE CLASS D1); TOGETHER WITH NEW STREETS, PUBLIC REALM, PARKING AND MEANS OF ACCESS

**WARD:** WEALDSTONE

**APPLICANT:** BARRATT HOMES NORTH LONDON

**AGENT:** SPRUNT

**CASE OFFICER:** CALLUM SAYERS

**EXPIRY DATE:** 19/03/2014

## **RECOMMENDATION**

**GRANT** reserved matters permission for the development described in the application and submitted plans, and **APPROVE** details pursuant to the conditions described in the application and submitted plans, subject to conditions:

## **INFORMATION**

This application is reported to Planning Committee as it is of significant public interest. The application is therefore referred to the Planning Committee as it is excluded by Proviso E of the Scheme of Delegation dated 29 May 2013.

Statutory Return Type: E(20) Small-scale Major Development

Council Interest: None

Net Additional Floorspace: 17,496.84 m<sup>2</sup>

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £612,389.40

Harrow Community Infrastructure Levy (CIL) Contribution (provisional): £1,924,652.40

## **Site Description**

- The application site comprises 2.29 hectares of land at the ColArt and Winsor and Newton factory.
- The site has two primary access points, off High Street, Wealdstone to the north-east of the site and Whitefriars Avenue to the south-west of the site. With the

exception of the access points the site has a central rectangular corridor, running from north to south.

- The site is bounded:
  - to the west by the Sri Lankan Muslim Cultural Centre, the highway of Whitefriars Avenue and the rear gardens of the properties along Whitefriars Avenue;
  - to the north by Salvatorian College and a petrol station;
  - to the east by the highway of High Street, the rear of Orion House, the highways and residential properties of Bruce Road and Ladysmith Road; and
  - to the south by the rear gardens of the residential properties along Graham Road.
- Boundary fencing varying between 2 and 5m in height encloses the site.
- On the application site, there are a number of buildings in various states of repair following the closure of manufacturing on the site approximately two years ago.
- Adjacent to Whitefriars Avenue is the Winsor and Newton building, a locally listed building. This building provided much of the administrative functioning for the site. The list description (in part) describes the building as:

*“These buildings have local historic significance for their association with the world famous Winsor and Newton company and the office building has both architectural interest as well as it demonstrates competent 1930s industrial architectural design ... The design is a competent exemplar of an industrial building designed in a modernist style given the well-proportioned and strikingly simple design, the unpainted brickwork and large geometrical block massing of the building, its regular fenestration pattern within brick walls including delicate original Crittall type, large windows, and high floor to ceiling height”*
- To the rear of the Winsor and Newton building are attached industrial buildings where the primary manufacturing and assembly lines on site were located. These buildings vary in scale from single to four storeys. These buildings are located in close proximity to the southern, western and eastern boundaries of the site, varying between 1.5 and 10m from these boundaries.
- The manufacturing buildings extend from the southern boundary to approximately half way towards the northern end of the site.
- A car park is located beyond these buildings along with another ancillary two-storey building adjacent to the eastern boundary of the site.
- The warehousing and distribution building is located at the north-eastern end of the site. This building is approximately four-storeys in scale. As this building is located adjacent to the High Street access, the High Street access provides the primary point of vehicular access for the factory as well as providing access to the employee car park.

### Surrounding Area

- The surrounding area has a mix of uses, with more commercial uses located to the east of the site towards Wealdstone High Road.
- To the east of the site, the site is bounded by the metropolitan terraces of Bruce and Ladysmith Road, with commercial office buildings then fronting High Street. High Street is located between the centres of Wealdstone District Centre and Harrow Weald Local Centre and has a number of mixed uses, from residential flats and dwellings, to retail shops and restaurants, Petrol Stations, school and churches.
- The north of the site bounds Salvatorian School and St. Joseph’s Catholic Church.
- The western and southern sides of the have a more regular rhythm, with the residential terraces and semi-detached properties of the early 20<sup>th</sup> century and interwar years predominant. The exception to this is the Sri Lankan and Muslim

Cultural Centre and Whitefriars Primary School adjacent to the site. Further to the west of the site, industrial and commercial uses dominate on the eastern side of the main line railway line.

### **Proposal Details**

The application is made following Outline Planning Permission with all matters reserved and proposes a comprehensive redevelopment of the site, demolishing all buildings with the exception of the Winsor and Newton building (the rearmost part of this building where it adjoins the industrial buildings would be removed), the refurbishment of the Winsor and Newton building to provide employment space, the construction of new buildings to provide 189 new homes and employment space and safeguarding an area of land for educational use.

The Reserved Matters [RM] proposal seeks to provide refurbished employment space in Plot F (the OPP used Plot references and these are followed through in the RM proposal and will be referred to here for ease of reference) and new employment space on the ground floor of Plot D with residential units above. The remainder of the site would have residential units. The schedule of accommodation indicates that 189 new units would be provided in a mix of 8 new studios, 24 one-bed units, 106 two-bed units, 38 three-bed units and 13 four-bed units.

The site would be laid in out with a central vehicular route running north-south and located approximately centrally within the site. From this central route, new connections would be made with the existing access point off High Street and connections would be made with Bruce Road and Ladysmith Road as well as permitted access with Whitefriars Avenue. Dwellings would be provided to the west of the site and on the southern side of the access route along the northern end of the site. The remaining buildings would be apartment style buildings of 3/4/5 storeys in scale.

### **Use**

The development proposes that the use of the site would be for employment (Use Classes B1(a), (b) and (c)), residential (Use Class C3) and area of land would be safeguarded for educational use (Use Class D1(c)).

### **Amount**

The Reserved Matters Application proposal includes 189 residential units and 2,921sqm of employment space.

### **Layout**

A land use plan for the site demonstrates that the westernmost and southernmost portion of the site would be used for employment and residential / employment uses, the central and northern portions of the site would be for residential use and the northernmost part of the site would be for educational use. A central vehicular 'spine' through the site would divide the residential buildings into the eastern and western portions of the site and create new vehicular linkages with Bruce and Ladysmith Road. Open space is proposed to the east and west of the Winsor and Newton building and adjacent to the High Road access. A small strip of open space is also proposed adjacent to the boundary with Salvatorian College

### **Scale**

The proposal would allow for new buildings on the site up to two, three, four and five

storeys in scale varying in heights between a maximum of 7.6 and 16.6m.

### **Access**

The plans indicate that vehicular access would be provided from High Road, with new linkages created into the development site from Bruce Road and Ladysmith Road. Existing vehicular access from Whitefriars Avenue would remain to service the employment uses but no vehicular through routes would be available. A new pedestrian and cycle access route through the site from Whitefriars Avenue along the northern side of the Winsor and Newton building is proposed.

- The redevelopment of the site is split into 7 plots of development:
  - i. Plot A: Five (15.6m high) storey residential building at the northern end of the site. The Design Code limits the depth of the units within this plot to 10m due to the single aspect nature of the units.
  - ii. Plot B: Terrace housing of part two (10.3m) and three (12.1m) storeys along the southern side of the northern access route. Terrace housing of part three (9.8m), four (12.6m) and five (15.1m) storeys along the eastern side of the central access route and the northern side of a new access route linking Bruce Road. All buildings would be residential.
  - iii. Plot C: A residential apartment buildings of part two (6.1m), three (10.6m), four (13.6m) and five (15.6m) storeys along the eastern side of the central access route, the southern side of the new access route linking into Bruce Road and the northern side of the new access route linking Ladysmith Road.
  - iv. Plot D: A part three (10.6) and four (13.6m) storey apartment buildings for residential and employment use along the southern side of the central access route, the public square to east of the Winsor and Newton building and the new access route linking into Ladysmith Road.
  - v. Plot E: A residential housing terrace of part two (7.6m) and three (12m) storeys of terrace housing along the western side of the central access route through the site.
  - vi. Plot F: The Winsor and Newton building would be refurbished as part of the redevelopment of the site.
  - vii. Plot G: A five storey in height is proposed in this location. It is proposed that this area of land would be safeguarded for future educational use for Salvatorian College. This area of land would not therefore be the subject of this reserved matters application but a subsequent planning application for its use.

### **Discharge of Conditions**

In conjunction with the Reserved Matters Application, the applicant also seeks to discharge the following conditions attached to Outline Planning permission P/1383/13,

Condition 24; Soil Contamination and Risk Assessment.

### **Environmental Impact Assessment (EIA)**

The proposals comprising the current planning application have been the subject of a screening opinion in accordance with Regulation 7 of the Town and Country (Environmental Impact Assessment) Regulations 2011. Officer's consideration of the Environmental Effects of the development was that in this case an Environmental Statement was not required. A copy of the screening opinion can be viewed online as part of the electronic case file for the application.

## Relevant History

The site has an extensive planning history. However, since planning permission was granted for new factory buildings in 1968, LPA ref: LBH/1674/4, development on the site has been restricted to small piecemeal and infill development.

P/1383/13

Outline planning application for a comprehensive mixed use development of land at former Winsor and Newton factory and office buildings; demolition of existing buildings, the retention of the Winsor and Newton former office building to be refurbished for business and employment uses (Use Classes B1(A), B1(B), and B1 (C)) and new B1 employment space equating to a total of 2,921sqm, up to 195 new residential dwellings (Use Class C3); safeguarded area of land for education use (Use Class D1), together with new streets, public realm, parking and means of access.

Granted Subject to S.106 Agreement: 30<sup>th</sup> September 2013.

## Pre-Application Discussion - P/2688/13/PREAPP

ColArt Ltd has been engaged in pre-application discussions with the Council since December 2011. Following an initial meeting, the applicant entered into a Planning Performance Agreement in October 2012 with the Council to formalise the pre-application stage of engagement in respect of the development proposals. The applicant has also engaged the Greater London Authority [GLA] in pre-application discussions.

Since the approval of the Outline Plan the new property owners (Barrett Homes North London) have undertaken further pre-application matters prior to the submission of the Reserved Matters Application. The following advice was provided under this pre-application;

- Principle of the development has been found to be acceptable through the granting of the Outline Plan (P/1383/13). Subject to the submitted plans under the Reserved Matters Application being within the parameters (height, bulk, scale and general layout) of the approved Outline Plan, the accepted principle of the development should remain unchanged.
- The design rationale represents a considerable departure from the surrounding context.
- The roof forms of the apartment units should generally be flat, albeit with a coherent variation of the roof profiles.
- A stronger more robust relationship between the existing dwellings on Ladysmith and Bruce Roads is required from the return elements of blocks B and C. The return elements should be treated as a primary elevation.
- Changes in height within the blocks should be more clearly defined.
- Properties at northern end of Plot E to be attached to remainder of terrace.
- Heavily car dependent development
- The area to the north of the site would read as a car park and in urban design terms would be unacceptable Secured by Design issues.
- Turning heads are required near the Winsor And Newton Building
- Hard landscaping of the 'square' should explore providing a single palette of ground surfacing materials.
- Incorporation of trees within the development is encouraged.
- Landscaping along the common boundary with No. 56 is currently well established, and provides significant levels of screening. This should be maintained or improved along this boundary.
- Number of family units provided for Affordable Housing is considered inappropriate.



## **Community and Stakeholder Engagement**

The Council's Statement of Community Involvement (2012) states that '*ideally the results of pre-application consultation should be included in the planning application and form part of the planning application process*'. A Statement of Community Involvement accompanied the Outline Application and this document explained the programme of public consultation and community engagement carried out prior to the submission of the application. As part of its programme of community engagement, the previous applicant has initiated public consultation exercises in February and October 2012. In addition, the previous applicant presented to the Major Development Panel [MDP] in December 2012 as well as making contributions to the Council's Harrow and Wealdstone AAP.

Prior to the submission of this Reserved Matters application, the new applicant, Barratt Homes undertook further consultation in November 2013. A number of forums were made available for local residents to understand and provide comment with regard to the proposed development.

The following were the main issues raised throughout the Stakeholder Consultation:-

- Essential to retain existing trees
- Motoring through Ladysmith and Bruce Roads will not work
- Too much red brick used, and not convinced that the introduction of colours to doors would soften the development. Also, too much variation in colours could make for a 'bitty appearance'.
- Less is better
- More affordable housing
- No walkway through Whitefriars, build to look older so it blends in more with surrounding buildings.
- Five storeys too high.
- Disruption during potential building works.
- Parking issues

## **Applicant Submission Documents**

- Planning Statement
- Design and Access Statement
- Daylight and Sunlight Report and Addendum
- Statement of Community Involvement
- Heritage Statement
- Transport Assessment, Travel Plan and Car Park Management Plan
- Energy Statement
- Sustainability Statement
- Flood Risk Assessment and Addendum
- Refuse Strategy
- Parking Strategy
- Cycling Strategy
- Play Strategy
- Design Code & Proposals

## **Consultations**

Highway Authority: No Objection, appraised under section 6 of this report

Harrow Drainage Team (summarised as follows): No Objection

Harrow Environmental Health Team: No Objection

No objections subject to conditions relating to further ongoing investigation being carried out.

Transport for London

No response received

Environment Agency: No Objection

No objection subject to appropriate conditions

Biodiversity Officer: No Objection

Conservation Officer: No Objection.

**Reason for Advertisement:** Major Development

**Expiry:** 9<sup>th</sup> January 2014

**Site Notice Erected:** 29/01/2014

**Expiry:** 19<sup>th</sup> February 2014

**Notification**

Sent: 805

Expiry: 28 January 2014

**Neighbours Consulted:**

Extensive consultation has been carried out, which covers a wide area surrounding the site, along Whitefriars Avenue and Athelstone Road to the west and north, Risingholme Road, High Street, Bruce Road, Ladysmith Road, Spencer Road and Claremont Road to the east and Graham Road, Wolseley Road and Wellington Road to the south. A plan of the consultation area is appended to this report.

**Summary of Responses:**

- Objections (4)
- Support (0)

**Objections (3):**

- Traffic Congestion
- Development would de-value adjoining residential properties.
- Loss of privacy to No. 56 Whitefriars Avenue
- Heavy competition for school places already
- Impact on schools, GP's, hospitals and other services.

**Support (0):**

- N/A

Second Round of Consultation

Amended plans were received by the Local Planning Authority to include;

- Removal of Balconies from Plot D
- Reduction in hardstanding on site

- Alignment of principle building lines
- Further soft landscaping detail.

These amended plans were consulted on and the content of the objections above were again received.

### Third Consultation

The Local Planning Authority received the amended plans. However these were considered unsatisfactory and further plans were submitted regarding the following points;

- Decrease in hard surfacing
- Removal of balconies for Plot D
- Increase in soft Landscaping along the western boundary
- Detail relating to Local areas for Play.

**Reason for Advertisement:** Major Development

**Expiry:** 10<sup>th</sup> April 2014

**Site Notice Erected:** 25/03/2014

**Expiry:** 08/04/2014

### **Notification**

Sent: 805

Expiry: 08<sup>th</sup> April 2014

Any comments received from this 14 day consultation period will be reported to Planning Committee.

### **APPRAISAL**

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.'

The Government has issued the National Planning Policy Framework (NPPF), which consolidates national planning policy and is a material consideration in the determination of this application.

In this instance, the Development Plan comprises The London Plan 2011, published Revised Early Minor Alterations [REMA] to The London Plan 2011 and the Local Development Framework (LDF). The LDF comprises The Harrow Core Strategy 2012, Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (DMP) 2013, the Site Allocations Local Plan (SALP) 2013 and Harrow Local Area Map (LAP) 2013.

### **MAIN CONSIDERATIONS**

Principle of Development

Design, Character and Appearance of the Area

Impact of Development on Heritage Assets

Residential Amenity

Housing Provision and Affordable Housing  
Traffic, Parking, Access, Servicing and Sustainable Transport  
Development and Flood Risk  
Sustainability and Climate Change Mitigation  
Equalities Implications and the Human Rights Act  
Ecology and Biodiversity  
Land Contamination and Remediation  
S17 Crime and Disorder Act  
Consultation Responses

### **Principle of the Development**

Outline planning permission [OPP] was recently granted for the redevelopment of the site (LPA ref: P/1383/13) to provide new and refurbishment creative industry space, up to 195 new residential units and the provisional of educational land (the s106 agreement tied to the planning permission requires the transfer of this land to the Salvatorian College to the north of the site). The OPP established the principle of redevelopment of the site, the parameters of the land uses in the areas of the site and the maximum building envelope of development on the site. An approved Design Code further informs the nature of the development that is permitted on the site.

The submitted RM application is considered to be in general accordance with the parameters set out within the approved Outline Plan (P/1383/13) in terms of the bulk, scale, height and layout of the buildings and highway network. Furthermore, the amount of units and commercial floor space permitted under Outline Planning has been carried through and met under the current RM application.

Accompanying the RM application was both an Affordable Housing Viability Appraisal and Scheme. The scheme sets out the amount of affordable housing to be provided throughout the scheme and their locations within it. The submitted viability appraisal has been independently reviewed and found to be sound. On this basis it is therefore considered that the affordable housing provision is satisfactory.

The principle of the development is therefore considered acceptable.

### **Design, Character and Appearance of the Area**

The National Planning Policy Framework (NPPF) was published by the Government on March 27<sup>th</sup> 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area, unless other material considerations indicate otherwise (S.38(6) of the Planning Act). The development plan for Harrow comprises The London Plan 2011 [LP] and the Local Development Framework [LDF].

The NPPF states (paragraph 64) that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. The NPPF continues to advocate the importance of good design though it is notable that the idea of 'design-led' development has not been carried through from previous national policy guidance to the National Planning Policy Framework.

The London Plan (2011) policy 7.4B states, inter alia, that all development proposals

should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. Core Strategy policy CS1.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'.

Policy AAP3 of the Harrow and Wealdstone Area Action Plan states that '*development within all three Wealdstone sub areas will be required to strengthen the district centre's vibrancy and vitality, and improve the environment and identity of the Wealdstone area as a location for business and industrial activity and for family living*'. This policy goes on to state that '*proposals for the development of identified opportunity sites within the three Wealdstone sub areas should be in general conformity with the masterplan for each site*'. With specific reference to the sub-area of Wealdstone West, within which the site falls, policy AAP3.E requires development to: support Wealdstone's strategic employment function; help nurture existing new uses, seeking creative non-residential re-uses of industrial buildings and sites where possible; improve pedestrian and cycle access and connections to the District Centre and beyond to the leisure centre and Station Road; and provide a design which creates a sense of place but one that is clearly related to, and would be an extension of, Wealdstone.

All matters were reserved under the approved outline planning permission. However, the design code submitted under this application is an approved document (reference P/1383/13).

In accordance with statutory requirements for outline applications, the approved scheme was supported by plans indicating the parameters of the proposed development, and supporting documents. These parameter plans were considered as part of the outline application, and the Planning Committee concluded that the proposed building heights (maximum five storey's) represented an acceptable scale of development on this site. This application replicates the scale parameters set out in the outline approval.

The approved parameter plans provide for 189 units in seven separate blocks; ranging from two up to 5 storeys. They also provide 137 car parking spaces at surface level. The scheme now proposed under the Reserved Matters Application varies in some aspects, and can be summarised as follows:

- Rotating of the units at the southern end of Plot E to face over the communal open space to the east of the existing Newton & Winsor building.
- Attaching the two, two-storey dwellings at the northern end of the Plot E to the remainder of the terrace.
- Amendments to the roof profile of the apartment blocks (B & C) to change the pitched roof features with flat roof.
- Increase in carparking from 137 to 174 for the residential component of the scheme.

Importantly, it is not proposed to increase the number of storeys in any of the approved blocks, nor is there any proposal to site any of the blocks closer to the site boundaries. Also, the total number of units approved by the outline permission would remain at 189 units along with the minimum floor area of commercial floor space. The increase in the car parking for the proposed development has increased from 137 to 174 (for residential parking), and is discussed in more detail under sections 5 of this appraisal in terms of traffic impacts and highway safety.

Notwithstanding this, the increase in the car parking within the development has the potential to adversely impact the appearance of the application site. The increase in car parking has been grouped appropriately throughout the application site, and provision for soft landscaping has been carefully proportioned to break up the feel of the highway network and parking areas. Consideration of the potential impacts on the character and appearance of the development and the quantum of car parking is assessed later within this appraisal.

#### External appearance and design of the buildings:

The properties in the immediate vicinity of the site provide the area with a mix of building scales and designs. Located to the east west and south of the application property are residential properties. Adjoining the application property to the north is the Salvatorian School. The previous authorised use of the property was as an industrial site which was characterised by large dual pitched roof buildings.

The applicant has submitted detailed elevations and floorplans for each of the six blocks.

#### Massing and scale

As mentioned previously, the approved Outline Plan Application set the parameters for the massing and scale of the proposed buildings on site. The supporting information submitted with the Reserved Matters Application confirm that the current scheme would comply with the parameters set within the approved Outline Plan Application. As a result, it is considered that the proposed dwellings would be appropriately scaled within the application site, and furthermore, given the compliance with the parameters set out in the approved Outline Plan Application.

In response to pre-application advice provided prior to the submission of the Reserved Matters Application, the design of the roof elements fronting the spine street have been amended from a dual pitch to flat roof design (Plots B & C). This provides a more appropriate scale of development that would not appear 'top heavy'. The roof forms of these plots are broken up in accordance with the Design Code.

The approved Outline Plan set the parameters for the height, bulk and location of the plots within the development site. Based on compliance with the parameters of the Outline Plan with regard to these matters, the proposed scheme would be considered to provide a development that would not result in an overdevelopment of the site, or unacceptably harm the amenity of neighbouring occupiers in terms of loss of light or outlook. Matters such as privacy and overlooking for adjoining residential properties are discussed later in the report.

The Reserved Matters application has demonstrated that the proposed plots would conform to the height, siting and location of the approved Outline Plan. As such, the proposed scheme is considered acceptable in terms of character of the site and also in regard to impacts on neighbouring occupiers (noting that privacy and overlooking are appraised later in this report).

#### Appearance of Plots

The Outline Plan Application approved set a Design Code which would dictate how the appearance of the Plots would be carried out. The Design Code seeks to ensure that entrances should be focused on primary elevations to ensure legibility and a vibrant streetscape. Furthermore, the Design Code would guide how the elevation treatment of

each of the different uses would be implemented.

### Residential

The Design Code submitted in support of the Reserved Matters Application demonstrate that the residential properties would be accessed via the primary residential frontages.

In terms of the bulk and scale of the proposed plots, it has been considered previously that these are compliant with the requirements as set out within the Outline Plan parameters. As such the bulk and scale is considered satisfactory and need not be discussed further here.

### Apartments (Plots A, B, C & D)

The primary elevations of the apartment style units, as dictated by the Design Code, would have a formal and regular appearance onto the spine street. This is to ensure a sense of place to the spine street without resulting in a cluttered appearance of ad hoc places windows and other opening. Double storey main entrances are provided on the primary frontages of these plots, which ensures a legible entrance point to the plots. Either side of the main entrances to the plots are geometrically controlled windows and recessed balcony opening fronting the spine street.

The primary elevations, whilst relatively ordered, are appropriately broken up by the recessed nature of the balconies, which provide visual relief of the elevation. Further interest is provided to the primary elevation by the flat roof attic additions which are spaced along the elevation, ending with strong corner features for each of the plots where at five stories.

Whilst materials are discussed later, the relatively muted appearance of the render within the recessed balcony elements further provide interest to the primary elevations, and break up the elevation which is primarily a brick finish.

The secondary elevations to the apartment style blocks are less formal than the primary elevations. Whilst the secondary elevations are still relatively structured, they are less stringent in appearance as the primary frontage. Furthermore, the secondary frontage would not have the same double height entrances as located on the primary frontage. This less formal and less articulate design response provides a distinct variation between the spine street primary frontages and the secondary return frontages.

### Terrace Housing (Plot E)

The Design Code provides guidance on the appearance of the residential plots. The Design Code requires that the primary frontages of the houses (fronting the spine street) would have a more formal arrangement, which would ensure that order within the elevation was maintained and not an ad hoc fenestration arrangement which could lead to a contrived primary elevation onto the spine street. The primary elevation is geometrically controlled and as such follows an order fronting onto the spine street, although noting subtle variations to provide interest to the elevations and sense of vibrancy to the spine street. The secondary elevations to the houses are also relatively formal in terms of their fenestration arrangements, although there are less distinctive features to the elevations as they are not required to provide interest and vibrancy to the public realm. Notwithstanding this, it is considered that the proposed elevations of the terrace would provide a level of interest to the spine street, and would comply with the Design Code.

### Commercial

The ground floor of the front elevation of Plot D and the eastern and western elevations of the Plot F (Newton & Winsor Building) would provide accesses to the commercial floor space for the development. The submitted plans for Plot D do not demonstrate frontages that appear explicitly commercial in nature. However, the recessed nature of the ground floor element suggests that these units do not appear to be residential, although sit comfortably alongside the double height residential access points on this elevation.

Externally it is not proposed to alter the external appearance of the Winsor & Newton Building, and as such would comply with the Design Code.

### Materials

The applicant has not provided full details of materials to be used within the development. However, as stated within Paragraph 25 of *Use of Planning Conditions published on 06/03/2014*, further conditions can be attached to a Reserved matters Application, where the issue relates to a matter reserved by the approved Outline Application. Subject to an appropriate condition, it is considered that the appearance of the proposed plots are acceptable.

It is considered that the proposed design of the buildings within the development would collectively provide a distinct character and sense of place for the development. Fronting onto the public spine street would be elevations that are legible and of interest to ensure that a vibrant urban fabric is achieved. Subject to an appropriate condition relating to the external materials of the buildings, it is considered that the development would enhance the character of the area, and would provide a satisfactory area for future residential occupiers, commercial users and visitors.

### Access

The development would be accessed by four vehicle routes. Three of which would be from the east of the site from the High Road, and one on the western boundary directly from Whitefriars Avenue.

Access to the development would continue into the development from the existing highway network via Bruce and Ladysmith Road, which are both accessed off the High Road. Both roads would effectively be extended into the development to link up with the central spine road of the development. Located to the north east of the site would be a direct access to the development, which would also link up with the central spine road.

Located in the south west corner of the site an existing access to the development would continue to be utilised. This would provide access to the car parking area that is located within the south western corner. It is considered that the accesses to the development would provide suitable and satisfactory access that would result in a continued safe and free flow of the public highway.

Parking and other traffic related matters are to be assessed under section 6 of this appraisal.

### Lighting

Detail of internal street lighting has been provided to demonstrate that there would be suitable lighting throughout the highway network of the development. Furthermore, the detail submitted ensures that the proposed lighting would not result in unacceptable light spill, either throughout the development or to existing neighbouring residential properties.



Paragraph 25 of *Use of Planning Conditions published on 06/03/2014* allows conditions to be attached to a reserved matters application where the matter has been specifically reserved for consideration. In this instance, the lighting on the building may potentially impact on the appearance of the buildings, and as such a condition is imposed to require further detail of lighting on the buildings.

#### Landscaping:

The proposed development proposes a significant amount of hardstanding across the site, as a result of the proposed buildings and also the shared surfaces for pedestrians and vehicles. Soft landscaping is a vital element to the development as it will ensure that the hard surfacing is sufficiently broken up, and will enhance the appearance of the development.

As mentioned previously, the amount of carparking throughout the development has increased from what was approved under the Outline Plan. As such, this has resulted in an increase in the amount of hardstanding. Throughout the internal streets within the site, soft landscaping has been used to break up the amount of hardstanding. A number of mature trees have been included within the highway network, with the inclusion of small soft landscaping features. These areas are soft landscaped and provide meaningful breaks within the highway network. Located at the junction at the end of the Bruce Road access into the development, and in front of Plot E is an area of soft landscaping on both sides of the road. This area provides a visual break within the car parking spaces of the development, and also creates a sense of place within the development.

Pre-application advice given prior to the submission of the Reserved Matters Application stated that along the boundary with No. 56 Whitefriars Avenue there is well established soft landscaping present. Advice given was that soft landscaping as part of this proposal along this common boundary should be retained in terms of the screening that this existing soft landscaping offers. The amended plans submitted demonstrate that further soft landscaping along this boundary can be achieved. Significant soft landscaping along this boundary is required to ensure amenity of the occupier at this property is maintained, and is discussed later within this report.

The provision of communal and other amenity spaces provided within the development are discussed later within this report.

#### Hard landscaping

Throughout the development the highway area is to be a shared surface, providing an integration for both vehicular and pedestrian traffic, which was one of the principles agreed at the Outline Application stage. To this extent, it is not proposed to have rigid carriage ways with traditional footpaths with dropped kerbs. Rather, the variation in materials used as part of the hardstanding would provide a visual delineation between vehicles and pedestrian areas.

Most notably within the communal garden spaces to the rear of Plots B & C are hard landscaping features used to enhance the usability and function of the area for future occupiers. Details submitted demonstrate that communal bicycle stores (Falco supplied with mesh walls and green roof) will be provided on the eastern boundary of each of the gardens. Offsetting the soft landscaping within these areas are Fortis sitting benches and sitting stones for future occupiers. The proposed amount and scale of the hard landscaping of these areas would appear appropriate within the communal gardens, and would not result in a cluttered appearance.

The Public Square located to the east and west of the Newton & Winsor Building is an important feature within the development, as it provides an area for the future residential occupiers and also the occupiers of the commercial units. The treatment of this feature is therefore important to ensuring both the functionality of the space and also the vitality and appearance of the development. Firstly, the hard standing of this area would be noticeably different from the majority of the public space. It is proposed to use Metrolinia paving (Silver Grey & Charcoal Grey) to differentiate this area. Stainless Steel bollards within this area also assist in demarking it from the remainder of the public space.

Within this clearly defined public square, there is an appropriate balance between soft and hard landscaping. Again, there is a mixture of both formal seating by way of Fortis Benches and also informal sitting stones. It is considered that the mixture of formal and informal seating areas, in conjunction with the proposed soft landscaping, strike a balance that would ensure that this communal open space would provide a useable space for all potential users. Sheffield Bike Stands are also provided within this public square area, which further assists in creating an area that is more pedestrian orientated rather than that of the motor car.

The updated play strategy identifies that the communal square to the east of the existing Winsor and Newton Building and the landscaped area located in the north eastern corner of the site would now be utilised as Local Areas for Play (LAPs). These areas are required to provide safe play space for children in an age range of 0 – 6 years old. Each of the areas are considered to be of a sufficient size to provide such a play area, and the hard landscaping materials sheet provides examples of play equipment that would be both appropriate for users and the setting in which they are located.

The intersection of Bruce Road and the internal spine street, being directly in front of Plot E, has also been treated differently in terms of the hardstanding. This intersection also would be treated with Metrolinia paving (Silver Grey & Charcoal Grey). Directly in front of Plot E would be a soft landscaped area, with two smaller soft landscaped pockets on either corner adjacent to Plot B & C. The variation within the hard standing treatment, in conjunction with the soft landscaping and absence of car parking spaces, provides this area with a relatively distinct and open feel which results in a sense of place to this area within the development.

Notwithstanding the above, a condition is attached to seek further detail on some hard landscaping features such as boundary treatment, fences, gates, brick walls and railings. Subject to such a condition, it is considered that the proposed hard landscaping is satisfactory.

#### Soft Landscaping

Soft landscaping is an important element to the proposed development, as it assists in breaking up areas of hardstanding and improving the appearance of the development. The reduction in the car parking spaces within the site compared with the original Reserved Matters Application has greatly reduced the amount of hardstanding. The applicant has taken this opportunity to introduce further soft landscaping into the development, which greatly enhanced the appearance of it. It is noted that throughout the spine road and other access roads, the number of trees proposed would provide a significant softening appearance to the streetscape. It is considered that the streetscape of the proposed development has been greatly enhanced with the inclusion of the high number of trees and the inclusion of the small pocket soft landscaped areas.

The revised scheme has resulted in a change to the removal of car parking within the development. The amended plans show that car parking has been removed from around the public square to the east of the Winsor and Newton Building. By doing so this has increased the area of public square and made this feature more attractive and useable to occupiers of the development. Furthermore, the consolidation of a number of the 'smaller' soft landscaped areas into larger areas, will also assist in ensuring that these are more useable and do not merely become a walkway through the square. It is considered that the amendments to this public square has been successful and would provide a quality public space for rest and relaxation. However, its continued success would be dependent on having a management plan in place to ensure that the soft landscaping is maintained in good health. It is therefore considered that subject to such a condition requiring a maintenance plan for this area, and all public and communal soft landscaping, the soft landscaping proposed would be satisfactory and accord with the Development Management Policies.

### **Conclusion:**

Subject to the conditions mentioned above, it is considered that the external appearance and design of the buildings together with the proposed landscaping scheme are consistent with the principles of good design as required by the National Planning Policy Framework (2012). The resultant development would be appropriate in its context and would comply with policies 7.4B and 7.6B of The London Plan (2011), Core Policy CS1(B) of the Harrow Core Strategy, policy DM1 of the Council's Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010), which require a high standard of design and layout in all development proposals.

### **Impact of Development on Heritage Assets**

The Winsor and Newton building on the site is locally listed based upon the heritage value of the site and attractive architectural qualities of the building. The applicant has provided a Heritage Statement, assessing the impact of development on this heritage asset. The Heritage Statement concludes by stating the redevelopment of the site would sustain the significance of the former Winsor and Newton building.

The conclusions of the Heritage Statement are considered to be fair. The development proposal would open up views of the Winsor and Newton building from the east which are not currently available and thereby enhance its presence. The removal of the rear extensions to the building would also have a positive impact on the appearance of the building whilst the industrial and creative legacy of the factory and the building would be maintained in the use of the building for 'creative industries'.

Accordingly, it is considered that the development would enhance the heritage significance of the heritage asset on the site, thereby according with the NPPF, policy 7.8.B/C/D of the London Plan and policy DM7 of the DMP.

### **Residential Amenity**

Policy 7.6B, subsection D, of The London Plan (2011) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Following on from this, Policy DM1 of the Development Management Policies Local Plan states that 'all development and change of use 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.

- Impact on neighbouring occupiers

The layout of the site, the scale of the buildings and the site access were assessed as part of the outline planning permission and were considered to have acceptable impacts on the amenity of the occupiers of adjacent properties. Although some relatively minor amendments to the approved layout are proposed, the proposed blocks would generally be provided in accordance with the approved parameters. Importantly, it is not proposed to increase the number of approved blocks or the storey heights of the approved blocks. In addition to this, it is not proposed to site any of the blocks closer to the site boundaries. The assessment of impacts on neighbouring occupiers therefore depends on the external appearance and design of the buildings only.

- North of the application site:

Plot A is located in the northern most part of the application site, with the Salvatorian College located to the north and west. An area of land to the north of Plot A and the Salvatorian College will remain vacant for educational purposes at a later date. Plot A is generally single aspect, and would not have north facing windows that would overlook the grounds of the college.

The nearest residential properties would be located within proposed Plot B, to the rear of the existing properties fronting onto Bruce Road. A distance of no less than 18m would be maintained between these two blocks, which would be similar to a traditional residential relation of properties fronting each other across a public highway.

- Plot G

This plot represents an area of land that would be safeguarded for future educational use. It would be five-storeys in scale and would abut the rear of Plot A. For this reason, the applicant proposes that the units within Plot A would be single aspect which would negate any adverse impacts in terms of overbearing, overshadowing or overlooking issues. The other surrounding land uses around this plot relate to educational use, which this plot would be associated with, and a petrol station. Given there are no particular sensitivities in terms of amenities associated with these uses, it is considered that the proposed development of this plot would not have an adverse on neighbouring amenities.

Were the educational use of the land not to come forward within the period for which this land is safeguarded, the land could potentially used for other uses. However, were an application to come forward for the use of this land for purposes other than educational use after the safeguarding period had come to an end, any proposals would need to be assessed on its relative merits and accord with the policies of the development then in force. Such a mechanism would ensure that the amenities of the surrounding land uses would be re-appraised at that time.

- West of application site:

Proposed Plot E is set off the common boundaries to the west of the site in a manner that would comply with the Design Code approved under the Outline Plan. As such the proposed Plot E would not unacceptably harm the amenity of neighbouring occupiers through a loss of outlook or light.

Properties along Whitefriars Avenue are sited immediately west of the application site. Block E would be sited closest to the western site boundary, and this would be two

stories in height at the northern end of the site and increasing to three storey's (as per the approved parameter plans). The distances between these blocks and the western site boundary were considered to be acceptable, when the outline scheme was determined.

Of note is the unique layout of No.56 Whitefriars which rather than having a traditional rear garden bounding the application site, the rear garden runs along the western boundary of the application site. As such this property is unique in that it has a substantially more prominent view of Plot E. Directly to the east of the dwelling at No. 56 Whitefriars Avenue the two dwellings located at the northern end of Plot E are substantially narrower than the remainder of the terrace. The rear gardens (as required within the OP), are 12m deep from the rear elevation of the proposed dwellings to the common boundary. These two dwellings would extend 10m beyond the flank elevation (although into the rear garden) of the dwelling at No. 56 Whitefriars. To the south of these two northern most properties within Plot E, the remainder of the terrace where it adjoins No. 56 Whitefriars Avenue would have deeper dwellings with rear gardens no shorter than 7m, and would increase in depth the further south the terrace continues.

The two properties at the northern end of Plot E have the potential to result in unacceptable levels of overlooking from the rear elevations into the rear of the property at No. 56 Whitefriars Avenue. However, it is noted that at first floor there would be oriel style windows which would ensure that there were only oblique views from these dwellings, which is in accordance with the design code. As such it is considered that there would not be unacceptable levels of overlooking or loss of privacy experienced by the occupiers of No. 56 Whitefriars Avenue.

A site visit to the No. 56 Whitefriars Avenue confirmed that there is already well established vegetation within the application site and adjacent to the flank boundary with No. 56. The existing soft landscaping was noted as providing an effective screen from No., 56 Whitefriars Avenue into the application site. It is therefore considered that any landscaping along this boundary should commensurate or improve on the existing situation. The revised landscaping plans have increased the amount of soft landscaping along the boundary with No. 56 Whitefriars Avenue, which is considered to provide an adequate level of screening between the occupier of this property and the proposed development.

The remainder of the properties facing onto Whitefriars Avenue are in a more traditional arrangement, with no less than 25m between rear elevations in a traditional back to back residential arrangement. Indeed the properties would be within the parameters as approved within the OP. It is therefore considered that the properties that comprise Plot E would not result in an undue loss of outlook or privacy to the occupiers of the properties fronting onto Whitefriars Avenue. To the north of Plot E are the grounds of the Salvatorian College, as such the dwelling located adjacent to this boundary would not give rise to any loss of amenity to this property. Furthermore, proposed soft landscaping would assist in providing the screen along this boundary, which would ensure that there would be no unacceptable loss of privacy or overlooking felt by adjoining residential occupiers.

#### East of application site:

Plot B is characterised by having two distinct elements. Firstly, the main element fronting the internal spine road of the development would be apartment style accommodation with a flat roof ranging from five stories fronting the spine street down to three stories on the short returns adjacent to the existing dwellings on the northern side of Bruce Road. The

short return onto the northern side of Bruce Road would be 3 storeys and not exceed the parameters as set within the Outline Plan. This element would respect the principle building line along this and would be within the parameters set out within the Outline Plan.

Plot B would also have a longer return along its northern element, which would result in terrace housing located to the north of the rear of the existing residential properties fronting onto Bruce Road. The terrace properties along this element would provide houses, which would have a traditional back to back relationship with the existing dwellings fronting onto Bruce Road. The distance from the rear elevation of these properties to those fronting onto Bruce Road would be 30m, which would be similar to a traditional back to back residential relationship. It is therefore considered that this relationship would not result in unacceptable outlook or loss of privacy for existing residents.

Plot C has a five storey frontage onto the central spine street with by returns stepping down to three storeys high where they are adjacent to the existing dwellings on the southern side of Bruce Road and the northern side of Ladysmith Road. The three storey elements would have flat roofs and would comply with the height thresholds and building lines set by the Outline Plan.

Both proposed Plot B and C have five storey elements to them, which front onto the spine street of the development. The Outline Plan Design Code requires that the rear of each of these five storey elements shall only have circulation cores and not habitable rooms, to ensure that existing occupiers of Bruce and Ladysmith Roads do not experience a perception of overlooking or loss of privacy by way of overlooking. The floor plans for each of Plot B and C confirm that the rear of these elements would comply with this requirement.

South of application site:

Plot D is proposed to be a four storey building with commercial on the ground floor and three floors of residential above. Plot D is located within the parameters of the Design Code approved under the Outline Plan. The parameters were set to ensure that there would be a satisfactory outlook maintained from the existing residential properties to the south and east of Plot D.

The commercial element on the ground floor would be restricted to a B1 use class, which by its very nature would not give rise to unacceptable impacts on the living conditions of adjoining residential occupiers through noise and disturbance.

The three floors located above the commercial floor spaces are stacked in a like for like fashion. It is noted that the Design Code supporting the application states that there would be a minimum distance of the 30.5m between the rear elevation of Plot D and the main rear elevation of the properties fronting Graham Road. The Design Guide approved under the OP required that a distance of 28m be maintained from the ground floor element and the main rear elevation of the properties fronting onto Graham Road. The second and third floors of Plot D would be set a further 2.5m away to ensure that a suitable level of outlook would be maintained.

The amended plans received for Plot D have removed the balconies located on the rear (southern) elevation, which previously overlooked the occupiers fronting onto Graham Road. Officers considered that their removal would ensure that occupiers of these

properties would not experience an unacceptable loss of amenity through loss of privacy, overlooking, or perception of overlooking.

The existing Newton & Winsor building at the ground floor of Plot D would be used as commercial floor space, and restricted to use classes B1(A), B1(B) AND B(C)) and new B1. Such use classes by their very nature should not result in harm to the amenity of neighbouring residential occupiers, as they would provide uses that are not harmful to the amenity of neighbouring residential by way of noise.

The area of land located between Plot A and the Salvatorian College is set aside for Educational use (Use Class D1). This would be consistent with the college to the north and would not result in a use that would unacceptably harm the amenity of existing neighbouring residents or future occupiers.

### Conclusion

Overall, the proposed development is considered on balance to be acceptable in terms of the living conditions of neighbouring occupiers, and would meet the policy objectives of the relevant Development Plan policies.

### Amenity of future occupiers

The majority of the proposed units would comply with the gross minimum space standards as set out in Table 3.3 of The London Plan and appendix 1 of the Harrow SPD – Residential Design Guide. A small number of the units would be marginally below the thresholds. However, given that the limited number of shortfalls, the very minor level of non-compliance, and the functional layout of the units, it is considered that the proposed residential accommodation would be satisfactory for future occupiers.

A number of the proposed apartment style units would not be dual aspect. However, none of the single aspect units would be north facing, and as such would accord with the parameters of the Outline Plan. None of the house units would be single aspect. Notwithstanding the fact that there are some single aspect units, outlook from habitable rooms would be adequate in all cases.

Proposed Plot A would have the majority of the units being single aspect, other than the dwellings on the eastern end of the elevation. The reasoning behind the single aspect of Plot A is to ensure that there would not be overlooking into the grounds of the Salvatorian College. The units located on the eastern end of Plot A would have flank windows facing out towards the High Road. Whilst in most cases it is not desirable for single aspect units, in this instance there is a need to ensure that there would not be overlooking into the grounds of the Salvatorian College. However, in response to this matter, Plot A would be relatively narrow in width at 9.0m where the units are single aspect, and none of these units would be north facing. The units at the eastern end where dual aspect is provided, would have an increased depth of 11m. It is therefore considered that the layout and access to light for the future occupiers of this Plot would be satisfactory.

A number of apartments located within Plot B & C would be single aspect. However, it is noted that none of these units would be north facing, and as such compliant with the requirements of the Outline Planning Permission. Furthermore, each of these units would have satisfactory outlook over the rear communal garden or active spine street and would receive an adequate level of daylight and sunlight.

All proposed houses within Plot E and the northern return of Plot B would be dual aspect,

and as such occupiers of these units would receive a satisfactory level of light and outlook.

One of the documents submitted as part of the outline application was a Sunlight and Daylight Study. This report considered the impacts of daylight and sunlight within the development, and concluded that the siting and orientation of the approved blocks would give rise to a development that would meet all of the BRE daylight and sunlight requirements.

The vertical stacking of rooms between the units is generally well designed, but it is noted that there are some issues in terms of the horizontal stacking of rooms between some units. However, it is considered that a refusal on this basis could not be sustained, particularly given the technical provisions of Building Regulations.

#### Amenity Space

Amenity space is provided throughout the development, and is a mixture of private, communal and public open space.

#### Public Open Space

Public Open Space was approved under the Outline Plan to the east and west of the existing Winsor and Newton Building. This space was provided to be able to be utilised by both residents of the development and also occupiers of the commercial units within the ground floor of Plot D. The Reserved Matters application has submitted details as to how each of these would be arranged.

#### Public Realm – Public Square

The public open space located to the east and west of the existing Winsor and Newton Building is set aside for the use of both residents of the development and also the users of the commercial units within the ground floor of Plot D and the Newton & Winsor Building itself. These areas should incorporate a high level of paving and lighting, and provide sculptural element sand seating. This area must be a flexible space and provide a suitable level of soft landscaping to break up the amount of hardstanding and also provide a pleasant space for users. The amended plans submitted demonstrate that this space has an appropriate balance of hard landscaping to allow it as useable space for users, and also an appropriate level of soft landscaping to enhance its appearance. It is considered that this area would provide the flexible space intended by the Design Code, as it is able to be used by all potential users of the development and also creating a sense of space within the site.

#### Local Area for Play (LAP)

A key design component of the scheme was to provide for a 'home zone' development, which traditionally would see an informal type of highway network, which would have chicane style features as traffic calming measures. Such measures would then be able to be utilised as informal play or rest areas for pedestrians within the development. The proposed scheme would have a heavily regimented highway network running through it, and as such dedicated spaces have been provided for the use of residential occupiers. The Reserved Matters Application identifies these areas as Local Areas for Play and in their entirety would have an area of 100m<sup>2</sup>. As such the small landscaped areas cannot be considered to contribute to a LAP within the development. However, the main public square located to the east of the existing Newton & Winsor is able, and suitable to be used as a LAP. Further to this, the landscaped area to the north east of the site has also been identified within the revised Play Strategy as being used as a LAP. The provision of



these areas are considered satisfactory and would provide suitable play areas within the development.

### Communal Open Space

For future residents within the apartment blocks of Plots A, B, C and D who do not benefit from private amenity space, communal gardens are available. Each of the communal gardens are accessible and have a suitable amount of hard and soft landscaping to ensure that they are useable and functional. It is noted on the submitted plans that communal secure bicycle storage is provided in the communal amenity space to the rear of both Plot B & C.

Supplementary information for amenity space for future occupiers indicates that 32 units would not be provided private amenity space, and as such would have access to the communal amenity spaces within the development. It is considered that the amount of units requiring this, in conjunction with the quantum and layout of the communal spaces, the proposed arrangement would be satisfactory.

### Private Amenity Space

Private space assessment provided in support of the application indicates that 116 of the apartment style units would have direct access to balconies, providing a suitable amount of private amenity space. The proposed houses within the development would each be provided private rear gardens. The remainder of the units would have access to communal amenity space to the rear (west) of Plots B and C and to the rear (south) of Plot D.

Many of balconies throughout the development would be located on the front elevations, facing into the spine street. These are recessed balconies and are of a suitable size to provide an appropriate level of private amenity space for future occupiers.

The applicant has confirmed that all of the proposed units would meet the Lifetimes Homes standards, and that 10% would be adaptable to meet Wheelchair Homes standards. Although The London Plan requires 10% of all new development to be wheelchair accessible or easily adaptable, and the proposed development would accord with this requirement.

Overall, the proposed development is considered acceptable in terms of the living conditions of future occupiers, and would meet the policy objectives of the relevant Development Plan policies.

### **Housing Provision and Affordable Housing**

Core Strategy policy CS1.H seeks to allocate sufficient previously developed land to deliver at least 6,050 net additional homes between 2009 and 2026. The Harrow and Wealdstone Intensification Area is expected deliver a minimum of 2,800 new homes over the plan period, with the AAP suggesting a minimum output of 150 homes from the ColArt site. Notwithstanding the employment designation of the site, the AAP identifies housing as an appropriate form of enabling development and in this context the principle of residential use is considered appropriate. The proposal would contribute 189 new dwellings to the Borough's housing supply, in a mixture of houses and flats, with an indicative scheme indicating that up to 598 habitable rooms would be provided.

### *Density and Unit Mix*

The site has a public transport accessibility level [PTAL] of 2, 3 and 4, though the majority

of the site is located within an area with a PTAL of 3. In light of the tight-knit terraces of the area and the proximity of the site to the Wealdstone District Centre, the site has a mixed urban / suburban character. Within this context, the development would fall within the parameters outlined at Table 3.2 and policy 3.4 of The London Plan 2011 and granted permission under the Outline Plan. The Reserved Matters Application proposes 189 residential units, which would fall within the maximum threshold as set out within the approved Outline Plan Application.

Core Strategy CS1(I) requires that all new housing development provide a mix of housing in terms of type, size and tenure to promote housing choice. The following table provides a break down of the housing mix that has been proposed within the Reserved Matters Application.

| Type                | Number     |
|---------------------|------------|
| 1 Bedroom, 1 Person | 11         |
| 1 Bedroom, 2 Person | 21         |
| 2 Bedroom, 3 Person | 31         |
| 2 Bedroom, 4 Person | 75         |
| 3 Bedroom Apartment | 21         |
| 3 Bedroom House     | 17         |
| 4 Bedroom House     | 13         |
| <b>TOTAL</b>        | <b>189</b> |

Based on the figures within the above table, it is considered that the mix of housing type and size would be suitable and would provide a satisfactory choice of housing within the development and as such would comply with the requirements of Policy 3.8 of the (REMA) London Plan (2011) and policy CS1(I) of the Harrow Core Strategy 2012. The mix of tenure is discussed below.

#### *Affordable Housing*

Core Strategy policy CS1J states that 'the Council will aim for a Borough-wide affordable housing target of 40% of the housing numbers delivered from all sources of supply across the Borough'. Policy CS1.J goes on to say that the Council will seek the maximum reasonable amount of affordable housing on all development sites having regard to a number of criteria, including development viability.

The applicant has indicated that the development could indicatively support up to 15% affordable housing (depending upon size/tenure and a minimum of 10% of affordable housing is offered, in accordance with an appropriate tenure split of 60% social / affordable rent and 40% intermediate housing. The applicant has submitted an FVA with the application. The assumptions contained with the FVA and Three Dragon toolkit assessment of the scheme determines the level of affordable housing the scheme could support. The FVA and the Three Dragons toolkit has been reviewed and the assumptions and inputs are considered to be fair.

Accordingly, officers consider that the proposed affordable housing offer is the maximum that the site can support at the present time (alongside delivery of the other infrastructure outcomes required) and, having regard to the viability of the development proposal, would accord with the aims and objectives of the development plan in respect of affordable housing.

The matter of affordable housing provision was considered as part of the outline permission, and a S.106 agreement was signed to secure the delivery of 19 affordable units. Subsequently, the S.106 agreement was varied to allow a base level / minimum level of 23 affordable units but this would be subject to a review mechanism to consider the availability of grant funding and market conditions at the time of delivery.

Importantly, the matter of affordable housing provision is not for consideration under the current application as the agreed variation to the S106 governs its provision. The approval of this application would not therefore prevent further negotiations in relation to the provision of affordable housing.

### **Traffic, Parking, Access, Servicing and Sustainable Transport**

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. London Plan policy 6.3 states that 'development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed'. Policies 6.9 and 6.10 relate to the provision of cycle and pedestrian friendly environments, whilst policy 6.13 relates to parking standards. Core Strategy policy CS1.Q seeks to 'secure enhancements to the capacity, accessibility and environmental quality of the transport network', whilst policy CS1.R reinforces the aims of London Plan policy 6.13, which aims to contribute to modal shift through the application of parking standards and implementation of a Travel Plan. Policy AAP19 of the AAP reflects the aims and objectives of national and regional policy in seeking to ensure sustainable modes of transport are prioritised, car-free development is considered and incorporated into development in an area wide green travel plan for the Heart of Harrow.

As stated, the principle of providing 189 residential units on the application site has been firmly established by outline planning permission reference P/1383/13.

One of the documents submitted as part of the outline application was a Transport Assessment. This report considered the impacts of the 189 residential units on the local highway network, and concluded that the impacts of the development would be acceptable in terms of trip generation and in terms of the level of car parking spaces proposed. The level of car parking approved by elected members at Outline Application stage was for 137 car parking spaces to serve the residential component and a further 22 spaces to serve the commercial element.

The current Reserved Matters Application has increased the amount of car parking provision on site to a total of 174 residential car parking spaces, with 20 car parking spaces for the commercial element. The current scheme would result in an increase in residential car parking spaces within the development of 37 spaces, which would result in a departure to what was granted outline permission. It is acknowledged that the stakeholder consultation undertaken by the applicant did request that further car parking spaces be provided to ensure that there would not be an adverse impact on the existing residential streets adjoining the application site.

It is also acknowledged that consultation with neighbouring residents and councillors, has indicated a preference for a higher level of parking to be provided on site. The level of parking, although increased, would still fall below the maximum standards within the

London Plan (2011). In light of the above, and the outcomes of the stakeholder consultation, it is considered that from a parking provision perspective, the quantum of parking is acceptable and the development would not unacceptably harm the free flow and safety of neighbouring residential highways. Furthermore, the proposed quantum of parking, in conjunction with other parking measures, would ensure that there would not be an unacceptable overspill of parking demand into existing residential streets within the area. In any case a mechanism within the S.106 for the approved Outline Planning Permission will enable a CPZ within the area.

Access to and within the development were discussed briefly above, and are noted as being accepted at the outline application stage. The submitted plans follow the Council's intention for the existing access from The High Road (next to the petrol station) to remain as the main residential access into the redevelopment with secondary use of 2 separate access points located off Bruce & Ladysmith Roads. A further existing access currently serving the Winsor & Newton building and sited off Whitefriars Avenue is to remain to serve the B1 element of the site. The road layout is conducive to best practice design aims as per the DfT's Manual for Streets (MfS) 2007 guidance.

The proposed development would result in a construction period for some time that may potentially lead to short term impacts on neighbouring residential properties. Whilst temporary in nature, applicants are required to set in place a Construction Logistics Plan to best minimise potential impacts to adjoining occupiers. The submitted CLP is robust in its form and importantly addresses the need to avoid Bruce & Ladysmith Road during the phased construction process owing to their purely residential profile. The anticipated low peak traffic hour construction use of the site is considered realistic and acceptable thereby minimising impacts at these times. The four phase build is logical and achievable with adherence to the CLP.

An overarching internal Parking Management Strategy (PMS) has been produced to best control internal parking arrangements for the C3 and B1 uses in order to ensure compliance with exemplar design objectives whereby examples of erroneous and extraneous parking in inappropriate areas such as on dedicated landscaped/amenity areas, footways/pedestrian linkages, obstructive parking on internal roadways are avoided. In addition, a Service Delivery Plan has been produced and is robust with a realistic aim of managing and reducing /minimising impacts on the local public realm. The PMS would be supported by enforcement structures such as the introduction of 'charged for' resident and visitor parking permits under a strict criteria which encourages the use of alternate sustainable travel modes such as public transport, car sharing and use of a car club etc.

An effective enforcement regime is therefore to be provided to ensure conformity to the charging structure with a complementary commitment to the enforcement of inappropriate parking within the internal site roads. This will provide a holistic solution to the aims of achieving an exemplar scheme on this site with the combined C3 and B1 uses with minimal impacts on the surrounding and established CPZ.

A travel plan submitted encompasses the core principles, aims and targets associated with achieving a long term aspiration of modal shift toward sustainable travel to and from the site. In addition, electric parking points have also been earmarked in accordance with the relevant standards as set out in the London plan (2011), with a demand led 'staggered' supply of passive and active ECV bays. This approach is considered to be acceptable. Lastly in terms of parking, motorcycle and scooter parking provisions

throughout the site would comply with the standards as set out within the Harrow Core Strategy (1 space in 20).

The applicant has submitted cycle provision for both the residents and visitors to the site, which are noted as exceeding the requirements as set out in the London Plan 2011. Carrying on from this the development has demonstrated that pedestrian and cycle routes throughout the site would conform to best practice principles, and as such the scheme is considered satisfactory in this aspect.

A condition imposed on the approved Outline Application ensures that the above measures as agreed shall be implemented within the scheme.

#### Refuse storage

Plot E and the return of Plot B (backing onto the properties that front Bruce Road) are terrace style houses. As such these properties would have traditional residential domestic waste, which are then able to be collected in front of each of the respective properties.

Plots B and C which are apartment style units would have a shared refuse facility, with two in each of these plots. Shared refuse would also be provided for Plots A and D. The provision of waste and recycling facilities is considered to be adequate to service the development.

A tracking diagram has been provided to demonstrate that the servicing of the plots would be satisfactory.

The waste and recycling provisions for the development are considered to be satisfactory and would accord with the Development Management Plan policies.

#### **Development and Flood Risk**

The Drainage Authority have confirmed that details that have been submitted in relation to site levels are acceptable. A further document that was submitted as part of the outline application was a Flood Risk Assessment. This report considered the impacts of the proposal on the existing flood zone and provided robust technical information to demonstrate that the proposed development would not expose future residents to an unacceptable risk of flooding and that the site has the capacity to incorporate sustainable measures for the reduction of flood risk. This report is also an approved document and an assessment of flood risk cannot be carried out again as part of the current application. Two conditions relating to the provision of an 8m buffer zone and eight further drainage conditions were attached to the outline planning permission

The site is predominately located within Flood Zone 1 (the lowest flood risk) though parts of the north-eastern corner of the site are identified in the Strategic Flood Risk Assessment [SFRA] as being within flood zones 2, 3a and 3b. However, through consultation with the Council and over the course of the evolution of the scheme, built development in areas of Flood Zones 3a and 3b have been removed from the development proposal. Only minor areas of development, for residential uses, would be located in Flood Zone 2 and the remainder of the built development would be in Flood Zone 1.

The applicant has submitted a Flood Risk Assessment [FRA] and has been in consultation with the Council prior to the submission of the application. The FRA indicates that the development proposal would create greater permeability across the site

and suggests mitigation strategies which primarily relate to resilience, as the applicant indicates that the site is not at direct risk for tidal or fluvial flooding. The Council's Drainage Engineers and the EA have commented on the application.

The site is identified as an allocated site within the AAP and sequential testing of the site, based on its appropriateness for redevelopment has already been carried out through the process of the adoption of the AAP. Only very minor elements of the development proposal would be located outside of Flood Zone 1, and were this would occur, these elements would be located in Flood Zone 2. Council Engineers in reviewing the application, consider the development to be acceptable in principle and broadly agree with the recommended mitigation strategy proposed within the FRA. However, the development should provide a greater level of storage attenuation measures and Emergency Plan to be provided for in the event of flood.

The development would accord with policies 5.3.C, 5.12.B/C and 5.13.A of the LP and policy AAP9 of the AAP.

### **Sustainability and Climate Change**

Paragraphs 96-98 of the NPPF relate to decentralised energy, renewable and low carbon energy. Chapter 5 of the London Plan contains a set of policies that require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. Specifically, policy 5.2 sets out an energy hierarchy for assessing applications, as set out below:

- 1) *Be lean: use less energy*
- 2) *Be clean: supply energy efficiently*
- 3) *Be green: use renewable energy*

Policy 5.3 seeks to ensure that future developments meet the highest standards of sustainable design and construction, whilst policies 5.9-5.15 support climate change adaptation measures.

The applicant has submitted an Energy Statement, which details the likely energy demands of the proposed development and proposed a strategy to increase energy efficiency. A Sustainability Statement has also been submitted, which describes the sustainability principles of the proposed development and measures that would be incorporated to ensure high levels of performance and long-term viability.

The methodology for the proposed Energy Strategy accords with the hierarchy set out within the London Plan and demonstrates how the minimum savings in carbon emissions against Building Control targets would be achieved on site. Officers consider that the findings of the Energy Strategy are fair and would accord with development plan policies.

Conditions attached to the approved Outline Plan Application will ensure that implementation of the measures set out in the Energy Statement.

### **Equalities Statement**

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

On balance, it is considered that the proposal would have no impact with regard to section 149 of the Equalities Act 2010.

### **Ecology and Biodiversity**

The application site is located within a predominantly urbanised area with no recognised biodiversity or ecological value. The Sustainability Statement provides evidence to ensure that there would be no loss existing biodiversity within the development site and area. Furthermore, this document also provides measures to improve the biodiversity within the site. It is noted that there is evidence of house sparrows, swifts and starlings being located within the area. As such, measures such as bird boxes have been incorporated within the development to increase and encourage biodiversity within the area.

The Council's Biodiversity Officer has reviewed the details submitted within the Reserved Matters Application, and is satisfied that the details submitted within the biodiversity survey are fair. Furthermore, the measures proposed to be in place to encourage and increase biodiversity identified throughout the development are satisfactory.

### **Land Contamination and Remediation**

The NPPF (paragraph 121) requires LPAs to ensure that the site is suitable for the new uses proposed, taking account of ground conditions including pollution arising from previous uses. Adequate site investigation information, prepared by a competent person, should be presented. This reflects the requirements of policy DM15 of the DMP, which also requires an investigation of the hazards posed and appropriate.

The application is accompanied by a Geo-Environmental Assessment [GEA], which summarises the extent of the land contamination on the site that has arisen from over a century of industrial activities. The GEA has been developed based on environmental information for the site obtained during various ground investigations. The report acknowledges that further information, in the form of a Remediation Strategy, should be provided and agreed with the LPA prior to the commencement of works on-site. Other recommendations are also made for dealing with the contamination, including the importation of clean soils for areas of landscaping to ensure suitability for occupants and plants.

The Council's Environmental Health Team has reviewed the GEA and consider this to be satisfactory. However, they have commented that ongoing investigations will need to be undertaken in terms of further gas monitoring, preparation of a remedial method statement, asbestos survey, and validation of remediation works. Such information will be required to be submitted and approved by the Local Planning Authority in accordance with Condition 25 of Outline Planning Permission (P/1383/13).

### **S17 Crime & Disorder Act**

Policy 7.3 of The London Plan (2011) seeks to ensure that developments should address

security issues and provide safe and secure environments. Policy DM1 of the Development Management Policies Local Plan 2013 seeks to ensure that the assessment of design and layout of new development proposals will have regard to the arrangements for safe access and movement to and within the site.

The development proposes a well-designed scheme and it is considered that this would provide increased levels of security for the site. The Reserved Matters Application demonstrates that the design and layout of the scheme would comply with 'secure by design' principles. It is therefore considered that the proposed scheme would comply with the principles of 'secure by design' and would not result in an increase in crime or anti-social behaviour.

### **Consultation Responses**

As stated within the body of the report, the principle of providing 189 residential units and commercial floor space on the application site has been firmly established by outline planning permission reference P/1383/13. Furthermore, the bulk, scale and siting of buildings heights in relation to common boundaries has also been agreed under the Outline Planning Permission.

The following points have been summarised from objections received directly by the Local Planning Authority.

- Traffic Congestion

*Considered under section 6 of this appraisal*

- Development would de-value adjoining residential properties.

*Property prices are not a material planning consideration.*

- Loss of privacy to No. 56 Whitefriars Avenue

*Considered under section 4 of this appraisal*

- Impact on schools, GP's, hospitals and other services.

*The fees collected by the Community Infrastructure Levy that this case is required to contribute, will be used to provide an increase in infrastructure as required by the development.*

### **CONCLUSION**

The principle of providing 189 residential units on the application site has been firmly established by outline planning permission reference P/1383/13. Details of site layout, the scale of buildings and site access were approved as part of this outline planning permission. Only details relating to landscaping, external appearance of the buildings and design of the buildings ("Reserved Matters") are now before the Local Planning Authority for consideration. In addition to this, the applicant has submitted details relating to boundary treatment, levels, environmental enhancement scheme and cycle parking for consideration. Matters relating to impacts on the local highway network, parking, local amenities, the height of the buildings, the density of the development, the loss of sports grounds and impacts on the flood zone were previously assessed and these were considered to be acceptable. These matters cannot be assessed again as part of the current application.



It is considered that the proposed buildings 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. The proposal would provide appropriate living conditions for the future occupiers of the development. In addition to this, the details submitted in relation to landscaping, boundary treatment, levels, the environmental enhancement scheme and cycle parking are considered to be acceptable.

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.

## **CONDITIONS**

1 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.

The development hereby permitted shall be carried out in accordance with the following approved plans: 464-PL-201 (REV B), 12445\_M\_05\_00 (REV D4), 12445\_M\_05\_01 (REV D5), 12445\_M\_05\_02 (REV D5), 12445\_M\_05\_03 (REV D2), 12445\_M\_05\_04 (REV D2), 12445\_M\_05\_06 (REV D4), 12445\_PA\_15\_00 (REV D4), 12445\_PA\_15\_01 (REV D4), 12445\_PA\_15\_02 (REV D4), 12445\_PA\_15\_03 (REV D4), 12445\_PA\_15\_04 (REV D4), 12445\_PA\_15\_05 (REV D4), 12445\_PA\_15\_06 (REV D2), 12445\_PB\_15\_00 (REV D4), 12445\_PB\_15\_01 (REV D3), 12445\_PB\_15\_02 (REV D3), 12445\_PB\_15\_03 (REV D3), 12445\_PB\_15\_04 (REV D3), 12445\_PB\_15\_05 (REV D3), 12445\_PB\_15\_06 (REV D2), 12445\_PC\_15\_00 (REV D4), 12445\_PC\_15\_01 (REV D4), 12445\_PC\_15\_02 (REV D4), 12445\_PC\_15\_03 (REV D4), 12445\_PC\_15\_04 (REV D4), 12445\_PC\_15\_05 (REV D4), 12445\_PC\_15\_06 (REV D2), 12445\_PD\_15\_00 (REV D5), 12445\_PD\_15\_01 (REV D5), 12445\_PD\_15\_02 (REV D5), 12445\_PD\_15\_03 (REV D5), 12445\_PD\_15\_04 (REV D5), 12445\_PD\_15\_05 (REV D3), 12445\_PF\_15\_00 (REV D3), 12445\_PF\_15\_01 (REV D3), 12445\_PF\_15\_02 (REV D3), 12445\_PA\_20\_00 (REV D3), 12445\_PB\_20\_00 (REV D3), 12445\_PC\_20\_00 (REV D3), 12445\_PD\_20\_00 (REV D3), 12445\_M\_30\_08 (REV D2), 12445\_M\_30\_09 (REV D3), 12445\_M\_30\_10 (REV D3), 12445\_M\_30\_11 (REV D3), 12445\_M\_30\_12 (REV D4), 12445\_M\_30\_13 (REV D4), 12445\_M\_30\_14 (REV D2), 12445\_M\_30\_15 (REV D3), 12445\_PF\_30\_01 (REV D3), 12445\_PF\_30\_02 (REV D3), 12445\_50\_02 (REV D5), 12445\_50\_03 (REV D4), 12445\_50\_07 (REV D1), 12445\_HC\_60\_00 (REV D3), 12445\_HU\_60\_00 (REV D3), 12445\_HV\_60\_00 (REV D3), 12445\_HZ\_60\_00 (REV D3), 12445\_HZ\_60\_01 (REV D3), 12445\_HZ\_60\_02 (REV D3), 12445\_PA\_60\_01 (REV D4), 12445\_PA\_60\_02 (REV D4), 12445\_PA\_60\_03 (REV D3), 12445\_PA\_60\_04 (REV D3), 12445\_PA\_60\_05 (REV D3), 12445\_PA\_60\_06 (REV D3), 12445\_PA\_60\_07 (REV D1), 12445\_PB\_60\_01 (REV D4), 12445\_PB\_60\_02 (REV D4), 12445\_PB\_60\_03 (REV D3), 12445\_PB\_60\_04 (REV D3), 12445\_PB\_60\_05 (REV D3), 12445\_PB\_60\_06 (REV D3), 12445\_PB\_60\_07 (REV D3), 12445\_PB\_60\_08 (REV D3), 12445\_PB\_60\_09 (REV D3), 12445\_PB\_60\_10 (REV D3), 12445\_PB\_60\_11 (REV D3), 12445\_PB\_60\_12 (REV D3), 12445\_PB\_60\_13 (REV D3), 12445\_PB\_60\_14 (REV D3), 12445\_PB\_60\_15 (REV D3), 12445\_PB\_60\_16 (REV D3), 12445\_PB\_60\_17 (REV D3), 12445\_PB\_60\_18 (REV D3), 12445\_PB\_60\_20 (REV D4), 12445\_PB\_60\_21 (REV D1), 12445\_PB\_60\_22 (REV D1), 12445\_PC\_60\_01 (REV D4), 12445\_PC\_60\_02 (REV D4), 12445\_PC\_60\_03 (REV D3), 12445\_PC\_60\_04 (REV D3), 12445\_PC\_60\_05 (REV D4), 12445\_PC\_60\_06 (REV D4), 12445\_PC\_60\_07 (REV D4), 12445\_PC\_60\_08 (REV D3),

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

2 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above ground floor damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

- a: External appearance of the each Plot A, B, C, D, and E.
- b: refuse storage areas

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

3 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 buildings hereby approved.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

4 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, in accordance with policies 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

5 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence 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. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policy 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

6 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all communal landscape areas other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

7 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, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

8 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site. Please note: guidance on permeable paving has now been published by the Environment Agency

on <http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

9 Prior to the construction of any dwellings hereby permitted, 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. Such a management/maintenance document shall fall with a 'Owners Manual' to provide greater long term functionality and should include (but not limited to):

- Location of all SuDS techniques on site
- Summary of how they work and how they can be damaged
- Maintenance requirements (a maintenance plan) and a maintenance record  
This will be determined by the type of SuDS but should include Inspection frequency; debris removal; vegetation management; sediment management; structural rehabilitation / repair; infiltration surface reconditioning
- Explanation of the consequences of not carrying out the specified maintenance
- Identification of areas where certain activities which might impact on the SuDS are

prohibited

- An action plan for dealing with accidental spillages
- Advice on what to do if alterations are to be made to a development if service companies undertake excavations or other works which might affect the SuDS

The manual should also include brief details of the design concepts and criteria for the SuDS scheme and how the owner or operator must ensure that any works undertaken on a development do not compromise this.

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 the recommendations of Core Strategy (2012) policy CS1, the NPPF and policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013).

10 The 189 residential units in this development, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter retained to those standards.

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with policies 3.8 and 7.2 of The London Plan 2011, policy DM1 of the Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document: Accessible Homes (2010).

#### **INFORMATIVES:**

1 The following policies and guidance are relevant to this decision:

#### **National Planning Policy and Guidance:**

National Planning Policy Framework (2012)

#### **The London Plan (2011):**

2.7 Outer London: Economy

2.13 Opportunity Areas and Intensification Areas

2.18 Green Infrastructure: The Network of Open and Green Spaces

3.1 Ensuring Equal Life Chances for All

3.2 Improving Health and Addressing Health Inequalities

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

3.6 Children and Young People's Play and Informal Recreation Facilities

3.7 Large Residential Developments

3.8 Housing Choice

3.9 Mixed and Balanced Communities

3.11 Affordable Housing Targets

3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

3.13 Affordable Housing Thresholds

3.16 Protection and Enhancement of Social Infrastructure

3.17 Health and Social Care Facilities

3.18 Education Facilities

3.19 Sports Facilities

4.6 Support for and Enhancement of Arts, Culture, Sport and Entertainment Provision

5.2 Minimising Carbon Dioxide Emissions

5.3 Sustainable Design and Construction

5.6 Decentralised Energy in Development Proposals  
5.7 Renewable Energy  
5.9 Overheating and Cooling  
5.10 Urban Greening  
5.11 Green Roofs and Development Site Environs  
5.12 Flood Risk Management  
5.13 Sustainable Drainage  
5.15 Water Use and Supplies  
5.21 Contaminated Land  
6.3 Assessing Effects of Development on Transport Capacity  
6.9 Cycling  
6.10 Walking  
6.12 Road Network Capacity  
6.13 Parking  
7.1 Building London's Neighbourhoods and Communities  
7.2 An Inclusive Environment  
7.3 Designing Out Crime  
7.4 Local Character  
7.5 Public Realm  
7.6 Architecture  
7.8 Heritage Assets and Archaeology  
7.13 Safety, Security and Resilience to Emergency

### **Local Development Framework**

#### Harrow Core Strategy 2012

CS1 Overarching Policy

CS2 Harrow and Wealdstone

#### Harrow and Wealdstone Area Action Plan 2013

AAP3 Wealdstone

AAP4 Achieving a High Standard of Development throughout the Heart of Harrow

AAP5 Density and Use of Development

AAP6 Development Height

AAP7 Creating a New Public Realm

AAP9 Flood Risk and Sustainable Drainage

AAP10 Harrow & Wealdstone District Energy Network

AAP13 Housing within the Heart of Harrow

AAP15 Supporting the Business Sector in Wealdstone

AAP19 Transport, Parking and Access within the Heart of Harrow

AAP20 Harrow and Wealdstone Green Travel Plan

AAP22 Supporting Site Assembly within the Heart of Harrow

#### Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

DM2 Achieving Lifetime Neighbourhoods

DM7 Heritage Assets

DM12 Sustainable Design and Layout

DM15 Prevention and Remediation of Contaminated Land

DM20 Protection of Biodiversity and Access to Nature

DM22 Trees and Landscaping

DM45 Waste Management

## **Supplementary Planning Documents**

Supplementary Planning Document: Sustainable Building Design 2009

Supplementary Planning Document: Access For All 2006

Supplementary Planning Document: Accessible Homes 2010

Supplementary Planning Document: Residential Design Guide 2010

2 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 Mayor CIL**

Please be advised that approval of this application by Harrow Council will attract a liability payment £476, 805 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £612,389.40 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 17,496.84m<sup>2</sup>

You are advised to visit the [planningportal](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

### **4 Harrow CIL**

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

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 Harrow CIL Liability for this development is: £1,924,652.40

### **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](mailto: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.

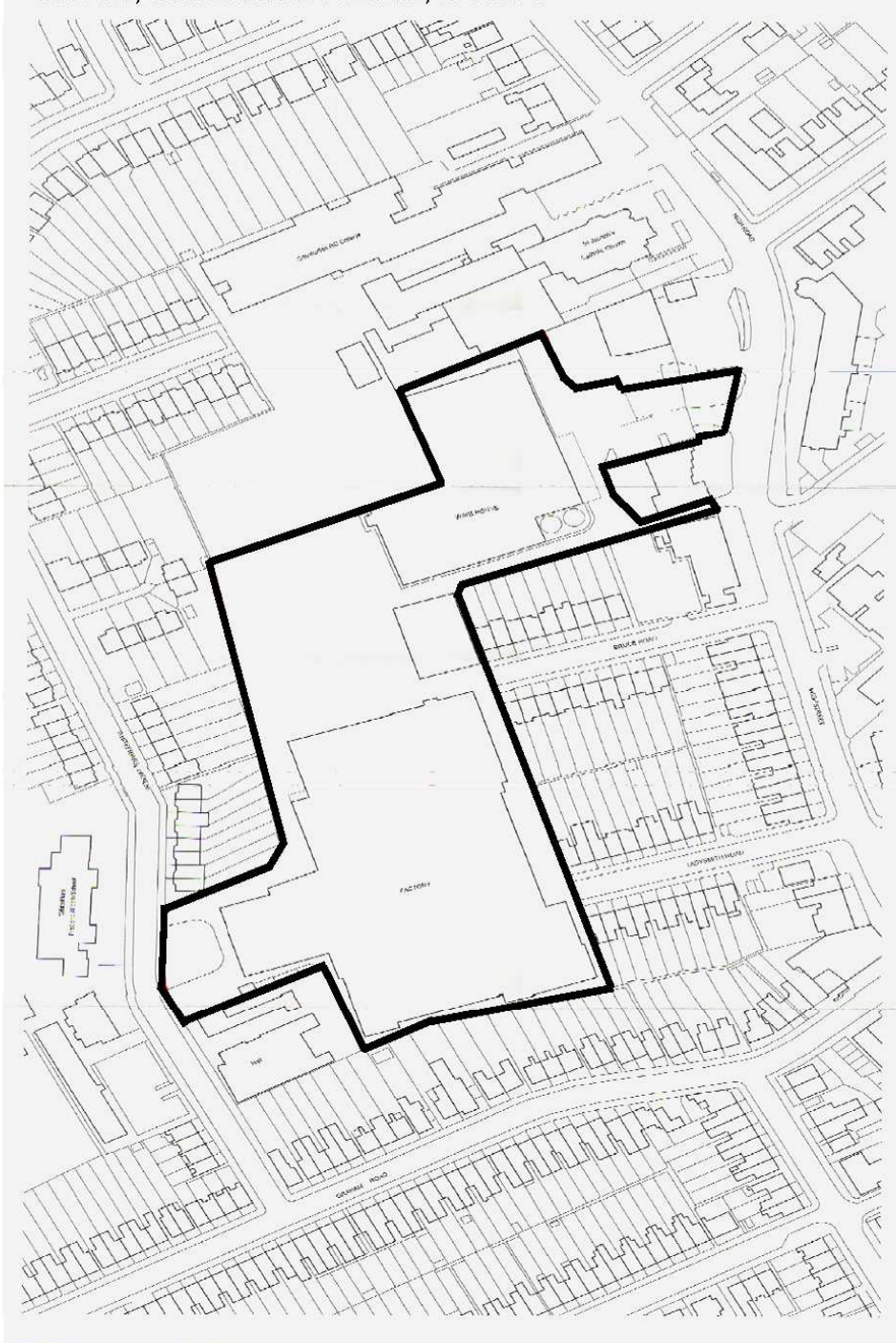
8 The applicant is advised that notwithstanding the discharge of Condition 24 of the Outline Planning Permission (P/1383/13), Condition 25 is still outstanding and requires discharging.

Plan Nos: 464-PL-201 (REV B), 12445\_M\_05\_00 (REV D4), 12445\_M\_05\_01 (REV D5), 12445\_M\_05\_02 (REV D5), 12445\_M\_05\_03 (REV D2), 12445\_M\_05\_04 (REV D2), 12445\_M\_05\_06 (REV D4), 12445\_PA\_15\_00 (REV D4), 12445\_PA\_15\_01 (REV D4), 12445\_PA\_15\_02 (REV D4), 12445\_PA\_15\_03 (REV D4), 12445\_PA\_15\_04 (REV D4), 12445\_PA\_15\_05 (REV D4), 12445\_PA\_15\_06 (REV D2), 12445\_PB\_15\_00 (REV D4), 12445\_PB\_15\_01 (REV D3), 12445\_PB\_15\_02 (REV D3), 12445\_PB\_15\_03 (REV D3), 12445\_PB\_15\_04 (REV D3), 12445\_PB\_15\_05 (REV D3), 12445\_PB\_15\_06 (REV D2), 12445\_PC\_15\_00 (REV D4), 12445\_PC\_15\_01 (REV D4), 12445\_PC\_15\_02 (REV D4), 12445\_PC\_15\_03 (REV D4), 12445\_PC\_15\_04 (REV D4), 12445\_PC\_15\_05 (REV D4), 12445\_PC\_15\_06 (REV D2), 12445\_PD\_15\_00 (REV D5), 12445\_PD\_15\_01 (REV D5), 12445\_PD\_15\_02 (REV D5), 12445\_PD\_15\_03 (REV D5), 12445\_PD\_15\_04 (REV D5), 12445\_PD\_15\_05 (REV D3), 12445\_PF\_15\_00 (REV D3), 12445\_PF\_15\_01 (REV D3), 12445\_PF\_15\_02 (REV D3), 12445\_PA\_20\_00 (REV D3), 12445\_PB\_20\_00 (REV D3), 12445\_PC\_20\_00 (REV D3), 12445\_PD\_20\_00 (REV D3), 12445\_M\_30\_08 (REV D2), 12445\_M\_30\_09 (REV D3), 12445\_M\_30\_10 (REV D3), 12445\_M\_30\_11 (REV D3), 12445\_M\_30\_12 (REV D4), 12445\_M\_30\_13 (REV D4), 12445\_M\_30\_14 (REV D2), 12445\_M\_30\_15 (REV D3), 12445\_PF\_30\_01 (REV D3), 12445\_PF\_30\_02 (REV

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# COLART, WHITEFRIARS AVENUE, HARROW



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## SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item No. 2/01

Address: WEST END LAWN TENNIS CLUB, CUCKOO HILL ROAD, PINNER

Reference: P/1425/13

Description: INSTALLATION OF NEW 5 METRE HIGH FLOODLIGHT COLUMN WITH 2 X LUMINARIES TO COURT 6; NEW LUMINARIES TO EXISTING 5 METRE COLUMN BETWEEN COURT 5 & 6 (UPDATED LIGHTING INFORMATION RECEIVED)

Ward: PINNER SOUTH

Applicant: ROGER HILL-CHAIRMAN

Agent: IONIC DEVELOPMENT CONSULTANCY LTD

Case Officer: SARAH MACAVOY

Expiry Date: 15/07/2013

### RECOMMENDATION

The decision to **GRANT** permission for the erection of a new 5 metre high floodlight column with two luminaries to court 6 and new luminaries to existing 5 metre column between court 5 and 6 has been taken having regard to all relevant material considerations including the potential for disturbance by way of light spill, noise and disturbance from the proposed lights and for other matters including any comments received in response to publicity and consultation, All matters have been considered with regard to the policies and proposals in the London Plan, the Harrow Core Strategy (2012) and the Harrow Development Management Policies Local Plan (2013) Plan.

### INFORMATION

The application is reported to the Planning Committee due to the significant level of public interest in the application. The application therefore falls outside of category E of the Scheme of Delegation dated 29<sup>th</sup> May 2013. This application was deferred from the Planning Committee in October 2013 to permit the submission of further information regarding cumulative impacts of the proposed lighting. The report has been updated to take this additional info into account.

**Statutory Return Type:** Minor Other

**Council Interest:** None

**Net additional Floorspace:** N/A

**GLA Community Infrastructure Levy (CIL) Contribution (provisional):** N/A

**Harrow CIL:** N/A

### Site Description

- The West End Tennis Club is located on the northern side of Cuckoo Hill Road and

consists of 6 courts and a clubhouse with a parking area at the front.

- There are existing 5m and 6m floodlighting columns which provide lighting to courts 1, 2, 4 and 5.
- The site is surrounded by a 4m high netting fence supported by metal poles.
- The area is generally residential, characterised by large houses with extensive well established gardens.
- The site is bounded by residential dwellings as follows: 18 Cuckoo Hill Road to west; 2 Northfield Avenue to north; Nos. 9 and 11 Hillcrest Avenue, 11 Cuckoo Hill Road and Northfield Avenue itself to east.

### **Proposal Details**

- The application proposes 1 new 5m high floodlighting column with 2 luminaries facing in the direction of court number 6 adjacent to the boundary with number 18 Cuckoo Hill Road.
- Two new luminaries on the existing 5m high column positioned between court 5 and court 6 are proposed which would be directed towards court 6.
- The lighting would be used Monday to Sunday between the hours of 0830 and 2130.

### **Revisions to Previous Application**

- N/A

### **Relevant History**

West/923/00/ful - Provision of 9 six metre high floodlighting columns to courts 1 and 2 anti, glare screening and landscaping (revised)

Refused - 06-apr-01

Allowed at Appeal

P/2946/07/cfu - Installation of 9 floodlighting columns to courts 4 & 5 at northern end of site.

Refused - 02-nov-07

Dismissed at Appeal

#### **Reason for Refusal:**

1) The proposed floodlighting columns by reason of their excessive height, appearance and number would have an over dominant and visually intrusive effect on the residential amenity of neighbouring houses, contrary to harrow unitary development plan policy d23.

P/3872/08 - install of 8 floodlighting columns to courts 4 & 5 at northern end of site

Refused - 26-feb-09

Dismissed at Appeal

#### **Reasons for Refusal:**

1) The proposed floodlighting columns by reason of their excessive height, appearance and number would be visually obtrusive in the streetscene and harmful to the appearance and residential character of the area, contrary to harrow unitary development plan policy d4.

2) The proposed floodlighting columns by reason of their excessive height, appearance and number would have an over dominant and visually intrusive effect on the residential amenity of neighbouring houses, contrary to harrow unitary development plan policy d23.

P/1283/10 - provision of three x 5 metre floodlighting columns to courts 4 and 5 (revised)

Granted – 22/9/2010

## Pre-Application Discussion

- N/A

## Applicant Submission Documents

- The additional lighting would permit court 6 to be used for playing tennis to the same standard provided to courts 4 and 5. It would supplement the existing main provision and would enable tennis to be developed further.
- The curfew time would remain at 9.30 for the lights to be switched off.
- The technical aspects of the proposal have been validated by CU Phosco Lighting Ltd to demonstrate that there are no appreciable adverse implications on the properties surrounding the club or the surrounding area thereby complying with the Council's policies.

## Consultations

**Environmental Health Officer:** The applicant has now supplied sufficient data that highlights any potential lighting issues and sufficient mitigating measures to counter effects. In light of this EP have no further concerns on this application as long as the installation is installed as designed. No objection.

**Biodiversity Officer:** The survey is recent (May 2013) and indicates that there is no suitable bat roosting habitat on site although the odd specimen of light tolerant species (pipestrelles) occasionally flit about the site. Nearest suitable bat habitat is identified as River Pinn corridor to the south although this is actually considerably closer than 150m stated. Nevertheless, any bat populations present there are unlikely to be significantly adversely impacted on because of buildings, gardens and a road between the tennis club and river corridor. Therefore I have no objections on the grounds of biodiversity.

**Lighting Engineer:** I have reviewed the latest information, including available drawings from CU Phosco and supporting statements from both Alan Tulla Lighting dated 10/02/2014 and BRE dated 19/03/2014.

I do agree that there are some inconsistencies between the actual Environmental Zone, E2 or E3 detailed and the results which have been obtained.

For reference, The Institution of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light", Document GN01:2011 indicates:-

Environmental Zone E2, Rural, Low District Brightness, Examples: Village or relatively dark outer suburban locations.

Lighting Intrusion (vertical illuminance) 5 Lux Pre-curfew

Luminaire Intensity 7,500 Candelas Pre-curfew

Environmental Zone E3, Suburban, Medium District Brightness, Examples: Small town centres or suburban locations.

Lighting Intrusion (vertical illuminance) 10 Lux Pre-curfew

Luminaire Intensity 10,000 Candelas Pre-curfew

Actual vertical illuminance measurements undertaken onsite, including additional calculated contribution from Court 6 indicate that in the worst case scenario at property 2 Northfield Avenue (Window W1) that the cumulative total is within the more onerous Zone E2 parameters at 3.7 Lux

The luminaire intensity in the worst case scenario at property 18 Cuckoo Hill Road has been indicated at 872 candelas, which is also within the more onerous Zone E2 parameters.

There is an indicated overspill of 50 Lux directly behind the column, which is proposed adjacent to the garden of 18 Cuckoo Hill Road.

Although this level reduces quite sharply, consideration could be given to further reducing this by the use of additional baffles, louvers or screening.

The developer should also provide final sign off that the scheme has been installed to the proposed design (e.g. luminaire set up/aiming angles) and a post on site measurement would confirm compliance.

I trust that this information is sufficient for your enquiry.

#### **Advertisement**

N/A

#### **1<sup>st</sup> Notification**

Sent: 38

Replies: 7

Expiry: 29-Jun-2013

#### **2<sup>nd</sup> Notification (due to receipt of new lighting information)**

Sent: 38

Replies: 1

Expiry: 29-Aug-2013

#### **3<sup>rd</sup> Notification (due to receipt of new lighting information)**

Sent: 38

Replies: 2

Expiry: 20-Mar-2014

#### **Addresses Consulted:**

2,4,6,12 and Denholm Lodge Northfield Ave

1,2,10 Crest View

1,2,3,4,5,6,7,8,9,11,15,17,18,19,20,21,22,23,24,25,26,27 Cuckoo Hill Road

3,4,5,6,9,10,11 Hillcrest Avenue

#### **Summary of Responses**

##### **In Objection:**

- This application is not adequate for residents to come to a decision. We are well

aware that the courts are fully floodlit at present and no clear reason is given for the need for extra lighting. Any further obtrusive spillage of light into neighbouring gardens is therefore unnecessary.

- This is yet another application for lighting which we believe had been satisfactorily met 6 years ago. Drip feeding applications wears down neighbours' patience. The tennis club should accept the current status of the courts.
- The courts are often not in use or are underutilised in peak times (weekends and school holidays).
- The argument that increased illumination will increase usage does not hold.
- The arguments relating to wider usage by ethnic minorities are not correct and are an attempt at political correctness.
- At a time when the quality of the visibility of the night sky is being questioned it would be against the general trend to allow further sky shine by reflection from the surface of the tennis club.
- Court 6 is adjacent to neighbour at number 2 Northfield Avenue's child's bedroom. Resulting in light being visible and shining into the bedroom as well as causing noise from play.
- The new floodlighting column and luminaries will be visible and unsightly.
- The new column will be on a neighbouring boundary. This may set a precedent. No other tennis club in Harrow have floodlights erected on a neighbouring boundary.
- Tennis is primarily a summer sport. Neighbour believes that they should be allowed some peace with less tennis being played in the winter months. Climate is not conducive to tennis being a winter sport.
- There is only one junior night a week. The club's main reason for seeking floodlighting seems to be to develop junior tennis.
- During the winter children will be laying football, rugby and lacrosse rather than tennis.
- The private members club does not provide a community facility,
- The club already has 4 floodlit courts, enough to accommodate at least 80 children.
- The additional floodlights will result in an over intensification of use.
- The floodlights are regularly left on until 9.30pm even if everyone has stopped playing.
- Neighbour was led to believe that once courts 4 and 5 were given permission, they would not seek to floodlight further courts as they knew that they would have difficulty in getting permission for floodlighting for court 6 due to the close proximity to number 18 Cuckoo Hill Road.
- The floodlighting percentage of 67% compares favourably with other tennis clubs in the area.
- The new lighting column will be adjacent to the boundary with number 18 Cuckoo Hill Road and will form a strong visual intrusion from the house and garden of number 18.
- The use of Court 6 illuminate will create a situation similar to that found unacceptable by the inspector in the last appeal in the position of lighting columns immediately adjacent to the boundary of a residential property.
- The lighting of Court 6 will enable an increase in activity adjacent to the garden of number 18 Cuckoo Hill Road for the length of the Court and there will undoubtedly be an increase in noise and disturbance.
- Just as the previous inspector concluded that the installation of lights that were then proposed would be close to the boundary with number 2 Northfield Avenue, be visible and have an overbearing impact on the visual amenities of number 2. There would be a similar adverse impact on number 18 Cuckoo Hill Road as a result of the proposal.
- The tennis use has to be a balance and the proposal pushes the level of activity to an

unacceptable degree.

- The proposed floodlighting would material affect the use of number 18 Cuckoo Hill Road's use of their garden for pleasant summer evenings. This would be unacceptable.
- Court 3 remains unlit and so should court number 6.
- The proposed floodlighting column would only be 1m from the boundary with number 18 Cuckoo Hill Road. The trees along the boundary are deciduous. Neighbour is concerned about the height of the boundary trees and is considering considerably lopping them or even cutting them down. This would further increase neighbours awareness of the columns and the lighting.
- The luminaries on the existing column would be visible and would appear unsightly from every room to the rear of number 18 Cuckoo Hill Road.
- There is currently a sufficient level of light spillage from court 5 to court 6. Neighbours are concerned that a similar amount of light will spill into their garden and will illuminate a large part of their garden.
- The applicant has not supplied any calculations of spill light. This is important because the proposed new floodlighting would result in additional spill light over and above that from the previous schemes granted planning permission in 2002 and 2010.
- One of the proposed floodlights would be a metre away from the garden of number 18 and would spill into the garden and the other would be aimed diagonally towards 18 Cuckoo Hill Road and towards 2 Northfield Avenue. This gives the potential for spill light which cannot be readily controlled by baffles.
- The Institution of Lighting Professionals publication 'Guidance notes for the Reduction of Obtrusive Light' (2011) requires that the cumulative effect of existing lighting as well as new lighting is included in lighting calculations.
- Number 2 Northfield Ave and 18 Cuckoo Hill Road already receive light overspill from the existing floodlights and this would only increase with the proposal.
- The proposed CU phosco FL500 luminaire is a cut off type of luminaire which when used horizontally restricts upward light. However the beam angle and mounting height mean that if the fittings were actually mounted horizontally they would not provide adequate lighting to the back of the courts, To light the back of the courts, the floodlights would need to be installed tilted away from the horizontal position giving the risk of upward light and sky glow. This would cause light overspill to number 18 and 2 Northfield Avenue,
- No details have been provided about how the floodlights would be mounted nor have they provided contours or predicted luminance on the tennis courts.
- Sodium light proposed is less favourable than white light because of its worse colour properties and association with lighting on traffic routes.
- Harrow Council announced in April 2013 that it will replace the Boroughs 15, 500 street lights with LED lighting. The difference in colour of the LED lighting will mean that the high pressure sodium lights and proposed lighting will be clearly distinguishable from the street lighting.
- Quality of lighting design.
- Is policy DM12 Sustainable Design and Layout relevant?

### **In Support:**

- No objection to the amended application and believe that this is a case where the good of the majority should overcome the objection of the minority.
- Neighbour plays at Lowlands Lawn Tennis Club and whilst there were originally many objection to the application for all 6 courts to be floodlit, neighbour doubts any neighbours now object.

- The floodlights will enable more youngsters to be able to participate in the sport. This will mean they are less likely to be obese, be healthier and less likely to be involved in crime. The benefits are good for society as a whole.
- The additional facility is much needed. The Borough needs more sporting facilities. Tennis has become more popular since the Andy Murray success.

### **Third Notification**

#### **In objection:**

- Neighbour believes that the lights to courts 1 and 2 were installed in 2002 and were fitted with 400W high pressure sodium lamps rather than 1KW metal halide floodlights installed in 2001 as stated in the lighting report.
- The lighting report refers to the site being within an E3 Environmental Zone. On all previous applications this site has been referred to as an E2 Environmental Zone. This affects the statistics given in the report.
- There will be some light spillage into neighbouring garden.
- Glare from the lighting.
- Cumulative impacts of the lighting.
- No measurements were into in the lighting report in relation to the spillage into the neighbouring garden even though these readings and measurements from the existing lights were taken on the evening of his visit.
- In the 2008 application, the applicant's lighting engineer declared that court 6 should not be lit because of the excessive light spillage into neighbours garden. The Council, in its report for the 2008 application reinforced this.
- The Council's report for the current application is subjective and opposite to that of Pearson Associates Town Planning report.
- Another site visit is required now as the deciduous trees have lost their leaves.
- The 2008 planning report by the Council stated that the poles on the boundary with the club and No. 2 Northfield was unacceptable. The impact on the neighbours at 18 Cuckoo Hill is no different to this.

#### **In Support:**

- Neighbour supports the extra facilities enabling people to use the club for longer throughout the year.

### **APPRAISAL**

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.'*

The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

In this instance, the Development Plan comprises The London Plan 2011 [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]



Revised Early Minor Alterations [REMA] to The London Plan 2011

On 11 October 2011, the Greater London Authority [GLA] published Revised Early Minor Alterations [REMA] to The London Plan 2011. From this date, the REMA are operative as formal alterations to The London Plan 2011 and therefore form part of the development plan for Harrow.

In relation to the policies of the LP which are relevant to this application, only policies 3.19 (Sports Facilities) and 7.19 (Biodiversity and Access to Nature) has been altered since the application was reported to the Planning Committee agenda on 16 October 2013. Officers consider that the content of the alterations to this policies do not materially alter the conclusions of the report on the agenda. No alterations to the conclusions in the report on the agenda in relation to sports facilities or biodiversity, the overall conclusions or the reported conditions are therefore suggested.

**MAIN CONSIDERATIONS**

Impact on Outdoor Sports facilities  
Character and Appearance of the Area  
Residential Amenity  
Biodiversity  
Equalities Statement  
S17 Crime & Disorder Act  
Consultation Responses

**Impact on Outdoor Sports Facilities**

Policy 3.19 of the London Plan states that proposals that increase or enhance the provision of sports and recreational facilities will be supported. It goes on to say that the provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the floodlighting gives rise to demonstrable harm to the local community or biodiversity.

Policy DM48 of the Development Management Policies Local Plan (2013) notes that proposals that would increase the capacity and quality of outdoor sport facilities, and those that would secure community access to private facilities, will be supported provided that:

- a. there would be no conflict with Green Belt, Metropolitan Open Land and open space policies (see NPPF paragraphs 87-89, London Plan Policies 7.16 and 7.17, and Policy DM18: *Protection of Open Space*);
- b. the proposal would not be detrimental to any heritage or biodiversity assets within or surrounding the site (see Policies DM7: *Heritage Assets*, DM20: *Protection of Biodiversity and Access to Nature* & DM21: *Enhancement of Biodiversity and Access to Nature*); and
- c. there would be no adverse impact on residential amenity (see Policy DM1) or highway safety.

B. Proposals for uses that would support outdoor sporting uses will be supported where they are:

- a. ancillary in terms of size, frequency, use and capacity; and
- b. do not displace or prejudice facilities needed for the proper functioning of the principal outdoor sports uses.
- c. Proposals for floodlighting will be supported where it would enhance sport facilities and would not be detrimental to the character of the open land, the amenity of neighbouring

occupiers nor harmful to biodiversity.

The proposal would increase the opportunities for sport on the site, in particular during the winter months. The impact of the proposal on the character of the area, neighbouring amenity and biodiversity is considered to be acceptable as set out in the report below.

Whilst the development relates to a private recreation facility, the tennis club is provided for members of the local community. It should be noted that even though fees are required to use the tennis facilities at the club, fees are also required to use Council owned public leisure facilities. Therefore the community use of the tennis club is the same in this regard. The improvement of the site would be of benefit to facilities in the local area in accordance with London Plan policy 3.19 and Development Management Policies Local Plan (2013) – Policy DM48.

### **Character of the Area**

Policy 7.4 of the London Plan (2011) requires development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 of the London Plan (2011) requires buildings to make a positive contribution to a coherent public realm, streetscape and wider cityscape.

Policy DM1 of the Development Management Policies Local Plan seeks to ensure a high standard of development.

It is noted that a number of neighbouring objections have been received in relation to the impact of the proposal on the character of the area.

The well established West End Lawn Tennis club is sited within residential area and borders residential sites on its northern and western sides. The eastern and southern side of the club primarily borders the highways.

With regard to the visual impact of the proposed column and the luminaires themselves, the site is a well established tennis court which is characterised by existing vertical columns for lighting and a four metre high boundary fence with regular metal supporting posts. Thus there is already a significant vertical component to the visual appearance of the site when viewed from the adjoining highways and from within neighbouring gardens.

There are existing 5m high floodlighting columns which provide lighting to courts 1, 2, 4 and 5. The proposed new floodlighting column would be designed to match the existing 5m high floodlight columns in terms of appearance.

With regard to the views of the site from the adjacent highways, the site is obvious in its use. It is considered that lighting columns are a feature which is expected to be related to such activities and that, whilst not an overriding factor in the consideration of the application, such furniture can be expected to be part of the visual appearance of such sites. However, it is considered that the proposed floodlighting column and luminaires would be sited well away from the boundaries with both Cuckoo Hill Road and Northfield Avenue and as such would not unduly impact on the streetscene.

The proposed floodlighting column due to its modest height, location adjacent to a fence bordering number 18 Cuckoo Hill Road and the presence of some boundary vegetation at number 18 Cuckoo Hill Road would not be unduly bulky and would be in keeping with the

recreational character of the site.

Therefore, it is considered that the proposed floodlighting column and luminaries would be in keeping with the character of the site and would have no undue impact on the character of the area in accordance with the NPPF (2012), Harrow Core Strategy (2012) CS1.B, policies 7.4.B and 7.6.B of The London Plan and the Development Management Policies Local Plan (2013) - Policy DM1.

### **Residential Amenity**

It is noted that a number of neighbouring objections have been received in relation to the impact of the proposal on neighbouring amenity. Further information since the submission of the application has been received which was requested by the Council's Environmental Health Officer. Neighbours were then re-consulted following the receipt of this new lighting information which included lighting contour plans showing levels of horizontal and vertical illuminance. No further comments were received relating to the lighting aspects of the proposal following this re-consultation.

Every planning application is considered on its merits. Most new developments introduce an increased impact on the neighbouring properties to some degree. The site is a well established Tennis Club and a higher level of disturbance and light pollution is to be expected than a residential site. The Local Planning Authority needs to assess whether in this application, the impact would be acceptable or not. Following receipt of the amended lighting information, the Council's Environmental Protection Team reviewed the information and are supportive of the application, stating that there would not be an unreasonable impact.

The proposed new floodlighting column would be located adjacent to a boundary fence shared with number 18 Cuckoo Hill Road. The tennis club is located on a ground level that is approximately 1 metre below the ground level of 18 Cuckoo Hill Road. The neighbour at number 18 Cuckoo Road has recently pruned the mature trees on the boundary with the tennis club. However, this boundary treatment still exists on the site at number 18 Cuckoo Hill Road, albeit deciduous (thus providing limited screening in the winter months). All of the above factors contribute to mitigating the impact of the new floodlighting column proposed adjacent to number 18 Cuckoo Hill Road.

The applicant has provided a technical drawing which depicts the fall of light.

It is noted that the Cu Phosco (the light unit manufacturer) website states that the units are angled at 65 degrees and are "specifically designed for areas where a high degree of control is required."

The design and access statement submitted by the applicant indicate 250 Watt Lamps. The proposed lights would match the existing lights on the site. A condition has been recommended restricting the hours of use of the floodlights between 8.30am and 9.30pm. This time limit would permit play to a time consistent with mid summer natural light and it is considered appropriate that a condition to this effect be imposed which is the same as the condition which was placed on existing floodlights on the site.

No increase in hours of operation have been applied for in the current application. The illumination of court 6 for the time proposed would not result in any greater intensity than could be accommodated at present during summer months and it is not therefore considered that the development would result in unreasonable activity, beyond that which

would be expected within such a recreation site. Therefore, there would not be additional noise and disturbance to the immediately adjacent occupiers.

There would be a minimum distance of approximately 18m from the proposed new floodlight column and new luminaries to the neighbouring dwellinghouse at number 2 Northfield Avenue which is no closer than the existing floodlights on the site and a distance of approximately 30m to the rear wall of the dwellinghouse at number 18 Cuckoo Hill Road, which has a large rear garden. These separation distances are considered to be acceptable and would sufficiently mitigate any undue impact in terms of light overspill into these neighbouring properties.

The Council's Environmental Protection Officer has not objected to the application and as such it is considered that, the application would be acceptable in terms of its impact on neighbouring amenity.

The Council's Lighting Engineer has not objected to the proposal subject to a condition being placed on the application requiring a post installation measurement of the new floodlights to ensure that they have been constructed in accordance the drawings submitted with this application. Subject to this condition, the proposal would have no undue impact on neighbouring amenity.

It is considered the proposal would not have an adverse impact on the residential amenities of adjoining occupiers in accordance with London Plan policy 7.6B and Development Management Policies Local Plan (2013) - Policy DM1 and would therefore have an acceptable impact on neighbouring amenity.

### **Biodiversity**

The Council's Biodiversity Officer has not objected to the proposal and as such it would have no unreasonable impact on biodiversity. The proposal would therefore comply with the NPPF (2012), Harrow Core Strategy (2012) policy CS1.E, London Plan (2011), policy DM20 of the Development Management Policies Local Plan (2013) and the Harrow Biodiversity Action Plan (2009).

### **S17 Crime & Disorder Act**

The proposal is not anticipated to have any impact on Crime or Disorder.

### **Consultation Responses**

#### **In Objection**

- This application is not adequate for residents to come to a decision. We are well aware that the courts are fully floodlit at present and no clear reason is given for the need for extra lighting. Any further obtrusive spillage of light into neighbouring gardens is therefore unnecessary. *The Design and Access Statement received with this application states the new floodlights are to improve the clubs' facilities. Every application is assessed on its merits. Impact on neighbouring amenity has been assessed in section 3 of the report above.*
- This is yet another application for lighting which we believe had been satisfactorily met 6 years ago. Drip feeding applications wears down neighbours' patience. The tennis club should accept the current status of the courts. *Every application is assessed on its merits.*
- The courts are often not in use or are underutilised in peak times (weekends and school holidays). *The Design and Access Statement states that the new floodlighting is intended to provide better facilities and allow more play time. It is not a material*

*planning concern that there may be some “peak” times or when the courts are underutilised.*

- The argument that increased illumination will increase usage does not hold. *Increased illumination will allow play during the evenings in the winter.*
- The arguments relating to wider usage by ethnic minorities are not correct and are an attempt at political correctness. *This is not a material planning concern.*
- At a time when the quality of the visibility of the night sky is being questioned it would be against the general trend to allow further sky shine by reflection from the surface of the tennis club. *The Council’s Environmental Protection team have not objected to this application and are satisfied in terms of overspill.*
- Court 6 is adjacent to neighbour at number 2 Northfield Avenue’s child’s bedroom. Resulting in light being visible and shining into the bedroom as well as causing noise from play. *Impact on neighbouring amenity has been addressed in section 3 above.*
- The new floodlighting column and luminaries will be visible and unsightly. *Impact on the character of the area has been addressed in section 2 above*
- The new column will be on a neighbouring boundary. This may set a precedent. No other tennis club in Harrow have floodlights erected on a neighbouring boundary. *Every application is assessed on its merits.*
- Tennis is primarily a summer sport. Neighbour believes that they should be allowed some peace with less tennis being played in the winter months. Climate is not conducive to tennis being a winter sport. *This is not a material planning concern.*
- There is only one junior night a week. The clubs main reason for seeking floodlighting seems to be to develop junior tennis. *This is one of the reasons sited in the Design and Access Statement submitted with this application as well as to improve the facilities overall. The type of tennis played is not a material planning concern.*
- During the winter, children will be playing football, rugby and lacrosse rather than tennis. *This is not a material planning concern.*
- The private members club does not provide a community facility. *This has been addressed in section 1 above.*
- The club already has 4 floodlit courts, enough to accommodate at least 80 children. *This is not a material planning concern.*
- The additional floodlights will result in an over intensification of use. The tennis use has to be a balance and the proposal pushes the level of activity to an unacceptable degree. *This is not an application for a new court, rather it is for floodlighting to allow play during the evenings, particularly in winter time. Currently, natural daylight allows the courts to be used late in the summer months without floodlighting.*
- The floodlights are regularly left on until 9.30pm even if everyone has stopped playing. *This is in compliance with the planning condition placed on the existing floodlights.*
- Neighbour was led to believe that once courts 4 and 5 were given permission, they would not seek to floodlight further courts as they knew that they would have difficulty in getting permission for floodlighting for court 6 due to the close proximity to number 18 Cuckoo Hill Road. *Every application is assessed on its merits.*
- The floodlighting percentage of 67% compares favourably with other tennis clubs in the area. *Every application is assessed on its merits.*
- The new lighting column will be adjacent to the boundary with number 18 Cuckoo Hill Road and will form a strong visual intrusion from the house and garden of number 18. *The impact of the proposal on neighbouring amenity has been assessed in section 3 of the report above.*
- The use of Court 6 illuminate will create a situation similar to that found unacceptable by the inspector in the last appeal in the position of lighting columns immediately adjacent to the boundary of a residential property. *Every application is assessed on its*

*merits. The proposed column is in a different location to the application considered by the Inspector.*

- The lighting of Court 6 will enable an increase in activity adjacent to the garden of number 18 Cuckoo Hill Road for the length of the Court and there will undoubtedly be an increase in noise and disturbance. *The impact of the proposal on neighbouring amenity has been assessed in section 3 of the report above.*
- Just as the previous inspector concluded that the installation of lights that were then proposed would be close to the boundary with number 2 Northfield Avenue, be visible and have an overbearing impact on the visual amenities of number 2. There would be a similar adverse impact on number 18 Cuckoo Hill Road as a result of the proposal. *The impact of the proposal on neighbouring amenity has been assessed in section 3 of the report above.*
- The proposed floodlighting would material affect the use of number 18 Cuckoo Hill Road's use of their garden for pleasant summer evenings. This would be unacceptable. *The impact of the proposal on neighbouring amenity has been assessed in section 3 of the report above.*
- Court 3 remains unlit and so should court number 6. *Every application is assessed on its merits.*
- The proposed floodlighting column would only be 1m from the boundary with number 18 Cuckoo Hill Road. The trees along the boundary are deciduous. Neighbour is concerned about the height of the boundary trees and is considering considerably lopping them or even cutting them down. This would further increase neighbours awareness of the columns and the lighting. *The impact of the proposal on neighbouring amenity has been assessed in section 3 of the report above.*
- The luminaries on the existing column would be visible and would appear unsightly from every room to the rear of number 18 Cuckoo Hill Road. *The impact of the proposal on neighbouring amenity has been assessed in section 3 of the report above.*
- There is currently a sufficient level of light spillage from court 5 to court 6. Neighbours are concerned that a similar amount of light will spill into their garden and will illuminate a large part of their garden. *The Council's Environmental Protection team have not objected to this application and are satisfied in terms of overspill.*
- The applicant has not supplied any calculations of spill light. This is important because the proposed new floodlighting would result in additional spill light over and above that from the previous schemes granted planning permission in 2002 and 2010. *Since the application was submitted, lighting diagrams have been provided showing spill light, neighbours were re-consulted on the application following the receipt of this new information.*
- One of the proposed floodlights would be a metre away from the garden of number 18 and would spill into the garden and the other would be aimed diagonally towards 18 Cuckoo Hill Road and towards 2 Northfield Avenue. This gives the potential for spill light which cannot be readily controlled by baffles. *The Council's Environmental Protection team have not objected to this application and are satisfied in terms of overspill.*
- The Institution of Lighting Professionals publication 'Guidance notes for the Reduction for Obtrusive Light' (2011) requires that the cumulative effect of existing lighting as well as new lighting is included in lighting calculations. *The Council's Environmental Protection team have not objected to this application and are satisfied in terms of overspill.*
- Number 2 Northfield Ave and 18 Cuckoo Hill Road already receive light overspill from the existing floodlights and this would only increase with the proposal. *The impact of the proposal on neighbouring amenity has been assessed in section 3 of the report*

above.

- The proposed CU phosco FL500 luminaire is a cut off type of luminaire which when used horizontally restricts upward light. However the beam angle and mounting height mean that if the fittings were actually mounted horizontally they would not provide adequate lighting to the back of the courts, To light the back of the courts, the floodlights would need to be installed tilted away from the horizontal position giving the risk of upward light and sky glow. This would cause light overspill to number 18 and 2 Northfield Avenue. *The Council's Environmental Protection team have not objected to this application and are satisfied in terms of overspill.*
- No details have been provided about how the floodlights would be mounted nor have they provided contours or predicted luminance on the tennis courts. *Since the application was submitted, lighting diagrams have been provided showing spill light, neighbours were re-consulted on the application following the receipt of this new information.*
- Sodium light proposed is less favourable than white light because of its worse colour properties and association with lighting on traffic routes. *The Council's Environmental Protection team have not objected to this application.*
- Harrow Council announced in April 2013 that it will replace the Boroughs 15, 500 street lights with LED lighting. The difference in colour of the LED lighting will mean that the high pressure sodium lights and proposed lighting will be clearly distinguishable from the street lighting. *This is not a material planning concern.*
- Quality of lighting design. *The impact on character of the area and neighbouring amenity has been assessed in the report above.*
- Is policy DM12 Sustainable Design and Layout relevant? *No. This policy primarily relates to new buildings*

### **Third Notification**

#### **In Objection**

- Neighbour believes that the lights to courts 1 and 2 were installed in 2002 and were fitted with 400W high pressure sodium lamps rather than 1KW metal halide floodlights installed in 2001 as stated in the lighting report – *1KW lamps have a worse impact than 400W lamps so if this is an error, the a worse situation was described in the report.*
- The lighting report refers to the site being within an E3 Environmental Zone. On all previous applications this site has been referred to as an E2 Environmental Zone – *It is considered that as this site is located in a suburban rather than a rural zone it is an E3 Environmental Zone.*
- There will be some light spillage into neighbouring garden – *As with most new development there is likely to be some impact on the neighbouring property. It is the Council's job to assess whether this impact would be reasonable or not.*
- Glare from the lighting - *The Council's Lighting Engineer and Environmental Health Officer's are satisfied with the application.*
- Cumulative impacts of the lighting – *The Council's Lighting Engineer and Environmental Health Officer's are satisfied with the application.*
- No measurements were in the lighting report in relation to the spillage into the neighbouring garden even though these readings and measurements from the existing lights were taken on the evening of his visit – *The Council's Lighting Engineer and Environmental Health Officer's are satisfied with the application.*
- In the 2008 application, the applicant's lighting engineer declared that court 6 should not be lit because of the excessive light spillage into neighbours' garden. The Council, in its report for the 2008 application reinforced this. The 2008 planning report by the

Council stated that the poles on the boundary with the club and No. 2 Northfield was unacceptable. The impact on the neighbours at 18 Cuckoo Hill is no different to this – *Every application is assessed on its merits. The location of the lights is different in the current application.*

- The Council's report for the current application is subjective and opposite to that of Pearson Associates Town Planning report – *The current application has been assessed with regard to all the available material planning considerations and comments from lighting and environmental health officers in the Council.*
- Another site visit is required now as the deciduous trees have lost their leaves – *A further site visit was done by the case officer in March 2014.*

## **CONCLUSION**

The proposal would provide use of court 6 in the winter months. It is considered that the proposal would not unduly impact on the character of the area or neighbouring amenity.

## **CONDITIONS**

1 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement dated 16 May 2013; WELTC/FLOOD/200; LS11312-1-5; LS11312-1-5A – V1.75; LS11312-1-5A-V3; LS11312-1-5A-V5; LS11312-1-5B – V1.75; LS11312-1-5B-V3; LS11312-1-5B-V5; LS11312-1-5-INT-A; Lighting Survey dated 10 February 2014

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

3 The floodlights hereby approved shall not be used before 8:30am and no later than 2130 hrs on any day for club activities and shall not be used at any other time.

REASON: In the interests of the amenities of neighbouring occupiers and the character of the area in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

4) The floodlights hereby approved shall be maintained in the approved condition and no operation of the lights will occur if any fault, breakage, or other situation should arise where light would spill outside of the areas indicated on approved plans.

REASON: In the interests of the amenities of neighbouring occupiers, the biodiversity of the area and in order to comply with the provisions of DM1 and DM20 of the Harrow Development Management Policies Local Plan (2013).

5) The floodlights hereby approved shall not be used until post installation measurements are taken on site in relation to the proposed luminaire set up/aiming angles and are submitted to, and approved in writing by the Local Planning Authority. The lighting configuration shall thereafter be retained.

REASON: To ensure that the scheme is installed according to the approved drawings to avoid any undue impact on the neighbouring properties in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

## **INFORMATIVES**

1 The following policies are relevant to this decision:-



National Planning Policy Framework (2012)

The London Plan (2011)

7.4 Local Character

7.6 Architecture

Revised Early Minor Alterations to The London Plan 2013: 3.19 and 7.19

Harrow Core Strategy (2012)

Core Policies CS1.B/E

Core Policy CS5

Harrow Development Management Policies Local Plan (2013)

DM1 – Achieving a High Standard of Design and Layout

DM20 - Protection of Biodiversity and Access to Nature

DM48 – Enhancing Outdoor Sport Facilities

The Harrow Biodiversity Action Plan (2009)

## 2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

## 4. INFORMATIVE:

**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.

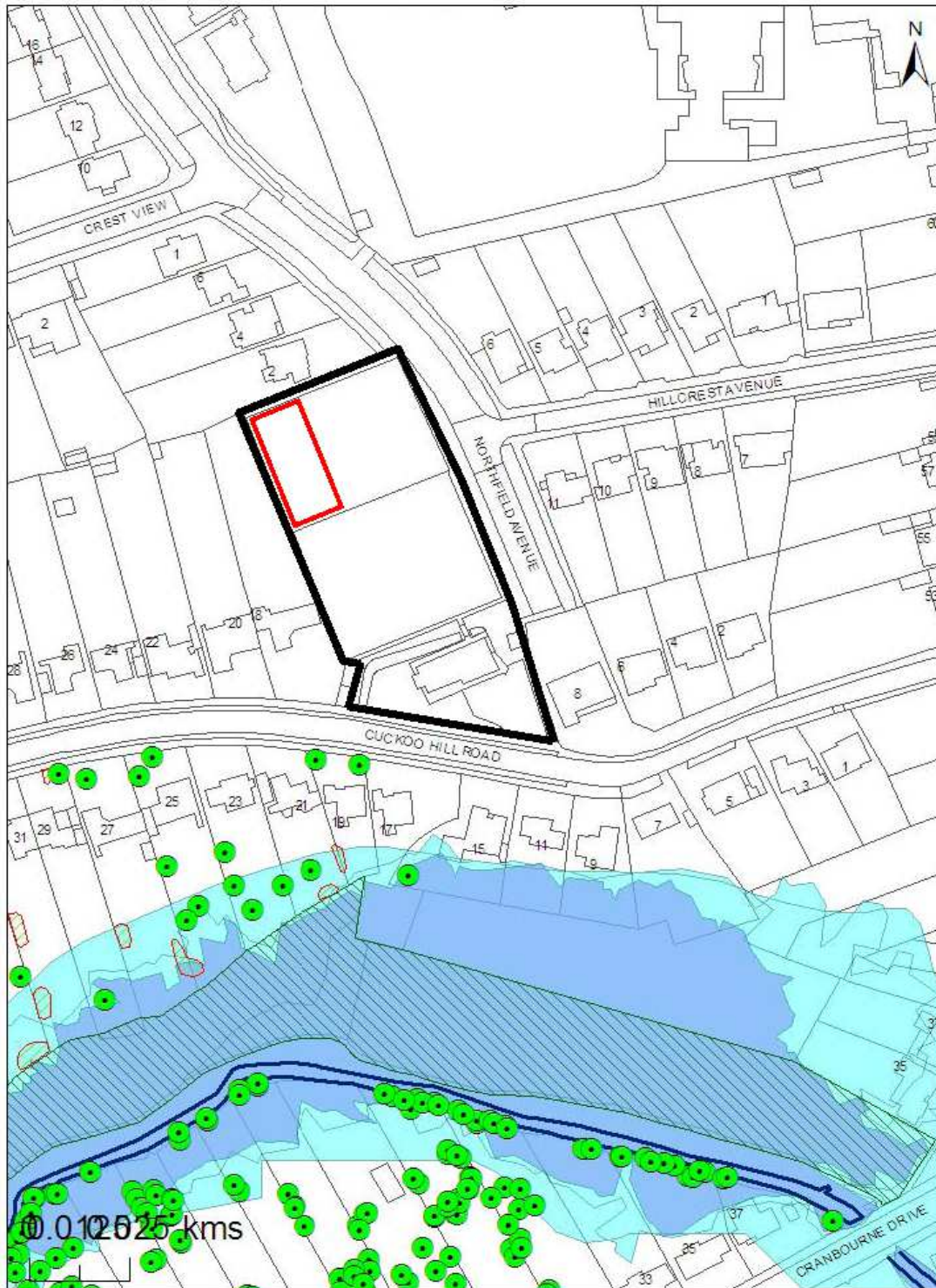
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- 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.

Plan Nos: Design and Access Statement dated 16 May 2013; WELTC/FLOOD/200; LS11312-1-5; LS11312-1-5A – V1.75; LS11312-1-5A-V3; LS11312-1-5A-V5; LS11312-1-5B – V1.75; LS11312-1-5B-V3; LS11312-1-5B-V5; LS11312-1-5-INT-A; Lighting Survey dated 10 February 2014

# TENNIS CLUB, CUCKOO HILL ROAD, PINNER



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## Appeal Decision

Site visit made on 15 January 2002

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Transport  
Local Government and the Regions

The Planning Inspectorate  
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Date:  
23 JAN 2002

APPEAL  
2576  
ALLOWED

**Appeal Ref: APP/M5450/A/01/1074774**

**West End Lawn Tennis Club (Pinner) Ltd, Cuckoo Hill Road, Pinner, Middlesex.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by West End Lawn Tennis Club (Pinner) Ltd against the decision of London Borough of Harrow.
- The application (Ref. WEST/923/00/FUL), dated 19 October 2000, was refused by notice dated 6 April 2001.
- The development proposed is the erection of nine floodlighting columns to court Nos 1 and 2.

**Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.**

### Procedural Matters

1. Prior to the determination of the application by the Council the appellant amended the proposed scheme by way of letters dated 22 November 2000, 12 March 2001 and 20 March 2001. Additional drawings Nos WELTC/FLO/01B (dated October 2000) and WELTC/FLO/03 (dated March 2001) were also considered by the Council. These letters and drawings include the use of eight triangular profile lanterns/courts (with 400 watt high pressure sodium lamps), the attachment of woven mesh shading along sections of the existing fencing to parts of courts Nos 1, 4 and 5, additional tree planting adjacent to Cuckoo Hill Road and Northfield Avenue and graphical tables of light over spill. I have taken these details into account in determining the appeal.
2. At the site inspection I informed the parties present that I had undertaken an unaccompanied inspection of the surrounding area during the hours of darkness.

### Main Issues

3. I consider that this appeal raises two main issues:
  - (a) The effect of the proposed development upon the character and appearance of the area;
  - (b) The effect of the proposed development upon the living conditions of neighbouring residents.

### Planning Policy

4. The development plan includes the Harrow Unitary Development Plan, which was adopted in 1994. Policy E46 requires a high standard of design for new development, with consideration given to community impact, visual appearance and the discouragement of crime. Policy E51 provides that noise levels will be considered when determining applications. Under policy R1 support is given to the preservation and improvement of land

for sporting activities and policy R2 encourages the provision of sports subject to a number of criteria. These include acceptability on the local road network and environment with regard given to external appearance, siting, amenity and nature conservation interests. Policy R9 aims to secure the further provision of outdoor sports facilities, which are limited in supply, by encouraging private recreational schemes.

5. In 2001 the Council published the Replacement Harrow Unitary Development Plan 1<sup>st</sup> Deposit Draft. Policies SD1 and D4 are similar to adopted policy E46. Policy SD1 also requires development to make a positive contribution to the quality of the built environment and to enhance the character and appearance of the Borough. Policy D25 identifies a number of criteria for assessing proposals for floodlighting. These include the effect on the character and amenity of the surrounding area, the impact of sky glow, glare and light trespass and any disturbance arising from such use. Policy R4 is similar to adopted policy R9. I have not been informed of the outcome of the public consultation on these emerging policies, and at this stage in the preparation of the plan I consider that the policies are of limited weight in determining this appeal.
6. In 1996 the Council published supplementary planning guidance relating to light pollution. This is based on the 'Guidance Notes for the Reduction of Light Pollution' published by the Institution of Lighting Engineers. I have not been informed of the extent of public consultation in respect of this supplementary planning guidance and I consider that it is of limited weight in determining this appeal.

#### **Reasons**

##### ***Character and Appearance***

7. The appeal site lies within a residential area. It includes six all weather tennis courts on a split-level site with a clubhouse and car park. There is tall, dark green fencing around the courts and some boundary vegetation, including planting/fencing within the gardens of neighbouring dwellings. From adjacent roads and dwellings there are views into and across the site. Along parts of these highways there are various parking restrictions and different types of streetlighting.
8. In my opinion the proposed floodlighting columns and woven mesh shading would be apparent from neighbouring properties and highways. The development would also result in a concentration of light output on part of the site when the lights were in use. This would obviously be more apparent during the hours of darkness and would extend the hours of sporting activity on the site especially during the winter period.
9. I consider however that the floodlights and shading would be well related to the tennis courts and would appear as ancillary features to this established sporting facility. The triangular profile of the lighting units and slender columns on which they would be mounted would not be dissimilar to some of the streetlighting in the neighbouring roads. Unlike the previous appeal drawn to my attention for the felling of a 12 metre high tree in the front garden of 19 Cuckoo Hill Road (LRP25/M5450/05), the floodlights would be set well back from this street. In my opinion they would not harm the character or appearance of the area and would accord with the provisions of adopted policy E46. The strengthened planting would also make a positive contribution to the appearance of the area and accord with emerging policy SD1.

10. The appellant's suggestion of switching the lights off at 21:30 hours would bring winter use of the site in line with summer activity and in my opinion would not harm the overall character of the area. This extension of use would also accord with the Council's adopted and emerging policies that support and encourage sporting activity as well as the Government's objective of promoting sport and recreation as set out in Planning Policy Guidance Note 17 entitled 'Sport and Recreation' (PPG17).
11. The Council and a number of residents consider that the proposed floodlighting would create an extensive area of illumination and contend that the proposal is very similar to a previous appeal that was dismissed by another Inspector in 1994 (Ref. T/APP/M5450/A/94/234600/P4).
12. I note from the technical information supplied by the appellant that the type of lamp fitting proposed (Philips M/SNF 210) would enable all light distribution to be below the horizontal plane. Furthermore such fittings would permit low-glare asymmetric beams as recommended in the 'Guidance Notes For The Reduction of Light Pollution' published by The Institution of Lighting Engineers. Whilst some light would fall outside the area of the tennis courts I consider that the calculations supplied by the lighting manufacturer show that the use of 400 watt high pressure sodium lamps would limit the extent of surface illuminance and indirect light coming off the courts. The appellant's Lighting Consultant has also advised that using 400 watt lamps instead of 1000 watt lamps would reduce the lighting levels significantly and provide considerable sky glow reductions.
13. The light from the proposed lamps would also be similar in colour to the glow generated from streetlights in the adjacent highways when in use. The proposed shading on various sections of the fencing around the site would also in my opinion reduce the passage of light from the site when the floodlights were in use. In my judgement therefore light generated by the proposed development would not result in demonstrable harm to the character or appearance of the area and would accord with the provisions of emerging policy D25 relating to character, glare and sky glow. I also note that the Council's Lighting Engineer raised no objections to the application.
14. The previous scheme that was dismissed on appeal in 1994 related to courts Nos 1 and 2 and proposed the use of nine 6 metre high floodlight columns. From the representations made to me it is evident that different light fittings and lamps were proposed at that time, although it is unclear as to how many and precisely what number and type of lamp fittings/watts were intended (the Council's statement refers to 12000 watt lamps). However, I understand that the unit of illumination per square metre of the courts would have been considerably greater under the 1994 scheme and the lights would have been switched off at 2200 hours. Whilst I consider that there are some similarities with the proposal before me, in my opinion the type of light fittings, lamps to be used and proposed shading amount to significant material differences between the two schemes.
15. I therefore conclude on the first issue that the proposed development would not harm the character or appearance of the area and would accord with adopted policies E46, R1, R2 and R9 and emerging policies SD1, D4 and D25.

*Living Conditions*

16. The Council has also expressed concern that the floodlighting would be detrimental to the amenities of the occupiers of neighbouring dwellings. It has not however specifically

identified those properties that it considers would be affected or explained how the development would harm the living conditions of neighbouring residents. It appears to me that the Council has relied heavily upon the 1994 appeal decision. However, I have found above that there are significant material differences when compared to the scheme before me. I consider that the Council has failed to demonstrate that it has given due regard to these differences, having regard in particular to the technical information provided in support of the application and the observations of its own Lighting Engineer. In my judgement the Council has not substantiated its concerns.

17. I note however the representations from a number of residents including various reports submitted by consultants acting on behalf of some of them and the comments of the Member of Parliament for Harrow West. My attention has also been drawn to Article 8 of Part I and Article 1 of Part II to Schedule 1 of The Human Rights Act 1998.
18. During my site inspection I saw the relationship of residential properties to the appeal site. In the presence of both main parties and the respective owners. I also viewed the site from several neighbouring houses and gardens in Cuckoo Hill Road, Hillcrest Avenue and Northfield Road.
19. In my opinion the appellant has given careful consideration to the proposed siting and design of the floodlights in order to limit the impact upon neighbouring residents. The floodlights would be erected some distance from the boundaries with the adjoining properties at 18 Cuckoo Hill Road and 2 Northfield Avenue. Although 8 Cuckoo Hill Road lies immediately to the south east of the site and is at a lower level than the courts, it is set well forward of the proposed floodlights with its rear garden roughly in line with the clubhouse. The lights would be designed to concentrate light upon the two courts and I have noted above that the proposal would comply with The Institution of Lighting Engineers guidelines.
20. The Council recognises that the proposal would comply with its supplementary planning guidance and has raised no objections in respect of adopted or emerging planning policies. I agree and consider that when seen from within the houses and gardens of neighbouring properties light trespass and encroachment, including that from reflective light would be limited and would not be intrusive.
21. Some residents have also expressed concern that the proposal would increase noise and disturbance within the surrounding area and would impact upon the enjoyment of the night sky. Although the floodlights would extend playing time and activity in and around the site this would be limited to the use of two courts. The floodlights would also be switched off at 2130 hours. To my mind such activity would be most likely to occur during the winter months and would be considerably less than that likely during a summers evening when I would expect that a greater number of courts would be in use without the necessity for floodlighting. Whilst I appreciate that in general light pollution impacts upon understanding and enjoyment of the night sky no evidence has been presented to me that demonstrates the harmful effect of the proposal. I note that the proposed lights are designed to restrict sky glow and in my opinion any harmful effects would be very small.
22. In my judgement the activity and disturbance (including sky glow and reflective light) associated with this limited use of the site would not result in unacceptable harm to the living conditions of neighbouring residents and would not violate their human rights. Whilst my attention has also been drawn to the comments of another Inspector in respect of an

appeal in Epping Forest (Ref. T/APP/52155/A/80/14430/G6) I have not been provided with a copy of that decision. It is not evident as to what type of lighting was proposed in that case or the relationship of houses to the site. I do not consider therefore that meaningful comparisons can be made with the proposal that is before me.

23. I therefore conclude on the second issue that the proposed development would not harm the living conditions of neighbouring residents and would accord with adopted policy 51, the Council's supplementary planning guidelines on light pollution and emerging policy D25.

#### **Other Matters**

24. Some residents have also raised concerns in respect of traffic and parking. I consider however that the limited extension in use of the site would not result in congestion or compromise highway safety on the local highway network and I note that the Council's Traffic and Transportation Manager raised no objections. Whilst some residents also consider that the application could establish a precedent for further floodlighting on the site I have determined the application on its own merits. It would be for the Council to do the same were any subsequent application to be made. Although mention has been made of wildlife in the area no evidence has been presented to me which demonstrates that the proposal would harm such interests. My attention has also been drawn to the potential increase in crime within the area. I agree with the appellant however that the presence of additional lighting and the modest increase in activity around the site could deter criminal activity. To my mind also, any effect on property values (whatever they may be) is not a proper matter for consideration by me in this appeal.

#### **Conditions**

25. The Council has suggested several conditions and I have considered these having regard to the advice contained within Circular 11/95 entitled 'The Use of Conditions in Planning Permissions.'
26. I consider that a condition limiting the hours of use of the floodlights is necessary in order to safeguard the character of the area and the living conditions of neighbouring residents. Although the Council has suggested that the lights should not be used beyond 2200 hours, I consider that the appellant's suggested timing of 2130 hours is more appropriate and would bring the use of the site more in line with summertime use. Given the various amendments to the scheme and the technical support for the proposal I also consider that a condition relating to the type/number of lights is necessary for safeguarding the character and appearance of the area and the living conditions of neighbouring residents. In my judgement it is also necessary to impose a condition concerning the proposed strengthened boundary planting and shading in order to minimise the visual impact of the development and to reduce light spill.

#### **Conclusions**

27. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should succeed.

#### **Formal Decision**

28. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the erection of nine floodlighting columns to court Nos 1 and 2 at West End
-

Lawn Tennis Club (Pinner) Ltd, Cuckoo Hill Road, Pinner, Middlesex. The permission is granted in accordance with the terms of the application Ref. WEST/923/00/FUL dated 19 October 2000 and the plans submitted therewith, as amended by the letters dated 22 November 2000, 12 March 2001 and 20 March 2001 and drawing Nos WELTC/FLO/01B and WELTC/FLO/03. The permission is granted subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
- 2) The floodlighting hereby approved shall not be used between 2130 hours and 0800 hours Monday to Sunday inclusive.
- 3) The lighting units shall comprise eight Philips M/SNF 210 units/court fitted with 400 watt high pressure sodium lamps. The lighting units shall also be installed and maintained thereafter so that all light distribution is below the horizontal plane.
- 4) Prior to the commencement of development details of the proposed strengthened boundary planting specifying the type, number, size and location of trees/shrubs to be planted together with details of the shading to be affixed to the existing fencing shall be submitted to and approved in writing by the Local Planning Authority. The agreed planting and shading shall be completed prior to the use of the floodlights hereby permitted. Any trees/shrubs that are removed, die, become damaged or seriously diseased within five years of planting shall be replaced with trees/shrubs of a similar size and species. The agreed shading shall also be retained on the fencing thereafter.

**Information**

29. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.
30. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
31. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.



Inspector





# Appeal Decision

Site visit made on 14 October 2008

by **David Richards** BSocSci DipTP MRTPI

an Inspector appointed by the Secretary of State  
for Communities and Local Government

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Bristol BS1 6PN

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**Decision date:**  
**11 November 2008**

**Appeal Ref: APP/M5450/A/08/2073769**

**West End Lawn Tennis Club (Pinner) Ltd, Cuckoo Hill Road, Pinner  
HA5 1AY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by West End Lawn Tennis Club (Pinner) Ltd against the decision of the Council of the London Borough of Harrow.
- The application Ref P/2946/07/CFU, dated 6 September 2007, was refused by notice dated 2 November 2007.
- The development proposed is erection of 9 floodlighting columns to court nos 4 and 5.

## Decision

1. I dismiss the appeal.

## Reasons

2. The appeal site lies in a residential area. Floodlighting for courts 1 and 2 was allowed on appeal in 2002. The current proposal involves the erection of 9 floodlighting columns, similar in appearance to those already installed on courts 1 and 2, allowing courts four and five to be illuminated until 21:30. They would be six metres in height, and painted green.
3. The floodlighting columns would be sited close to the common boundary with No 2 Northfield Avenue. This is a much more direct relationship with any residential property than occurs with the existing floodlighting. I accept that 6 metre columns have been chosen to minimise the visual impact, when taller columns would be preferred for optimum illumination. However, even when unlit, the columns and floodlights would be visible in the outlook from No 2 Northfield Avenue, particularly from upstairs bedroom windows. Depending on the position of the viewer they would assume greater or lesser prominence, but there would be direct views of the two columns to the front through the principal bedroom window. Notwithstanding the proposal for additional screen netting, in my judgment the height, position and proximity of these elements would result in an unsightly and intrusive appearance, which could not be ignored, and would have an unacceptable impact on the living conditions of the occupiers. Another lamp column would stand close to the side window in the rear bedroom, and would have a similar undesirable effect.
4. This visual intrusion would be exacerbated when the floodlighting was in use. When lit, it is acknowledged that there would be some light spillage into the front garden of No 2 Northfield Avenue. While I accept that there is a street lamp opposite the drive of No 2, the proximity of the floodlights would intensify

- the illumination of the area of the courts immediately adjoining the property, extending the illuminated area of the courts much closer to a dwelling than presently occurs. In addition, some light would fall on the columns and this would exacerbate the intrusive effect of the installations in the outlook from the front of the dwelling.
5. I accept that the club has gone to great lengths to minimise light spillage and glare. The proposed Philips MVP506 A/61 flood lights with asymmetric distribution mounted horizontally on 6 metre columns would provide a high degree of light control to reduce light spill to the minimum, and small backplates could reduce this further, although they would add to the unsightliness of the columns when viewed from No 2 Northfield Avenue. I consider that there would be unacceptable conflict with saved Policy D23 of the Harrow Unitary Development Plan (UDP), which sets out criteria for the consideration of floodlighting proposals, including the appearance of installations when unlit, and the effects of glow, glare and light trespass. I note that the side boundary at the front of the dwelling is more open than at one time, following the removal of an overgrown trellis. However I am informed that it was in a poor state of repair, and there is no evidence that this was done to frustrate the planning permission.
  6. While concern over the effects of the proposal extends more widely and is shared by other residents, to my mind the adverse effects would be very localised, and would arise from the direct physical relationship between no 2 Northfield Avenue and courts 4 and 5. In my judgment, other properties would be sufficiently well separated from the club for these effects not to be material. I take a similar view of the effects of the proposal on the character and appearance of the wider area. While I understand that some would consider the floodlight installations to be an unwelcome addition to the street-scene, I do not consider in principle that they would be so out of character as to be unacceptable. Although courts 4 and 5 are at a higher level than courts 1 and 2, in my opinion the installations would not appear markedly more prominent, having regard to the land form which rises towards the north of the club site. In the wider context, I accept that they would appear as ancillary features to an established sporting facility. There is a significant tree screen along the boundary with Northfield Avenue which would help to mitigate the visual impact when viewed from this direction. While I accept that this would be less effective in winter, I do not consider that there would be material harm to the streetscene. I note also that elsewhere in Harrow and adjoining Boroughs, floodlighting has been permitted in residential areas. Notwithstanding this, I consider in this particular case that the harm to the living conditions of the occupiers of No 2 Northfield Avenue would be real and this is sufficient to justify dismissal of the appeal.
  7. Residents have also expressed concern about increased noise and disturbance. The appeal proposal would also allow evening use of the courts all year round, with potential for increased noise and disturbance. However, there are already two courts in use which are floodlit, and which I am informed have given rise to no complaints in respect of noise and disturbance. The courts subject to this appeal can be used during the summer months until late in the evening, and I see no reason why winter use should give rise to any greater noise disturbance. In any event, I do not consider that that tennis is an inherently

noisy sport. Players could be expected to behave reasonably and the club itself has an interest in maintaining good neighbour relations, with appropriate sanctions at its disposal. In summary I do not consider that the intensity of use is likely to be so great that significant noise disturbance would be caused to neighbours.

8. In reaching my decision I have taken into account support for the proposal in the locality as well as the considerable benefits to club members from permitting extended evening use of the courts, and the wider benefits arising from the promotion of sport in the community. I acknowledge that there are pressures for the club to compete for membership, and that extending the opportunities for winter play would improve its attractiveness to potential members. Improvement of available facilities would accord generally with Policy R4 of the UDP provided there is no detrimental effect on residential amenity. While I am sympathetic with these objectives, I attach greater weight to the harm to the living conditions of the occupiers of No 2 Northfield Avenue arising from visual intrusion, and conclude accordingly that the appeal should be dismissed.

*David Richards*

INSPECTOR



# Appeal Decision

Site visit made on 2 September 2009

by **Michael Ellison MA (Oxon)**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
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Decision date:  
14 September 2009

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## Appeal Ref: APP/M5450/A/09/2105014

### West End (Pinner) Lawn Tennis Club, Cuckoo Hill Road, Pinner, HA5 1AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by West End (Pinner) Lawn Tennis Club Limited ("the Appellants") against the decision of Harrow Council ("the Council").
- The application (Ref P/3872/08), dated 26 November 2008, was refused by notice dated 26 February 2009.
- The development proposed is the installation of eight lighting columns (5 metres and 6 metres height) to Courts 4 and 5 at the northern end of the site.

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### Procedural matters

1. The Appellants were concerned that all the material which they submitted in support of their application was not considered by the Planning Committee of the Council when they made their decision on the appeal application. If that concern is well founded, it has been remedied in dealing with the appeal, because I have had regard to all the material submitted by the parties and by interested parties which was received by the Planning Inspectorate by 31 July 2009, which was the deadline for submission of documents in connection with this case.
2. With the agreement of the parties, I accepted at the site visit copies of photographs which had been supplied to the Council by the occupiers of the house at 2 Northfield Avenue with their letter of objection to the planning application of 10 January 2009. A copy of that letter of objection had been supplied by the Council, but the accompanying photographs could no longer be traced. Copies were therefore supplied for my use by the occupiers of 2 Northfield Avenue.

### Decision

3. I dismiss the appeal.

### Main issue

4. The main issue in this case is the impact the appeal development would have on the living conditions of neighbouring residents at 2 Northfield Avenue.

### Reasons

5. The Appellants operate a local private members tennis club as a non profit making company limited by guarantee. The Club will celebrate its centenary in 2010. It provides six all weather tennis courts surfaced with artificial grass, and has a club house which is used not just by the Club, but also for a variety of purposes by the community at large, including a playgroup, evening classes and various recreational activities.

6. Following a successful appeal in 2002, floodlighting was installed on Courts 1 and 2. This enables those courts to be used in the evenings, potentially all the year round, though the floodlights are automatically turned off at 9.30pm. Before the courts were floodlit, play could only take place beyond 8pm for around four months of the year.
7. The Appellants argue that there is increasing demand for evening use of the courts beyond the summer months, particularly from their expanding junior membership, and they therefore wish to install floodlighting to Courts 4 and 5, so that these courts can also be used until 9.30pm throughout the year.
8. The Appellants applied for planning permission in September 2007 to erect nine floodlighting columns to illuminate Courts 4 and 5. Their application was refused, and their appeal against that refusal was dismissed on 11 November 2008 under reference APP/M5450/A/08/2073769 because of concern at the impact the proposal would have on the living conditions of occupiers of the adjoining property at 2 Northfield Avenue.
9. The Club is located in a residential area, with houses adjacent to each of its boundaries. The area is characterised by detached dwellings within reasonably large plots in a landscaped setting. On the northern and western boundaries, the houses are immediately adjacent; on the eastern and southern boundaries, they are across the adjoining roads, Northfield Avenue and Cuckoo Hill Road. The property at 2 Northfield Avenue adjoins the northern boundary of the appeal site adjacent to Courts 4 and 5.
10. The present appeal application seeks to reduce the impact on the occupiers of 2 Northfield Avenue of the proposal dismissed in November 2008 in a number of ways.
  - a. The proposed number of lighting columns would be reduced from nine to eight.
  - b. The height of the three columns closest to 2 Northfield Avenue would be reduced from 6 metres to 5 metres.
  - c. The height of the Netlon anti glare screening on the chain link fence adjacent to 2 Northfield Avenue would be increased so that it would be higher than the 5 metre columns.
  - d. The position of column 1 adjacent to 2 Northfield Avenue would be changed, so that it would be 1.85 metres further away from the first floor flank bedroom windows as compared with the original proposal. It would be 0.7 metre below the bedroom window cills, and 5.4 metres and 6.9 metres from the two windows, behind the Netlon screening.
  - e. Lightweight tapered columns are proposed in place of the heavier weight columns previously intended to be used.
  - f. The columns would be finished in green anti reflective paint.

- g. The number of luminaires would be reduced from sixteen high output units to eight low output fittings, which are smaller in size than those previously proposed.
  - h. The average lighting level proposed for Courts 4 and 5 would be reduced from the 360 Lux previously proposed to 200 Lux.
  - i. The previous proposal to use back shields on the luminaires to avoid light spill has been withdrawn, because it has been established by the manufacturers that light spill can be avoided by black painting the front part of the inside reflector, which reduces stray light more effectively than any form of screening. The luminaires themselves would be painted green on the outside to match the columns and the surroundings.
11. A number of interested parties made written representations suggesting that the appeal application is little different from that which was rejected on appeal in November 2008. Given the amendments listed above, I do not accept that point at all. I consider that the Appellants have made considerable efforts to address the issue which led to the rejection of the previous appeal. The question is whether those efforts have succeeded.
12. The Development Plan for the area includes the Harrow Unitary Development Plan ("the UDP"), which was adopted on 30 July 2004. Saved UDP Policy D23 identifies a number of criteria for assessing the acceptability of floodlighting. They include the effect on the character and appearance of the surrounding area, any disturbance arising from such use, the impact of skyglow, glare and light trespass, the effect on wildlife, and the appearance of the installations while unlit. Saved Policy EP25 also provides that noise levels will be considered when determining applications. Policy SR2 supports the improvement of recreational facilities, and Policy R4 encourages the provision of further outdoor sporting facilities so long as there is no adverse impact on residential amenities or the environment. Both these Policies have also been saved to continue in operation.
13. In deciding the previous appeal, the Inspector found that the then proposals would not have an unacceptable impact on the **character and appearance** of the area. In my view that remains the case, particularly given the beneficial changes which have been made to the earlier proposals.
14. Similarly, in relation to concern about increased **noise and disturbance** from the appeal proposals, I share the view expressed by the Inspector on the previous appeal that the greater intensity of use arising from the floodlighting of two extra courts would not be likely to be so great that noise disturbance would be caused to neighbours. I am fortified in that view by the report of the noise consultants which was made available to me in dealing with this appeal. Based on a comparison of the level of noise from play on Courts 4 and 5 as well as Courts 1 and 2 with the situation when Courts 1 and 2 alone were in play, there was no increase in noise levels at 18 Cuckoo Hill Road, and at 2 Northfield Avenue the noise levels were within the guidance values contained in BS 8233:1999 and the World Health Organisation Community Noise Guidelines. The monitoring was carried out from positions inside the appeal site, close to

- the boundaries with 2 Northfield Avenue and 18 Cuckoo Hill Road rather than within the gardens of the properties themselves, which would in fact overstate the noise readings produced.
15. The photographs referred to in paragraph 2 above show children playing football on the floodlit Courts 1 and 2 on 2 January 2009. Apparently that use of the Courts was stopped as soon as the Club became aware of it. There is no evidence that this has happened on other occasions, and I cannot see that it would be likely that the Appellants would permit it to happen if they were aware of it given the potential for damage to equipment on the courts. I have discounted any suggestion that if Courts 4 and 5 were floodlit they might be used for games of football, and that increased noise could therefore be anticipated from that alternative use.
16. I consider that the efforts made to channel light from the proposed installation efficiently, together with the proposed use of high pressure sodium lamps rather than the white light source which would normally be preferred for floodlighting and the extensive use of non reflective surfaces proposed, would avoid any significant problem from **skyglow or glare**. In terms of **light trespass**, I accept the conclusions set out by Mouchel in their lighting report. Although the tennis club is within an urban area which has lit streets, because most of the club area is unlit, the Consultants have assessed the impact of the appeal proposal against the standard for Environmental Zone E2, which applies to rural, small village or relatively dark urban locations, rather than Zone E3, which would have been justified in the residential area around the appeal site. Even with the more stringent requirements for Zone E2, the degree of light trespass would be acceptable for such an area. At 2 Northfield Avenue, light spillage on the front driveway would be between 0.0 Lux and 0.8 Lux; there would be similar readings in the rear garden; and in the front garden the readings would be between 0.3 Lux and 0.9 Lux. The value for full moonlight is approximately 1 Lux, and the standard level of illumination in a cul de sac in Harrow is an average of 10 Lux, with a minimum of 3 Lux.
17. The occupiers of 2 Northfield Avenue argue that a sea of very bright and intense light would spill on to their property, but this is simply not borne out by the expert advice provided.
18. The occupiers of 18 Cuckoo Hill Road, which lies on the eastern boundary of the tennis club quarrel with the statement in the lighting report that they have no window which directly faces the tennis courts. They have no window in the side elevation, but I accept that their patio windows and back bedroom windows look towards Courts 4 and 5. This is, however, at a distance of around 30 metres from what would be the nearest of the floodlights proposed as part of the appeal development, and I see no reason to question the finding in the Mouchel report that light spill from the proposal would have no effect on this property.
19. I note that the assessments made of the impact of the proposed lighting levels has included no assessment of the impact on the lighting levels of the blocking effects of fences and screening (existing or proposed) or of hedges and trees. The assessment has therefore been prepared on a worst case scenario.

20. I consider that the appeal proposal would not have an unacceptable impact arising from skyglow, glare or light trespass.
21. In terms of the **effect of the appeal proposals on wildlife**, I accept the information contained in the ecological report from RSK Carter Ecological Limited. One species of bat has been recorded in the area (common pipistrelle). There is potential for bat foraging in hedgerows around and outside the appeal site, and minimising light spill (as proposed) is therefore important. With that mitigation, however, I consider that the appeal proposal would not have an unacceptable impact on wildlife. In fact, as the report concludes, it would have a positive impact.
22. It was the **appearance of the proposed installations while unlit** which was a major reason for the dismissal of the previous appeal, and it formed the sole reason for refusal identified by the Council in relation to the present appeal application.
23. As compared with the previous application, the lighting columns closest to 2 Northfield Avenue would now be reduced in height so that they would be below the sill level of the flank wall bedroom windows; they would be further away from those windows and located behind Netlon screening; the columns would be of a less obtrusive design; the number of luminaires would be reduced by half; they would be smaller and they would no longer have back shields.
24. I accept the point made on behalf of the Appellants that photographs submitted by the occupiers of 2 Northfield Avenue purporting to show the impact of the present appeal development bear no relationship to the actual impact which the proposal would have. They exaggerate very significantly the height of the proposed lighting columns and the size of the proposed luminaires. I have placed no reliance whatsoever on those photographs in my assessment of the impact of the appeal proposal.
25. It remains the case, however, that three of the lighting columns would be situated very close to the boundary of the appeal site with 2 Northfield Avenue. They would be visible from the dining room, the lounge, and three of the bedrooms of that property as well as from the front and rear garden. The higher level of fencing proposed to reduce the impact of the columns would itself not be a thing of beauty, and would also, in my view, have an overbearing and adverse impact on the level of visual amenity currently enjoyed by the occupiers of 2 Northfield Avenue. I consider that the lighting columns and the increased height of the fencing proposed would be unsightly and intrusive. They would have an unacceptable impact on the living conditions of the occupiers of 2 Northfield Avenue.
26. The **support which is given in saved UDP Policies for the improvement of leisure and sporting facilities** is conditional upon there being no adverse impact on existing residential amenities. I consider that there would be such an adverse impact in this case.
27. I have given careful consideration to the expressions of support for the appeal proposal, which are primarily related to the additional recreational facilities which the appeal proposal would represent. These include letters of support from Mr Gareth Thomas MP, sent at the time of the consideration of the
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application by the Council, and from the Middlesex Tennis Association. There was also a petition in support signed by more than 400 people, some of whom were members of the Tennis Club, and some of whom were local residents. I accept that there would be real benefits arising from the appeal proposal in terms of the promotion of sport in the community.

28. While I am sympathetic to this objective, I attach greater weight to the harm which I consider the appeal proposal would do to the living conditions of the occupiers of 2 Northfield Avenue. On balance, **I conclude** that such harm would outweigh the benefits which would arise from the appeal proposal, and that is why I have dismissed the appeal.

*Michael Ellison*

INSPECTOR

Item No. 2/02

Address: ABBEYFIELD HOUSE, 32 - 34 WEST END AVENUE, PINNER

Reference: P/0089/14

Description: CHANGE OF USE AND CONVERSION OF CARE HOME TO SEVEN FLATS (USE CLASS C2 TO C3); FIRST FLOOR REAR EXTENSION; SINGLE STOREY REAR EXTENSION; TWO STOREY, FIRST AND SECOND FLOOR INFILL REAR EXTENSIONS; TWO REAR DORMERS; ACCESS RAMPS AT FRONT AND REAR; EXTERNAL ALTERATIONS

Ward: PINNER SOUTH

Applicant: POWERDAY PLC

Agent: KELLYS

Case Officer: SARAH MACAVOY

Expiry Date: 13/03/2014

## RECOMMENDATION

The decision to **GRANT** permission for the proposal has been taken having regard to all relevant material considerations including the impact on the character of the area, neighbouring amenity, highway safety and for other matters including any comments received in response to publicity and consultation. All matters have been considered with regard to the policies and proposals in the London Plan, the Harrow Core Strategy (2012) and the Harrow Development Management Policies Local Plan (2013) Plan.

## INFORMATION

The application is reported to the Planning Committee as the proposal involves conversion of a building into more than 6 units. The application therefore falls outside of Part 1(e) of the Scheme of Delegation dated 29<sup>th</sup> May 2013.

**Statutory Return Type:** Minor

**Council Interest:** N/A

**Net additional Floorspace:** 668sqm

**GLA Community Infrastructure Levy (CIL) Contribution (provisional):** £23,380

**Harrow CIL:** £73,480

## Site Description

- The site was in use as a residential care home. It is currently vacant.
- The site is located on the southern side of West End Avenue.
- It is a 3 storey semi detached building with a two storey outrigger extension as are the neighbouring properties at number 36 and 30.

## **Proposal Details**

- Change of use of care home to seven flats (use class C2 to C3). Four of these flats would be 2 bed, 3 person flats. Two would be 1 bed, 2 person units and one would be a 4 bed, 5 person unit.
- 1.3m deep single storey rear extension beyond the existing two storey projection adjacent to number 36. It would have a width of 3.4m and a flat roof of 3.6m. The rear extension would then become a three storey rear infill extension, which would have a width of 8.6m and a depth of 3.5m measured from the rear wall of the dwellinghouse. A further single storey rear projection would project 2.7m beyond the rear wall of the dwellinghouse for a width of 9m.
- Two rear dormers are proposed. These would have a flat roof with a height of 3.4m and a width of 3.7m.
- Two ramps are proposed at the rear of the site leading into the rear garden. These would have a maximum height of 0.6m and railings on top with a maximum height of 2.3m.
- No changes are proposed to the front elevation.
- Minor changes to fenestration including removal of a flank window on the western elevation and removal of a window and a door on the eastern elevation.

## **Revisions to Previous Application (P/3120/12)**

- The first floor rear extension has been removed from the proposal.
- The current proposal is for 7 flats rather than the 8 flats previously proposed.

## **Relevant History**

P/3120/12 - Change of use and conversion of care home to eight flats (use class c2 to c3); first floor rear extension; single storey rear extension; first and second floors infill rear extensions; two rear dormers

Withdrawn

WEST/511/95/FUL – Two single storey rear extensions to old peoples home and alterations to flank elevations

Granted – 31/10/1995

LBH/8608 – Alterations and change of use from residential to old peoples home

Granted – 30/1/1973

## **Pre-Application Discussion (P/1638/13/PREAPP)**

- Removal of the first floor rear extension is an improvement on the previously submitted application and this is welcomed. Broadly speaking the stacking arrangement between the flats is now ok.

## **Applicant Submission Documents**

- See Design and Access Statement

## **Consultations**

**Drainage Engineer:** Conditions recommended

**Highways Authority:** This reversion of a care home to C3 residential does not raise major concerns in principle however there are number of aspects that need further consideration.

The proposal for seven 2 bedroom flats would measurably intensify potential occupancy as compared to the C2 use and require a maximum parking provision of up to 7 spaces. The scenario provides for 4 spaces on the frontage which is technically within the London Plan maximum standard however the 'bank' of 4 spaces covering most of the dwelling frontage are unacceptable in layout terms as a maximum of 2 'banked' spaces perpendicular to the public highway are acceptable under normal circumstances. This limitation reduces the likelihood of significant accident risk to pedestrians who otherwise are exposed to what is effectively a 'car lot' frontage with vehicles leaving and entering the site over a wide expanse of footway and crossover. This is why the Council will only provide a carriage crossing up to a width of 3.6m which can comfortably serve two parking spaces whether 'banked' or not. There is of course an associated positive amenity benefit associated with this stance.

As presented the existing carriage crossing would possibly need to be relocated and re-provided up to the maximum width highlighted. This would result in a maximum of two spaces on the frontage which would also help to ensure that the spaces work independently to allow individual flat occupiers unfettered access to and from their allocated spaces.

In 'real world' terms the site is well served by public transport hence the ultimate on-site parking provision can be reduced to a degree which in itself will serve toward a better overall balance between parking and amenity provision. Also the site is reasonably well controlled on-street with extensive waiting restrictions in the area hence this will inherently encourage a lesser dependency on the private motor car. This mechanism will therefore assist in lessening the likelihood of any undesirable displacement onto the highway network if on-site parking quantum is indeed reduced.

On this basis a maximum of 2 car park spaces can be provided on site and the application must reflect this fact otherwise this in itself is a fair reason for refusal. This location is covered by a CPZ hence any new occupiers who wish to own a car will have an option to park in the surrounding streets where they can find a space.

In traffic generation terms any increase could again be measurable as compared to the C2 use coupled with the suggested full on-site parking quantum of 4 spaces however as there should be a limiting factor of 2 on-site parking spaces this reduced quantum should assist in reducing overall traffic impacts. On that premise there would be no objection raised.

As mentioned any revision of a revised carriage crossing is acceptable with the caveat that it should not exceed the Council's maximum allowable width of 3.6m.

Secure and readily accessible cycle parking is to be provided (at least 1 space per unit) in line with London Plan 2011 requirements. The applicant appears to acknowledge this requirement with 8 spaces provided.

In summary there is no objection if the proposed parking levels are reduced to an on-site maximum of two otherwise there would be an objection as follows:-

"The proposal, by reason of over-excessive on-site parking perpendicular to the public highway would potentially have a prejudicial impact on the safety of pedestrians and traffic using the public highway".

### The Pinner Association –

- Over development of the site.
- Large, dominant and incongruous extension which would be out of character.
- Impact on privacy.
- The siting of the bin store to the rear would involve noisy movements.
- On bin collection day, 14 bins will have to be trundled to the road edge where the applicant has not designed any suitably sized space on the land.
- Traffic and highway safety issues.
- Lack of parking would make a bad situation in the street worse.
- Should the proposals be granted no CPZ Residents Parking Permits should be allocated to the occupants of the new flats.
- We are not against the proposal in principle. Converting each of the two existing buildings into two flats would probably be acceptable.

### **Advertisement**

N/A

### **Notification**

Sent: 24

Replies: 23

Expiry: 19/2/14

And a petition containing 63 signatures.

### Neighbours consulted:

- 22, 24, 26, 27a, 28, 29, 30, 31, 32, 33, 36, 35, 35a, 36, 37, 37a, 38, 39, 39a, 40a, 49, 51, 55, 57, 408 - West End Avenue
- 6 and 7 Wentworth Way

### **Summary of Responses**

- Over-development of the site which is out of character with the area.
- Unacceptable increase in footprint of approximately 50% increase.
- Parking issues.
- Highway and pedestrian safety
- Impact on privacy
- Loss of light
- Overlooking
- It would affect the ability a neighbour to enjoy their rear garden.
- Disruption during works.
- How will the equipment get to the back of the building to build the extension and where will it be stored overnight?
- Construction related dirt and dust which will impact on neighbouring properties and result in the paintwork redone and the walls washed down.
- The application is the same as the previous application with one bedroom less. The previous application was rejected so should this one be.
- The unacceptably high density (much higher than the under utilised care home) will create a precedent for future development.
- Eyesore and hazard of bins being left on the pavement on rubbish collection day.
- Pest problem as a result of the bins.

- Over population of the building which would result in additional noise pollution.
- Who will the flats be sold to? Who will manage the flats after their occupation.
- How will the developments mitigate low water pressure.
- Impact on sewage systems.
- Four of the flats would have access to the flats from a side door between the passageway between number 30 and 32. This is a security risk for the neighbouring property at number 30. They will not be able to recognise potential intruders due to the number of people living in the flats.
- Neighbour believes that the door cannot be used as an entrance if it is within 3m of the property.
- Neighbour has already been subjected to disruptive behaviour from this site – including all night parties brawling, people climbing over the fence and the dumping of unwanted and broken furniture in the passageway. The proposal to house waste in the garage will seriously impinge on the enjoyment of the neighbouring garage which is used on a regular basis as a hobby workshop. The stench would be unacceptable particularly in the summer.
- It conflicts with Harrow's Core Strategy (garden land development).
- The proposal conflicts with the London Housing Design Guide and the Development Management Policies Local Plan
- It is not clear why cycles are included.
- The application form is incorrect as a new vehicle crossover is required.
- The application states that there are currently six employees. That is wrong as Abbeyfield House closed in 2011 and has since been used as an illegal HMO.
- Inconsistencies in the Design and Access Statement.
- The site can be seen from a public road. The application form is incorrect in this regard.
- The daylight report only concentrates on the front rooms. There are habitable rooms which will not meet the minimum requirement for daylight and sunlight. There are kitchens in units 1 and 3 and bedrooms in these flats which will have no external light or will overlook alleys.
- Neighbour is surprised that Reel Estates Limited is shown as the selling agent as neighbour believes Gibbs Gillespie was the sole agent for the sale of the property. Also the property was not on the market for 12 months. It closed in June 2011 but was not marketed until January 2012. It was sold and tenants had moved in by April/May 2012. The agent's confirmation letter has not been disclosed. Where is it?
- The proposal has been opposed by all nearby residents, The Pinner Association, Local councillors and an MP.
- The developers are greedy and want to maximise profits with no concern to the chaos they leave behind.
- The CIL form hasn't been completed properly.
- There was no community involvement whatsoever. Rather, this document is a rebuttal of some of the points made during the public consultation stage of the previous application.

**Petition containing 63 signatures:**

- We object to the proposed development on the grounds that it is a gross overdevelopment of the site and it will result in an unacceptable level of traffic and noise pollution and it will result in problems with waste collection.

## APPRAISAL

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.'*

The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

In this instance, the Development Plan comprises The London Plan 2011 [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].

### Revised Early Minor Alterations [REMA] to The London Plan 2011

On 11 October 2011, the Greater London Authority [GLA] published Revised Early Minor Alterations [REMA] to The London Plan 2011. From this date, the REMA are operative as formal alterations to The London Plan 2011 and therefore form part of the development plan for Harrow.

In relation to the policies of the LP which are relevant to this application, only policies 3.8 (Housing Choice), 5.12 (Flood Risk), 5.13 (Sustainable Drainage) and have been altered. Officers consider that the content of the alterations to these policies do not materially alter the conclusions of the report on the agenda. No alterations to the conclusions in the report on the agenda in relation to flood risk, the overall conclusions or the reported conditions are therefore suggested.

## MAIN CONSIDERATIONS

Principle of Development  
Design, Layout, Character of the Area and Amenity  
Accessible Homes  
Parking Standards and Highway Safety  
Development and Flood Risk  
Equalities  
S17 Crime & Disorder Act  
Consultation Responses

### Principle of the Development

Policy DM29: Sheltered Housing, Care Homes and Extra Care Housing states that the loss of care homes or sheltered housing will only be supported where it can be reasonably demonstrated that there is no longer a demand for that use on the site. This is amplified in Core Strategy policy CS1 Z.

The applicant has proved a statement addressing the loss of the care home. The previous owner was The Abbeyfield Society who had run a service for many years as a sheltered house providing bed-sit accommodation and communal facilities. The facility was closed in June 2011 as the demand for this type of accommodation had fallen dramatically and a decision was made by the executive team to close the facility after a

long period of under occupation. The proposed use is not considered to have any detrimental effect on residential or nursing care provision. The site was on the market for 12 months. The real estate agent contacted various care home clients who expressed no interest in retaining the property for the use as a residential care home. The agent then instructed the Abbeyfield Society (the previous owner) to sell the property on the open market with a view to returning the building to residential use. At this time, the applicant purchased the property. The Council's Community, Health and Wellbeing team emailed the applicant to state that the proposal to change the use of the property for a residential use would not have any detriment on nursing care provision in the borough. This information has been submitted as evidence to support the applicant's case.

The principle of the loss of the C2 care home and conversion into flats is considered to be acceptable as it is in line with planning policy to create new homes and is in accordance with Policy DM29 and CS Policy CS1 Z as it has been reasonably demonstrated that there is no longer a demand for the care home use on the site.

Therefore, it is considered that, subject to suitable conditions, the principle of the proposed development would assist in the delivery of new housing in the borough in accordance with policy 3.4 of the London Plan (2011) and policy CS1.H of the Harrow Core Strategy (2012) and is considered acceptable.

### **Design, Layout, Character of the Area and Amenity**

#### Design

Policy 7.4 of the London Plan (2011) requires development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 of the London Plan (2011) requires buildings to make a positive contribution to a coherent public realm, streetscape and wider cityscape.

Policy DM1 of the Development Management Policies Local Plan seeks to ensure a high standard of development.

A sufficient rear garden would be retained for the occupiers of flats 1 and 3. The design of the rear extensions is not considered to be unreasonably bulky and is considered to be in keeping with the character of the building and that of the area.

The rear dormers would be small in scale and would be in keeping with the line of fenestration at second floor level as such they would compliment the existing building and would not be unduly bulky.

The rear access ramps would provide access to the rear gardens and would not be unduly bulky. As such it is considered that they would be in keeping with the character of the building and that of the area.

#### Amenity of Neighbouring Occupiers and that of the Future Occupiers of the Flats

The proposed change of use from Care Home to Residential Use would result in a more intensive use as up to 21 people would occupy the seven flats, rather than a maximum of 15 people who could have occupied the care home (plus day staff). However, given the size of the three storey property and the fact that the room sizes would be acceptable as discussed in the paragraph below. The proposal is considered to acceptable in terms of its intensity and is not considered to be an overdevelopment of the site.

The proposed three storey infill extension would not have any undue impact on the



neighbouring sites at 30 and 36 as it would not project any deeper than the existing three storey rear projections and as such would be obscured from the view of the neighbouring dwellinghouses by these existing original three storey rear outrigger projections on the site. As such, the proposed three storey rear infill extension is considered to be acceptable as it would have no undue impact in terms of loss of light or outlook on the neighbouring sites and numbers 30 and 36.

In terms of the impact of the proposed single storey rear extensions, these would be obscured from the view of number 36 by the existing single storey rear projection on the site adjacent to number 36. The single storey rear extension would project 1.3m rearward in relation to number 30. This would result in the extension projecting approximately 0.6m beyond the rear wall of number 30. This would comply with paragraph 6.59 of the SPD. As the proposed extension would be sited away from the boundary with number 30, it is considered that the height of the rear extension is considered to be acceptable. As such, the proposed single storey rear projection would have no undue impact in terms of loss of light or outlook on the neighbouring site at number 30.

Any overlooking from the proposed three storey rear infill extension, rear dormers and single storey rear extension would be similar to the levels that exist on the site in this suburban location and as such would not create any additional impact on any neighbouring sites in terms of overlooking.

There are existing windows in the flank walls of the building relating to bedrooms, a kitchen and WCs for the care room. It is not considered that there would be any additional impact resulting from the flank windows in the proposal provided that they are obscure glazed and un-openable below 1.7m above finished floor level (as the current windows are). A condition has been recommended on this application to this effect.

The development would ensure that similar habitable rooms are stacked vertically between the flats and so this aspect of the development is acceptable.

The Daylight and Sunlight Report submitted with this application concluded that all north facing habitable rooms facing the road comfortably achieved Room Depth Criteria values to a standard which exceeds the BRE guidelines.

There is an existing side door which would be retained and used for access just as it would have been used for access for the care home. It is considered that access to 5 flats as shown on the plans from this side access would be unacceptable as it may result in unreasonable disturbance to number 30, the use of the side door for access to two flats is considered to be an acceptable situation. Notwithstanding this, an examination of the layout means that two access options are required in the event of an emergency such as a fire for units 2, 5 and 7. These flats would have the option of using the front access as the principal access in addition to the side access. Units 1 and 4 only have the option of using the side access. A condition has been recommended on this application to ensure that the side access for units 2, 5 and 7 is used only in the event of an emergency in order to address the concerns raised regarding the impact on the amenities of no 30.

The proposal would be in accordance with London Plan policy 7.6B and Development Management Policies Local Plan policy DM1.

### Room Size and Layout

Table 3.3 of The London Plan (2011) specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan (2011) specifies that these are minimum sizes and should be exceeded where possible. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the SPD. As The London Plan (2011) has been adopted, the flat size GIA's have considerable weight.

In addition, paragraph 59 of the National Planning Policy Framework (2012) (NPPF) states that local planning authorities should consider using design codes where they could help deliver high quality outcomes. Policy 3.5C of The London Plan (2011) also specifies that Boroughs should ensure that, amongst other things, new dwellings have adequately sized rooms and convenient and efficient room layouts. In view of paragraph 59 of the NPPF and Policy 3.5C of The London Plan (2011), and when considering what is an appropriate standard of accommodation and quality of design, the Council has due regard to the Mayor of London's Housing Supplementary Planning Guidance (SPG) (November 2012). As an SPG, this document does not set new policy. It contains guidance supplementary to The London Plan (2011) policies. While it does not have the same formal Development Plan status as these policies, it has been formally adopted by the Mayor as supplementary guidance under his powers under the Greater London Authority Act 1999 (as amended). Adoption followed a period of public consultation, and it is therefore a material consideration in drawing up Development Plan documents and in taking planning decisions.

The Housing SPG reiterates the residential unit GIA's in The London Plan (2011) and provides additional GIA's and minimum dimensions for rooms within the residential unit; annex 1 of the SPG sets out a summary of the quality and design standards that new developments should seek to achieve.

Policy DM1 of the Development Management Policies Local Plan seeks to ensure a high standard of development and states that these conversions will be supported where, amongst other things, the proposal would accord with the London Plan's minimum space standards.

In assessing the GIA of the proposed flats, flats 1, 2, 3, 4, 5 and 7 as shown on the plans would sufficiently comply with the Housing SPG and the SPD: Residential Design Guide in terms of their GIA. There is adequate circulation space and the rooms are reasonably sized. Although the GIA for flat number 6 is slightly under that recommended by the London Plan (50sqm for a 1 bed, 2 person flat), it is considered that the 46sqm flat is only 4sqm under that recommended by the London Plan. As the shape and room sizes of this flat are considered to be acceptable the small GIA deficiency would not constitute a reason for refusal. Therefore, on balance the proposal is therefore considered to be acceptable and in accordance with London Plan Policies 7.4B and 7.4B and policy DM1 of the Development Management Policies Local Plan (2013).

|                            | <b>Double Bedroom Area (m<sup>2</sup>)</b> | <b>Single Bedroom Area (m<sup>2</sup>)</b> | <b>Kitchen, Living and Dining Area (m<sup>2</sup>)</b> | <b>GIA (m<sup>2</sup>)</b>    |
|----------------------------|--|--|--|-------------------------------|
| London Plan (2011) and SPD | 12   | 8  | 23 – 2p<br>25 - 3p<br>29 – 5p                          | 50 – 2p<br>61 – 3p<br>90 – 5p |
| Housing SPG                | 12   | 8  | 23, 25, 29   | 50, 61, 90                    |
| Flat 1 (2b, 3p)            | 12   | 8.61                                       | 28   | 62.37                         |
| Flat 2 (2 bed, 3p)         | 14.29                                      | 8.73                                       | 26   | 61.43                         |
| Flat 3 (2bed, 3p)          | 12   | 8  | 25   | 61.5                          |
| Flat 4 (1 bed, 2p)         | 18.78                                      |  | 25   | 53.53                         |
| Flat 5 (2 bed, 3p)         | 12.02                                      | 9.29                                       | 30   | 70.83                         |
| Flat 6 (1 bed, 2p)         | 12.43                                      |  | 22.2   | 46.25                         |
| Flat 7 (4 bed, 5p)         | 12   | 8.61, 8.63,<br>8.56                        | 41   | 103.49                        |

It is considered that the proposal would have an acceptable impact on residential amenity in accordance with London Plan policy 7.6B and policy DM1 of the Development Management Policies Local Plan (2013).

#### Access to Amenity Space

Policy DM 1 of the Development Management Policies Local Plan states that new residential development should provide sufficient useable amenity space for residents. The rear garden would be subdivided into two sections. One section would provide a private garden area for flat number 1 and the other section would provide a rear garden area for unit 3. The other 5 flats would not have a rear garden area. However, as the flats would be located just 60m from Pinner Memorial Park, it is considered that there is sufficient public amenity space close to the site to negate the need for private rear gardens for each of the flats. In addition, the site is located just outside the Pinner Town Centre and lack of private amenity space so close to the town centre is common and acceptable and in accordance with Policy DM1 of the Development Management Policies Local Plan.

#### Landscape Treatment

Approximately a third of the front garden would be soft landscaped which would preserve the character of the area. A condition has been recommended on this application which requests details of the proposed landscaping including plant sizes and numbers.

Bin storage is shown on the plans to be located in the existing garages located to the rear of the site. This location is considered to acceptable.

As such, subject to the recommended conditions, the proposal would be in accordance with London Plan policy 7.6B, Core Policies CS1.B and CS1.K of the adopted Harrow Core Strategy (2012) and policy DM1 of the Development Management Policies Local

### **Accessible Homes**

Policies 3.5, 3.8, and 7.2 of The London Plan (2011), policy CS1.K of the Harrow Core Strategy and policies DM1 and DM2 of the Development Management Policies DPD require all future development to meet the highest standards of accessibility and inclusion. To amplify these policies, the Council has adopted Supplementary Planning Document: Accessible Homes SPD (2010) which requires all new development to comply with Lifetime Homes, where feasible.

It is acknowledged that this is an existing building and not all points of lifetime homes may be possible to meet. The plans do not show what extent the flats would meet the 16 points of lifetime homes. The Design and Access Statement does not address how the internal layout would be sufficiently accessible, it only mentions access into the premises and the provision of a disabled parking space. Revised plans or a statement to show full compliance or justification as to why full compliance cannot be achieved has been recommended as a condition on this application in order to comply with policy.

### **Parking Standards and Highway Safety**

Policy 6.9 of The London Plan (2011) sets out a maximum requirement of 1 space per 1-2 bedroom unit.

The proposed change of use would result in a more intensive use of the site in traffic and parking terms. It is considered that 4 carparking spaces would have an unacceptable impact on traffic moving on and off the site and that a maximum of 2 car park spaces should be provided on site. A condition has been recommended on this application requiring a revised parking layout to only show 2 car parking spaces. This location is covered by a CPZ hence any new occupiers who wish to own a car will have an option to park in the surrounding streets where they can find a space.

No objections have been raised from the Highways Authority subject to the condition recommended above. A secure cycle storage has been proposed in the rear garden for 8 bicycles. This is considered to be acceptable.

### **Development and Flood Risk**

The Council's Drainage Engineer has recommended conditions relating to attenuation/storage/disposal of surface water runoff and disposal of surface water run off. These measures would be required as there would be an overall increase in built up, impermeable surfaces as a result of the scheme. As such, subject to such conditions, it is considered that the proposal would not unduly impact on surface water runoff. Therefore, the proposal would not have an undue impact on flooding, in accordance with the NPPF and London Plan policy 5.13 and Development Management Policies Local Plan (2013) - DM 9.

### **Equalities Statement**

#### **Equalities Implications**

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is

prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

It is considered that the proposal would have no impact with regard to section 149 of the Equalities Act 2010.

### **S17 Crime & Disorder Act**

Although crime and safety concerns relating to unknown occupiers using the bin storage and accessing the side of the property raised by a neighbour is a material planning concern, strangers accessing the side of the property is not too dissimilar from the care home situation where there were are multiple occupants and staff which had access to the side of the property. Access to bin stores down the side of the premises is not an uncommon situation in a suburban location such as this. There is mutual overlooking towards to the rear gardens of the premises that already exists and this natural surveillance would serve to limit issues regarding breaches of security.

As such it is considered that the proposal is in accordance with the Development Management Policies Local Plan policy DM1.

### **Consultation Responses**

- Over-development of the site which is out of character with the area – *The character of the area and the impact of the development has been assessed in the report above.*
- Unacceptable increase in footprint of approximately 50% increase – *Every application is assessed on its merits. The impact of the proposal on the character of the area has been assessed in the report above. None the less the footprint increase would not be 50%.*
- Parking issues – *Parking has been assessed in the report above*
- Highway and pedestrian safety – *This has been assessed in the report above.*
- Impact on privacy – *the impact on privacy, loss of light and overlooking has been assessed in the report above.*
- It would affect the ability a neighbour to enjoy their rear garden – *impact on neighbouring amenity has been assessed in the report above.*
- Disruption during works – *This is not a material planning consideration. An informative has been placed on this report reminding the application of their responsibilities in terms of hours of construction and other environmental health legislation. If the Considerate Contractors code is breached then this is a matter for Environmental Health.*
- *Storage of construction equipment and logistics of construction is not a material planning concern.*
- Construction related dirt and dust which will impact on neighbouring properties and result in the paintwork redone and the walls washed down – *the impact on the neighbouring property during construction in terms of dust is not a material planning concern.*
- The application is the same as the previous application with one bedroom less. The

previous application was rejected so should this one be – *The previous application was withdrawn rather than refused. Therefore a decision was not made. Every application is assessed on its merits.*

- The unacceptably high density (much higher than the under utilised care home) will create a precedent for future development – *the intensity of the proposal has been assessed in the report above. Every application is assessed on its merits. What is acceptable on one site may not be on another.*
- Eyesore and hazard of bins being left on the pavement on rubbish collection day – a condition has been placed on this application ensuring that the bins are only left on the pavement on the rubbish collection day. This is considered to be acceptable.
- Pest problem as a result of the bins – *this is not a material planning concern. If it becomes a problem, this is a matter for environmental health.*
- Over population of the building which would result in additional noise pollution – *the increase in intensity on the site has been assessed in the report above.*
- Who will the flats be sold to? Who will manage the flats after their occupation – *these are not material planning concerns.*
- How will the developments mitigate low water pressure and impact on sewage systems – *the Council's Drainage Engineer has recommending conditions relating to disposal of sewage and surface water. Impact on water pressure is not a material planning concern.*
- Four of the flats would have access to the flats from a side door between the passageway between number 30 and 32. This is a security risk for the neighbouring property at number 30. They will not be able to recognise potential intruders due to the number of people living in the flats – *A condition has been recommended on this application requiring a revised layout showing only 2 of the flats to be accessed from the side. Strangers accessing the side of the property is not too dissimilar from the care home situation. Crime is a matter for the Police.*
- Neighbour believes that the door cannot be used as an entrance if it is within 3m of the property – *this is an existing door. It is not contrary to planning policy.*
- Neighbour has already been subjected to disruptive behaviour from this site – including all night parties brawling, people climbing over the fence and the dumping of unwanted and broken furniture in the passageway. The proposal to house waste in the garage will seriously impinge on the enjoyment of the neighbouring garage which is used on a regular basis as a hobby workshop. The stench would be unacceptable particularly in the summer – *Anti-social behaviour is a matter for the Police. The bin storage would be contained within the existing garage. This is considered to be acceptable.*
- It conflicts with Harrow's Core Strategy (garden land development) – *As the proposals are acceptable as extensions to the building, there is no conflict with Harrow's Core Strategy.*
- The proposal conflicts with the London Housing Design Guide and the Development Management Policies Local Plan – *the proposal has been assessed against these planning documents in the report above.*
- It is not clear why cycles are included – *Cycle storage is a requirement of the London Plan. It ensures sustainable developments.*
- The application form is incorrect as a new vehicle crossover is required – *the vehicle crossover has not been assessed as part of this application. An informative has been added to this application in relation to this.*
- The application states that there are currently six employees. That is wrong as Abbeyfield House closed in 2011 and has since been used as an illegal HMO – *As the lawful use of the site is a Care Home, the proposed change of use has been*

*assessed as a change of use from a Care Home to Residential.*

- Inconsistencies in the Design and Access Statement – *A revised Design and Access Statement has since been received which reflects the submitted plans.*
- The site can be seen from a public road. The application form is incorrect in this regard – *A site visit was done to the property during the course of the application to assess the impact of the proposal on the streetscene.*
- The daylight report only concentrates on the front rooms. There are habitable rooms which will not meet the minimum requirement for daylight and sunlight. There are kitchens in units 1 and 3 and bedrooms in these flats which will have no external light or will overlook alleys – *this is the existing situation where kitchens and bedrooms in the Care Home had limited light. Therefore, the proposal cannot be refused for this reason.*
- Neighbour is surprised that Reel Estates Limited is shown as the selling agent as neighbour believes Gibbs Gillespie was the sole agent for the sale of the property. Also the property was not on the market for 12 months. It closed in June 2011 but was not marketed until January 2012. It was sold and tenants had moved in by April/May 2012. The agent's confirmation letter has not been disclosed. Where is it? – *it is considered that the justification provided is satisfactory. This was not made public as it included internal emails from Council Officers.*
- The proposal has been opposed by all nearby residents, The Pinner Association, Local councillors and an MP – *The public interest in this application is why this application is to be decided by the Planning Committee rather than Council Officer's*
- The developers are greedy and want to maximise profits with no concern to the chaos they leave behind – *This is not a planning consideration.*
- The CIL form hasn't been completed properly – *A CIL calculation has been done by Council Officers.*
- There was no community involvement whatsoever. Rather, this document is a rebuttal of some of the points made during the public consultation stage of the previous application – *A 21 day consultation was undertaken by the Council during the course of this application. This application has been assessed on its merits and all material planning considerations have been considered including neighbouring responses.*

## **CONCLUSION**

Having assessed the proposed development against the policies and proposals in the Development Plan and other material considerations including comments received in response to notification and consultation it has been determined that the proposed development would not unduly impact on the character of the area, or the amenity of occupiers of any neighbouring land in the vicinity. The application is therefore recommended for approval.

## **CONDITIONS**

1 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Daylight Report; Design and Access Statement; Statement of Community Involvement; Statement of Loss of Care Homes or Sheltered Housing; 2012/51/01A; 2012/51/02C;

2012/51/03; 2012/51/04; 2012/51/05; 2012/51/06; 2012/51/07; 2012/51/08; 2012/51/09A; 2012/51/10C; 2012/51/11C; 2012/51/12A; 2012/51/13/1; 2012/51/13/2

3 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 ensure the external materials of the development match those used in the existing building and the character of the area in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s), other than those shown on the approved plans shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

Reason: To protect the amenities of the neighbours with regard to overlooking in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

5 The window(s) in the flank wall(s) of the approved development shall:

a) be of purpose-made obscure glass,

b) be permanently fixed closed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.

Reason: To protect the amenities of the neighbours with regard to overlooking in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

6 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water and surface water storage / attenuation works 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 adequate drainage facilities are provided, as required by policy DM1 and DM9 of the Harrow Development Management Policies Local Plan (2013).

7 The development of any buildings hereby permitted shall not be commenced until works for the disposal of sewage has 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 completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, as required by policy DM1 and DM9 of the Harrow Development Management Policies Local Plan (2013).

8 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, a revised layout showing that only units 1 and 4 would be accessed from the side entrance as their principal access. This plan must show that the side access for units 2, 5 and 7 will only be used in the event of an emergency and that these flats will be accessed principally from the front entrance facing West End Avenue. The revised plan shall be accompanied by a statement incorporating arrangements to be put in place to ensure that, with the exception of an emergency, occupiers of units 2, 5 and 7 will not use the side access to enter or exit the premises. The development shall be completed in accordance with the approved details which shall be fully implemented before the first occupation of the development and shall retained as such thereafter.



REASON: To safeguard the amenities of the neighbouring property at number 30 West End Avenue in accordance with policies DM1 of the Harrow Development Management Policies Local Plan (2013).

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

REASON: to safeguard the appearance of the locality in accordance with policy DM1 of the emerging Harrow Development Management Policies Local Plan (2013).

10 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

REASON: To safeguard the character and appearance of the area, in accordance with policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

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

REASON: To safeguard the character and appearance of the area, in accordance with policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

12 Notwithstanding the details shown on the approved plans, the development hereby approved shall not commence until annotated plans and/or an accompanying Lifetime Homes compliance statement demonstrating how (and to what extent) the development would comply with the Lifetime Homes Standards, has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details which shall be fully implemented before the first occupation of the development and shall retained as such thereafter.

REASON: To ensure provision of Lifetime Home standard housing in accordance with policies 3.1, 3.5, 3.8 and 7.2 of The London Plan (2011), and policy CS1.K of the Harrow Core Strategy 2012.

13 Notwithstanding the details shown on the approved plans, the development hereby approved shall not be occupied until revised plans showing two car parking spaces only on the front forecourt has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details which shall be fully implemented before the first occupation of the development and shall retained as such thereafter.

REASON: To ensure that the proposal would have an acceptable impact on highway safety in accordance with London Plan policy 6.9 and Policy DM42 of the Development Management Policies Local Plan.

## **INFORMATIVES**

1 The following national, regional and local planning policies and guidance are relevant to

this decision:

**National Planning Policy and Guidance**  
National Planning Policy Framework (2012)

**The London Plan (2011)**

Policies 3.1, 3.3, 3.4, 3.5, 3.8, 5.17, 6.3, 6.13, 6.9, 7.1, 7.2, 7.3, 7.4 and 7.6

Supplementary Planning Guidance: Accessible London – Achieving an Inclusive Environment (2004)

Housing Supplementary Planning Guidance (November 2012)

Supplementary Planning Document: Accessible Homes (2010)

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

**Harrow Core Strategy (adopted 16 February 2012)**

Core Policies CS1.B, CS1.K and CS1.O

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

Policies DM1, DM2, DM9, DM22, DM23, DM27, DM29, DM42 and DM 45

**2 INFORMATIVE:**

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

**3 INFORMATIVE:**

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

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

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

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

Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

*(updated 28.3.07)*

4 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.

**5 INFORMATIVE: 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 INFORMATIVE:** You are advised that the vehicle crossing of which details have been submitted to the Council in this application has not been shown on the plans and has not been described in the application has not been assessed as part of this application. Any vehicle crossing in this location would not require planning permission but should not exceed 3.6m. If you have not already made an application to the Council's Vehicle Crossings Team, you must do so.

**7 INFORMATIVE: GLA COMMUNITY INFRASTRUCTURE LEVY (CIL) CONTRIBUTION:**

Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract a liability payment of £23,380 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £23,380 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 668sqm

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

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

**8 INFORMATIVE: HARROW COMMUNITY INFRASTRUCTURE LEVY**

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

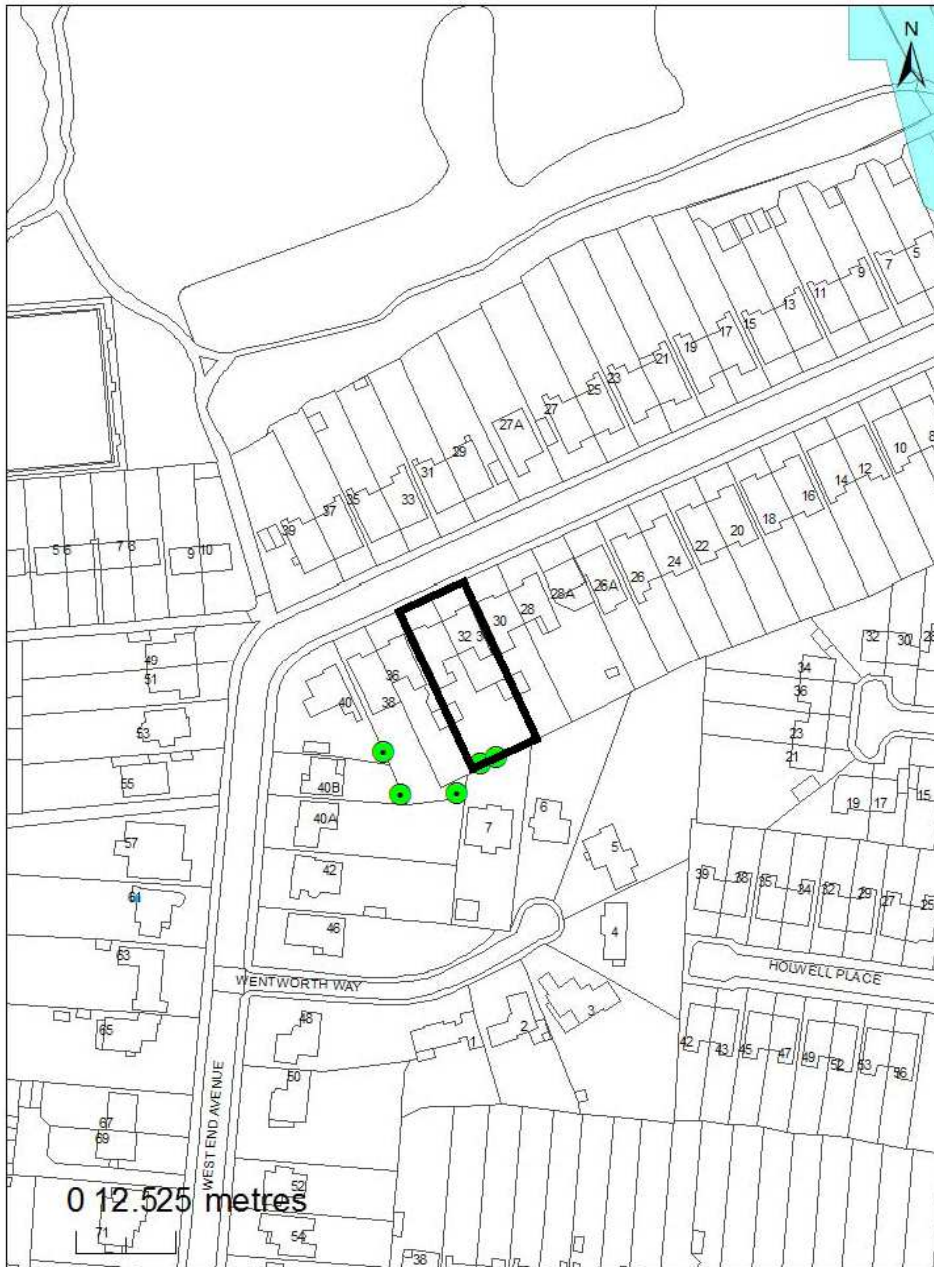
Residential (Use Class C3) - £110 per sqm;

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 Harrow CIL Liability for this development is: £73,480

Plan Nos: Daylight Report; Design and Access Statement; Statement of Community Involvement; Statement of Loss of Care Homes or Sheltered Housing; 2012/51/01A; 2012/51/02C; 2012/51/03; 2012/51/04; 2012/51/05; 2012/51/06; 2012/51/07; 2012/51/08; 2012/51/09A; 2012/51/10C; 2012/51/11C; 2012/51/12A; 2012/51/13/1; 2012/51/13/2

**ABBNEYFIELD HOUSE, 32-34 WEST END AVENUE, PINNER**



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### SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

Item No. 3/01

Address: BROADFIELDS SPORTS AND SOCIAL CLUB, HEADSTONE LANE, HARROW

Reference: P/4030/13

Description CHANGE OF USE OF 2.2HA OF LAND (FORMERLY USED AS PLAYING FIELDS) TO TOURING CARAVAN AND CAMPING SITE (75 PITCHES); FORMATION OF ACCESSWAYS; CONSTRUCTION OF RECEPTION BUILDING AND WASTE DISPOSAL POINT; ASSOCIATED WORKS AND LANDSCAPING.

Ward: HEADSTONE NORTH

Applicant: HARROW COMMUNITY SPORTS LTD

Agent: LAMONT PLANNING ASSOCIATES

Case Officer: NARINDER LAKHAN

Expiry Date: 10-APRIL-2014

#### RECOMMENDATION

**REFUSE** planning permission for the application described in the submitted plans, drawings and Environmental Statement for the following reasons:

1 The proposed development, by reason of being a material change of use, is an inappropriate development within the Green Belt. The very special circumstances advanced by the applicant do not outweigh the harm to the Green Belt and the development is therefore contrary to the National Planning Policy Framework 2012, policy 7.16.B of The London Plan, policy CS1.F of the Harrow Core Strategy 2012 and policy DM16 of the Development Management Policies DPD (2013).

2 The extent, the density and layout of pitches and inappropriate landscape mitigation strategy, would adversely affect openness and permanence of the Green Belt, amounting to inappropriate development within the Green Belt. The very special circumstances advanced by the applicant do not outweigh the harm to the Green Belt and the development is therefore contrary to the National Planning Policy Framework 2012, policy 7.16.B of The London Plan, policy CS1.F of the Harrow Core Strategy 2012 and policy DM16 of the Development Management Policies DPD (2013).

3 The proposed development, by reason of the loss of playing fields in the borough where there is an identified existing and future deficit in provision of playing fields, would have an adverse impact on existing and future provision of playing fields in the borough for residents, to the detriment of the health and social inclusiveness of the community,

contrary to paragraph 74 of the National Planning Policy Framework 2012, policy 3.19 and 7.18 of The London Plan policy CS1.F of the Harrow Core Strategy 2012 and Policy DM18 of the Development Management Policies DPD (2013).

4 The proposed development, by reason of the physical constraints of the proposed access and egress points for the development on Broadfields, Headstone Lane and the junction of Headstone Lane and Broadfields and the difficulty in manoeuvring unwieldy vehicles within these constraints, would be likely to result in hazardous and obstructive vehicles manoeuvres, to the detriment of the safety of users of the highway network. The applicant has also failed to demonstrate that the site would not result in obstructive queuing on the highway, to the detriment of the free flow of traffic and the safety of users of the highway network, contrary to policies 6.3A/B/C of The London Plan 2011 and Policies DM42, DM43 of the Development Management Policies DPD (2013).

5 The proposed ancillary buildings, by reason of their utilitarian design and form, would result in an unsympathetic and obtrusive design form in an open setting, to the detriment of the character and appearance of the locality, contrary to policy 7.4.B and 7.6.B of The London Plan 2011, policy CS1.B of the Harrow Core Strategy 2012 and policy DM1 of the Development Management Policies DPD (2013).

6 The proposed development, in the absence of an adequate survey to indicate the likely presence of bats and other protected species on or near the site their behaviour patterns, would potentially have an adverse impact on the habitats of a protected species, contrary to policy 7.19.C/D/E of The London Plan 2011 and policies DM20 and DM21 of the Development Management Policies DPD (2013).

7 The proposed development would be reason of its proximity, scale and form of development proposed would have a harmful impact on the setting of the Scheduled Ancient Monument Pinner Deer Park (No 29448). It is further considered that in the absence of an adequate Archaeological Assessment to assess the impacts on the archaeological integrity of the monument from increased human interaction would potentially have adverse impacts on the heritage interest of the Scheduled Ancient Monument. The proposal therefore fails to accord with policy 7.8. of The London Plan 2011, policy D7 of the Development Management Policies DPD (2013).

8 The proposed development, in the absence of an adequate Flood Risk Assessment to demonstrate the sequential and exception tests have been applied and passed and the development would not result in adverse levels of surface water run-off, would potentially have an adverse impacts on the strategic flood risk strategy for the borough and flood risk locally, contrary to paragraph 100 of the National Planning Policy Framework 2012, policies 5.3.C, 5.12.B/C and 5.13.A of The London Plan 2011, policy CS1.U of the Harrow Core Strategy 2012 and policy DM9 and DM10 of the Development Management Policies DPD (2013).

#### **INFORMATION:**

This application is being reported to Planning Committee as the proposal constitutes development of significance and in the public interest and is therefore excluded by Proviso A of the Scheme of Delegation.

Statutory Return Type: The application is Environment Impact Assessment Development. The applicant has submitted an Environment Statement in accordance with Regulation

Council Interest: None

Gross Proposed Internal Floorspace: 126sqm

Net Additional Floorspace: 0sqm

GLA Community Infrastructure (CIL) Contribution: N/A as net additional floor area is less than 100sqm

### Site Description

- The red-outlined application site comprises 2.2 hectares of land at the western end of Broadfields, with access between 220 and 230 Headstone Lane and a strip of land running to the rear of the properties on the western side of Headstone Lane. The total area of the Broadfields site (outlined in blue) is 8.9 hectares.
- Running from north to south, the application site would approximately divide in two equal linear strips the western and eastern parts of Broadfields.
- Broadfields and the application site comprise part of a larger expanse of open land which includes Pinner Park Farm to the north-west. The expanse of open space is designated as part of the Metropolitan Green Belt.
- The site is bounded by residential development at Broadfields and Randon Close to the north and by the rear gardens of the residential properties along Headstone Lane to the west.
- To the south, Broadfields is bounded by Pinner Park School and the allotments of Melbourne Avenue.
- A scheduled ancient monument [SAM], part of the Pinner Park Farm deer park, runs adjacent to the western boundary of Broadfields. The application site boundary is marginally inside this boundary.
- The English Heritage list description refers to this section of the SAM as:  
*“The bank along the eastern section survives over a distance of approximately 250m, averaging 7m in width and 1m in height although somewhat distorted by episodes of comparatively recent dumping. The inner ditch (approximately 3m wide and 1m deep) flanks the bank along the entire section. The outer ditch, however, has been completely infilled, presumably to increase the available land on the Sports Ground side.”*
- The SAM is today delineated by elevated ground, interspersed tree growth, brambles and thicket.
- Beyond the SAM is Pinner Park Farm, a site of nature conservation importance [SINC].
- Broadfields has historically been used for sports and recreational uses, most recently as football and cricket pitches.
- In terms of development on the site, there is a two-storey sports pavilion, currently used as a restaurant adjacent to the Broadfields entrance to the site. Together with a two-storey residential dwellinghouse, this building and the ancillary areas of storage form the bulk of built development at the northern end of the site.
- In the corner adjacent to the rear of No.'s 18 & 20 Randon Close, there are three concrete constructed outbuildings in a dilapidated state and two goods containers.
- At the south-western end of Broadfields, six all-weather pitches are located with floodlights.
- The remainder of Broadfields is an open land. The land is broadly flat.

### Proposal Details

- It is proposed to change the use of the 2.2ha of land that comprises the application



site from playing fields to a touring caravan and camping site for 75 pitches. It is also proposed to construct a reception and facilities building with associated works and landscaping.

- The applicant proposes to provide access to the site in a one-way system, with access via the entrance between 220 and 230 Headstone Lane, around the rear of the pavilion and dwellinghouse and down through the site. Egress would again be via the rear of the dwellinghouse and pavilion and via Broadfields to the north of the site.
- It is proposed to demolish the existing outbuildings at the northern end of the site and construct a reception and management facilities. The building would be sited on much the same footprint as the existing buildings. It would be 9m in depth by 15m in width. It would have a shallow mono-pitched (almost flat) roof with an overall height of 3.5m.
- A small waste and disposal building of 5sqm is proposed adjacent to the office and reception area.
- The caravan pitches would be laid out in an oblong radial arrangement.
- A landscaping strategy proposes:
  - i. New planted hedges between pitches;
  - ii. buffer zones of trees and shrubs along the western, northern and eastern boundaries of the application site;
  - iii. Screen hedgerow strip along the backs of the residential gardens at Headstone Lane
  - iv. wildflower verge adjacent to the SAM;
  - v. deculverting the stream at the western end of the site to direct water into a man-made nature pond at the southern of the site;
  - vi. streamside trees, wetland and wildflowers and ditched banks;
  - vii. coppices at the south-western and south-eastern ends of the site

### **Summary of Changes**

The current planning application is substantially the same as the previous withdrawn scheme P/4030/13 in respect of the proposed use; quantum of development proposed; number of pitches and proposed access and landscaping. In addition the applicant is now proposing the following:

- A unilateral undertaking to provide funding for street signage and the formation of green grid. This undertaking has yet to be submitted and is reliant on the agreement of other landowners.
- A storage building which was previously indicated to be removed, is to be retained and used for ground maintenance in place of the buildings to be removed (this building is outside the red line).
- In addition the design of the reception building/wc block has been changed by adding a pitched roof and veranda to the south elevation to reflect other buildings serving sports and recreation uses.

The changes to the supporting information is summarised as follows:

### **Transport Statement (TS) and Parking Survey (PS)**

At para 1.5 of the TS the applicants identify (in the opinion) the main highway issues which they now seek to address:

#### *Site management plan to control arrivals and departure times*

At para 1.6 it is stated that the applicant will offer a detailed Site Management Plan

(SMP). The applicants consider that the SMP can be agreed with the Council by condition or legal agreement.

The SMP will restrict arrivals and departures to outside peak times (9am to 4pm). Movement could also be staggered to prevent stacking along Broadfields.

#### *Swept paths of towed caravans*

A swept path analysis has been provided (Drawing Number TSP/NWC/P2221/08 Appendix E of TS) which in the opinion of the applicant's demonstrates that even the largest caravans can enter and exit the site without impacting on highway safety (para 4.14 of TS).

#### *Details of signage strategy*

The updated TS includes a signage and access strategy plan (Drawing No TSP/NWC/P2221/07) Appendix D). The signs to be erected along Headstone Lane would direct drivers to and from the site.

#### *The constraints of access and egress*

The previously promoted double yellow lines along Broadfields have now been removed. The applicant has provided further information on traffic flows along Broadfields. It is their contention that there would be limited conflict between cars and caravans as there would be passing points along Broadfields.

Improvements to the existing access onto Headstone Lane are offered which include increasing the width to 6m. Separate footways will lead into the site on both sides of the access.

Paragraph 3.3 of the old TS has now been removed which made reference to the fact that many potential users do not have the ability to store their caravans at their properties and often use these sites for long term storage.

### **Parking Survey Report**

No changes

### **Open Space Statement**

The following additional paragraphs have been added:

At para's 39-43 the applicants refer to the "*Harrow Outdoor Sport Pitch Strategy 2013-2023*" and its conclusion that sport was no longer the focus for this site.

The applicants contend the pitches have not been used since 2008 and that there would appear to be a surplus of sports pitches in the North West Sub Area of the Borough.

Paragraph 46 states that since the withdrawal of the original planning application there have been further discussions with Sport England.

However at paras 54-62 there is no evidence that Sport England have changed their position in respect on the loss of playing fields. The applicant's contend that the surplus of playing pitches in the North West Area should allow the partial loss of playing fields (para 55).

The report also highlights the financial burden the owners face in maintaining the site for

sport and recreation.

The applicants also argue that there is an unmet demand for touring caravan sites in N W London and the firm has financially supported sport over the past 20 years to sum of £3.2m and can no longer afford to do so. Last this sum is approximately double that to be paid to the Council to offset the loss of playing fields at Kodak.

### **Archaeological Assessment**

English Heritage considered the previous Archaeological Assessment failed to address the impacts of the development on the setting of the Scheduled Ancient Monument or archaeological remains.

The assessment has been revised and applicants contend that there will be no adverse impact on built heritage of acknowledged importance.

### **Flood Risk Assessment (FRA)**

The Environment Agency objected to the withdrawn scheme on the basis that the FRA did not accord with the requirements of the Technical Guidance to the National Planning Policy Framework (NPPF) and failed to provide a suitable basis for assessment of flood risk.

Of note the applicant failed to demonstrate that the infiltration rate and storage volume required to attenuate surface water run-off from the critical 1 in 100 chance in any year storm event, with an appropriate allowance for climate change, can be provided on site.

The amended FRA seeks to address the above concerns and new section has been added to the report to deal with the issue of Surface Water Management.

### **Landscape and Visual Impact Assessment (LVIA)**

The Council were critical of the previous LVIA as it failed to address the impact of the development on the openness of the Green Belt. The LVIA also down played the short term impacts and long term impact as moderately positive. The revised LVIA addresses the impact of the development on the openness of the Green Belt at para 6.2.1. The visual impact assessment aims to demonstrate that the secluded location and that the proposed landscaping will further visually integrate the site into the location

### **Ecology**

Previously the Council were concerned that there would be adverse impacts on protected species (bats) and there was insufficient information to determine the likely impacts. The revised report seeks to address this concern.

### **Environmental Statement**

Has been prepared by Lamont Planning Services and this report has not been amended.

### **Design and Access Statement**

No change.

### **Arboricultural Report**

No change.

### **Relevant History**

LBH/470

Erect changing rooms and tea bar  
Granted: 23 September 1965

LBH/470/1

Extension to sports pavilion to provide additional changing rooms and showers  
Granted: 27 May 1970

LBH/470/6

Erection of 4 thirty-two ft. High flood lights to side of rugby pitch  
Refused: 09 November 1978  
Allowed on Appeal: 19 November 1979

LBH/23051

Erection of one 32ft. High floodlight  
Granted: 11 April 1983

WEST/595/95/FUL

MULTI PURPOSE SYNTHETIC PITCH/TRAINING AREA TO INCLUDE 8 x 6.3m HIGH  
FLOODLIGHTING COLUMNS & 3m CHAIN LINK FENCE

Refused: 12 March 1996  
Allowed on Appeal: 10 October 1996

WEST/779/01/CON

Retention of eight, 15 metre high floodlighting columns  
Refused: 22 January 2002  
Allowed on Appeal: 23 July 2002

WEST/178/01/FUL

Single storey infill extension, and retention of single storey infill extension, to provide  
further changing room facilities and enclosure of veranda to provide childrens play area  
Refused: 04 May 2001  
Allowed on Appeal: 21 August 2001

WEST/33/02/FUL

Replacement pavilion with function room, members bar and ancillary  
accommodation  
Granted: 11 April 2002

P/150/06/CVA

Variation of condition 6 of planning permission west/33/02/p/ful to change opening hours  
(from 08:00-23.00hrs mon-sat & 08:00-22.30hrs on sun) to 08:00-23:00 mon-thu, 08:00-  
24:00hrs fri-sat & bank holidays and 08:00-23:00hrs on sundays  
Refused: 04 July 2006  
Part Allowed: 16 March 2007

The appeal was allowed in part and permits the use of the property from 0800 hours to  
2300 hours on Mondays to Thursdays inclusive; from 0800 hours to midnight on Fridays,  
Saturdays and Bank holidays; and from 0800 hours to 2230 hour son Sundays.

P/0304/13

Change of use of 2.2ha of land (formerly used as playing fields) to touring caravan and  
camping site (75 pitches); formation of accessways; construction of reception building

and waste disposal point; associated works and landscaping.

Withdrawn

### **Applicant Submission Documents**

- Environmental Statement;
- Design and Access Statement;
- Transport Report and Parking Survey;
- Open Space Report;
- Phase 1 Habitat Survey and Biodiversity;
- Phase II Arboricultural Impact Assessment;
- Flood Risk Assessment;
- Archaeological Study;
- Landscape and Visual Impact Assessment
- Tree Impact Study
- Topographic Survey

#### Highways Authority (Conclusions)

The proposed access and egress arrangements for the site pose significant concerns for highway safety on the site, resulting in detriment to highway convenience and safety, contrary to policy 6.3A.B.C of the LP, saved policies T6 and T13 of the UDP and policy DM43 of the emerging DM DPD.

#### Harrow Biodiversity Officer (summarised as follows):

The ES does not provide adequate details as to the behaviour patterns of bats. However, it does identify 3 trees to the south-west '*unlikely to be affected*' with suitable features to harbour bats. This is part of the boundary tree belt which includes an historic pale and old oaks within its length. There is also a stream at the heart of the western section. This type of habitat scores highly in the Guidance for assessing the value of potential development sites for bats (Table 4.2 - Bat Surveys Good Practice Guidelines (2nd edition)). Such trees could well harbour bat roosts. Additionally, features such as these are very attractive to commuting bats passing between roosts and foraging grounds.

There is floodlighting provided for the artificially surfaced pitches to the south - if bats do commute along this corridor how well used they are is also likely to depend on the type and usage of this lighting. Notwithstanding the impact of any floodlighting, if principal bat commuting routes are significantly disturbed by light spill and some human activities associated with the development, this disturbance could hinder the animals' ability to feed and the conservation status of the species in the locality might suffer. This would contravene the Conservation of Habitats and Species Regulations 2010 and would be contrary to the Harrow Saved UDP Policy EP27 Species Protection.

The applicants amended Habitat Survey is not comprehensive and fails to take into account the impact on all protected species that could be on or near the application site.

#### Harrow Landscape Architect (summarised as follows):

In the short term the caravan and camping pitches would be highly visible from the houses adjoining the site, to the north and east in particular and partly to the south, Pinner Park Middle School and houses to the south. There would also be views from the land on Pinner Park Farm to the west, particularly in the late autumn and winter and early

spring months. The pitches for the caravans/ camping (75 pitches) appear to be densely packed together and although visual screening using new native tree and shrub planting is proposed, this would take many years to establish and provide any filtering or screening benefits. At time of planting the native planting would have no softening or screening impact - native trees and shrubs are to be proposed planted at 800mm - 1.2 metres in height. These plants in the early years would appear as twigs, providing no screen or softening with green vegetation. In the early years there would be clear views of the proposed caravan park which would be aesthetically unattractive and visible both during both the day and at night (lights in the caravans and tent areas) and the low level lights.

The open character of the area would be closed down by the screen planting, surrounding the caravan park and the screen hedgerow backing onto Headstone Lane gardens, and a corridor or strip of grass / sports pitch would remain - 100 metres wide - between the hedges. The linear screen hedges would form a barrier or "green wall" to the existing more open views, changing the open character of the area. As the years pass, the screen planting would grow and become dense, particularly with the understorey of native shrubby plants infilling under the native tree species. If the proposed tree and shrubs contain evergreen and deciduous species the screening over time would be even more effective in cutting views, containing the space and changing the open character of the area. The Landscape and Visual Impact Assessment report states that by Year 15 the development would be barely perceptible to the naked eye and the new hedgerow plants would be the main focus from the views (for properties in Headstone Lane and Barmor Close). By year 15 it would be likely for the views of the caravan park to be screened or almost completely screened, - cutting off the long views that exist at present and resulting in a change to the open character of the area.

The proposed screen hedgerow adjacent to the rear gardens of Headstone Lane (to the east of the site) would over time change the views from the gardens, closing down the existing open views over the grassed sports pitches and agricultural pasture, broken up by the tree lined boundary.

The possible introduction of a proposed new public footpath, to provide a green link - connecting Headstone Manor to Pinner Park Farm would be welcomed, as long as the footpath was designed within the character of the existing landscape, to be an interesting route within a very wide swathe of landscape, away from the caravan site itself. Any footpath connection should not simply be a straight and narrow cut through footpath route, squeezed across or adjacent to the caravan park, without any particular design or consideration of the surrounding landscape.

The proposed native planting would be appropriate for the character of the landscape and over time should grow and provide softening/ screening for the pitches / caravans. The proposed planting and a pond area would over time enhance the biodiversity of the area. On the other hand, the proposed increased and intense human activity in the area could have a detrimental impact on the existing landscape, wildlife and vegetation and visually for some years the site would not be softened or screened by vegetation. To provide an effective screen a broader and more informal edged belt of planting (curves of planting with a scalloped edge) should be proposed around the caravan site and, all the individual pitches within the site could all be screened by hedge planting, and more tree planting. This would reduce the number of possible pitches but provide a much more natural and informal appearance. However, even with increased widths of buffer planting and more hedge and tree planting within the site, the existing open character of the area

would be changed and the landscape would become much more enclosed and over time as the trees and shrubs grew bigger, the longer views would disappear.

Supplemental comments on revised Proposal

The proposed planting would not provide screening, from various locations, on Day 1. The layout proposals, planting strategy and sections show that the proposed mound has been increased in height from 0.5m to 1m and is to be planted with native transplants 600-900mm and extra heavy standard trees 3.5 - 4m in height. In the early years the proposed planting would provide very limited softening to the proposed caravan park. It is noted on the Landscape cross Section, Day 1, that the mound provides initial low level screening / reduction in scale - mass planting would take some years to provide screening and the larger tree planting canopies would be above the caravan height, however, there would be views underneath the tree canopies and in the spaces, between the trees. In winter there would be views through the tree branches. Some feathered trees have been proposed within the hedgerow planting - height 2- 2.5m, but again it would take time, over some years, for this planting to provide screening of the caravans, camping and pitches. This is confirmed in the Design and Access Statement, Clause 5.1.11, under Landscape Outcomes - states 'In year 1 caravans would be visible from the rear of some properties particularly those in Headstone Lane'. Landscape and Visual Impact Assessment, Appendix 5 - Visual impacts Year 1 and Year 15, does acknowledge the site development will be visible from Headstone Lane, Barmor Close and Randon Close

Harrow Drainage Team (summarised as follows):

No objections. Recommend imposition of conditions should planning permission be granted.

Harrow Environmental Health Team (summarised as follows):

The applicant has failed to submit a detailed site management plan for the site detailing how the site would be managed and controlled if and when permission is given. Eg: The caravan site owner should undertake on an annual basis an audit, to confirm that each caravan unit owner has a permanent off-site address and that they are not occupying the caravan unit as their main place of residence. This information should be kept on site ready for inspection by the Local Authority.

The Applicant has failed to supply a sufficient risk assessment for their Private Distribution Network as classified by the Private Water Supplies Regulations 2009. We are also concerned on the traffic impact on the locality and possible traffic congestion during peak use of the site. Given the above concern environmental health feel the application should be rejected at this time until satisfactory information is submitted.

There should minimal effects from noise and odours the site benefits from having an existing waste contractor and should be dealt with sufficiently. If the application is granted, no occupation should take place until a 'site Operation License' pertaining to 'Caravan Sites and Control of Development Act 1960 is obtained from the licensing authority.

Transport for London

TfL have **no** strategic transport issues with his application and therefore have **no** comments to make.

Sport England (concludes as follows):

Sport England **strongly objects** to the proposal because it is not considered to accord with Sport England's playing fields policy and is contrary to the National Planning Policy Framework by virtue of the fact that the significant amount of playing field lost will not be replaced elsewhere and there is a clear sporting need to retain the site in sporting use as a formal playing field. Sports England's objections can be summarised as follows:

- The site is a designated playing field. And its current lawful use is as playing fields and was regularly used in the past as playing fields.
- The development would result in the complete loss of 2.2ha of usable playing field land no replacement playing field has been proposed as part of this application contrary to advice in the NPPF
- Harrow Councils the Sports Pitch Strategy, does not indicate that there is a clear and demonstrable oversupply of pitches in the Borough
- The findings of the Harrow Outdoor Sports Pitch Strategy 2013- 2023, are clearly at odds with the Open Space Assessment submitted as part of the application
- The Harrow Outdoor Sports Pitch Strategy 2013- 2023 does not support the loss of and redevelopment of the Broadfields Country Club.
- The proposal does not accord with Sport England's playing fields policy and is contrary to the NPPF by virtue of the fact a significant amount of playing fields will be lost and will not be replaced elsewhere.
- There is a clear need to retain the site in sporting use as a formal playing field.

English Heritage (summarised as follows):

The application envisages the use of the ground adjacent to a scheduled ancient monument (Pinner Dear Park National Monument Number 29448) and to Pinner medieval deer park archaeological priority area for a landscaped caravan park. An archaeological assessment has been submitted with the application based on a document submitted with the previous application. Despite some amendments its assessment of impact is restricted to consideration of physical impact of the development on the scheduled monument. It does not assess the effect on the scheduled ancient monument through development in its setting in accordance with published English Heritage guidance on the setting of heritage assets.

The applicants have also failed to assess the potential for the development to affect as yet unrecorded below ground archaeological remains despite the discovery of probable prehistoric features 200m to the south.

Setting of Pinner Dear Park

The proposed development would cause harm but not substantial harm to the scheduled deer park through development within its setting.

Potential for undesignated heritage assets of archaeological interest

The applicants need to submit a revised archaeological assessment and if necessary undertake a field evaluation, which satisfactorily addresses this issue. The extent and depth of groundwork is unclear.

If planning permission is to be refused it is recommended that the failure of the applicant to provide an adequate archaeological assessment be cited as reason for refusal.

Preliminary appraisal of the site with reference to the Greater London Historic Environment Record indicates that this application for planning permission warrants



further consideration due to its scale and location on open ground adjacent to a scheduled monument (Pinner deer park National Monument Number 29448) and to Pinner medieval deer park archaeological priority area. An archaeological assessment has been submitted with the application but it is restricted to consideration of the physical impact of development on the scheduled monument. It is not compliant with good practice as no search has been made of the Greater London Historic Environment Record nor does it consider the effects on the scheduled monument through development in its setting (in accordance with EH guidance) nor the potential for the development to affect as yet unrecorded below ground archaeological remains. With reference to Section 12 of the NPPF I therefore recommend that the applicant is required to provide a revised archaeological assessment which satisfactorily addresses these points before any decision on the planning application is taken. Once the full impact of the proposal on heritage assets has been defined (including consideration of their setting) a decision can be made.

Environment Agency (summarised as follows)

In the absence of an acceptable Flood Risk Assessment (FRA) we **object** to the grant of planning permission and recommend refusal on this basis.

The FRA submitted with this application does not comply with the requirements set out in paragraph 9 the Technical Guidance to the National Planning Policy Framework. The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. This is contrary to your draft Development Management policies 16 and 17 and polices 5.3, 5.12 and 5.13 of the London Plan.

In particular, the applicant has not demonstrated that the infiltration rate and storage volume required to attenuate surface water run-off from the critical 1 in 100 chance in any year storm event, with an appropriate allowance for climate change, can be provided on site.

Greater London Authority Stage 1 response (conclusion summarised as follows):

The application does not comply with the Policies of the London Plan as it involves the loss of playing fields. The principle of development in the Green Belt is acceptable.

Natural England

The proposal is unlikely to affect any statutorily protected sites or landscapes.

London Parks and Gardens Trust (summarised as follows):

- Loss of Green Belt should always be strongly resisted
- Present sports ground are part of a buffer to Pinner Park, helping maintain the important sense of openness as well as the deer park and connection to Headstone Manor

Hatch End Association (summarised as follows):

- Object to the loss of a playing field based on the fact that young people would have fewer opportunities for sport and a lost opportunity. The Kodak development includes a new primary school without a playing field.
- Development would result in a loss of openness of the Green Belt due to the number of pitches proposed (75). The special circumstances put forward by the applicant do not outweigh the harm to the Green Belt.

- Poor Access to the site and Traffic Generation arising from the development.
- Digging on the site associated with camping and tenting activities would have an adverse impact on the Scheduled Ancient Monument. English Heritage are opposed to the development due to the impact on the setting of the Pinner Dear Park. Applicants are also required to provide a revised archaeological assessment.
- Land drainage could be a problem as the River Pinner runs through Pinner Park Farm.
- The proposal will have a detrimental effect on the amenities of local residents through the use of cars and caravans accessing the site and social activities during the day and at night would affect the enjoyment

Headstone Residents Association (summarised as follows):

This revised application is not significantly different from the previous application.

The proposal will result in noise nuisance to neighbours; there will be an increase in crime and disorder; it will result in a permanent settlement on the site; there will be an increase in traffic and parking problems throughout the area; there will be trespass and damage to important heritage sites at Pinner Park Farm; and will result in the loss of playing fields.

The scale of the use at 75 pitches is not appropriate in the Green Belt;

The site will be used for long term storage of caravans as indicated in the Transport Statement.

The supporting documents are inconsistent about the size of the site;

The plans are inaccurate and show different layouts;

The ES statement is incorrect in stating that there have been no noise complaints since 2001. It is well documented that the site has a history of noise and other nuisance and breaches of planning permission.

The supporting documents are conflicting in respect of the hours of operation.

The proposals would lead to loss of openness with the effective loss of Green Belt.

The site could become a permanent settlement. The TS states that caravan users will store their caravans on site (para 5.5) this is inappropriate for Green Belt land.

The applicants TS relies on unsubstantiated statements about the driving habits of caravan users.

Broadfields is not a suitable exit point for a car towing a caravan.

There is a shortage of playing fields in the borough not a surplus as the applicants contend.

The on site facilities cannot cater for 75 pitches which could result in up to 200 people on site. To cater for the level of users the buildings on site would need to be enlarged and would not be acceptable in the Green Belt.

The proposed building would be sited in close proximity to 18/20 Randon Close.

The application can adequately address the disposal of waste (grey water) from the pitches. This could impact on local wildlife and the ancient monument.

Nugents Park Residents Association (summarised as follows):

Loss of resource for local community; the borough needs more not less sports opportunities for sport; proposal would lead to hazardous conditions on local roads; the site borders the old Pinner Dear Park which is an archaeological priority area and scheduled ancient monument which is likely to be adversely affected by this development; the landscaping plan will not overcome the impact of the development on this historic landscape

London Borough of Barnet – No objection.

London Borough of Ealing – No objection

London Borough of Brent – No objection

Bob Blackman MP – Objection to the loss of playing fields and impact on the Green Belt. Impact on the living conditions of nearby residents through noise and disturbance.

Gareth Thomas MP – Objection to the loss of playing fields and impact on the Green Belt. Impact on the living conditions of nearby residents through noise and disturbance, traffic and congestion.

**1<sup>st</sup> Advertisement:** Departure from the Development Plan; Major Development; Environmental Impact Assessment Development; General Advertisement  
**Expiry:** 11 April 2013

**1<sup>st</sup> Site Notice Erected:** 14 January 2014  
**Expiry:** 4 February 2014

**1<sup>st</sup> Notification**

Sent: 709

Expiry: 02 April 2013 23 January 2014

**Neighbours Consulted:**

Altham Court, Broadfields: 1-8

Broadfield Court, Broadfields: 1-4

Parkfield House, Broadfields: 1-45

Oak Tree Court: 1-12

Laura Court, Parkfield Avenue: 1-8

Verwood Road: All properties

Parkfield Avenue: 16-90 (even), 23-63 (odd)

Parkfield Crescent: 1-28, 29, 30, 32

Parkfield Gardens: All properties

Holmwood Close: All properties

Barmor Close: All properties

Broadfields: All properties

Pinner Park Avenue: 36-100(even), 29-95 (odds)

Randon Close: All properties

Headstone Lane: The Lodge at Broadfield Sports and Social Club; Broadfields Sports and Social Club, Headstone Lane Sports Ground, Mount Pleasant House, Headstone Lane Railway Station, 103-209 (odds), 130-298 (even)

Greystoke Avenue: 8

Almond Way: All properties

Barmor Close: All properties

Temsford Close: All properties

Manor Park Drive: 4-46 (even)

Fulbeck Way: All properties

Willow Court, Fulbeck Road: 1-10

Fernleigh Court: All properties

Melbourne Avenue: Pinner Park Infant and Nursery School, 25, 26, 27, 28, 29, 30, 31, 33

Greystoke Avenue: 1a, 1b, 2, 3, 4, 5, 6, 7, 9, 10, 12

Pinner View: The Pavilion, Headstone Manor Recreation Ground

A second consultation period was conducted to correct the advertised site address from HA3 6NN to HA2 6NN

**2<sup>nd</sup> Advertisement:** Departure from the Development Plan; Major Development; Environmental Impact Assessment Development

**Expiry:** 18 April 2012

**2<sup>nd</sup> Site Notice Erected:** 28 March 2013

**Expiry:** 18 April 2013

**2<sup>nd</sup> Notification**

Sent: 709

Expiry: 26 April 2013

**Neighbours Consulted:**

Altham Court, Broadfields: 1-8

Broadfield Court, Broadfields: 1-4

Parkfield House, Broadfields: 1-45

Oak Tree Court: 1-12

Laura Court, Parkfield Avenue: 1-8

Verwood Road: All properties

Parkfield Avenue: 16-90 (even), 23-63 (odd)

Parkfield Crescent: 1-28, 29, 30, 32

Parkfield Gardens: All properties

Holmwood Close: All properties

Barmor Close: All properties

Broadfields: All properties

Pinner Park Avenue: 36-100(even), 29-95 (odds)

Randon Close: All properties

Headstone Lane: The Lodge at Broadfield Sports and Social Club; Broadfields Sports and Social Club, Headstone Lane Sports Ground, Mount Pleasant House, Headstone Lane Railway Station, 103-209 (odds), 130-298 (even)

Greystoke Avenue: 8

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Pinner View: The Pavilion, Headstone Manor Recreation Ground

**Summary of Responses:**

- Objections (436)
- Petition of Objection No.1 (38 signatures)
- Petition of Objection No.2 (3,390 signatures)
- Support (1)

## **Objections (415):**

### *Principle*

There is no evidence that Harrow needs such a facility; Harrow Tourist Board does not support this application; This is not a tourist location people will not travel into London; The proposal would conflict with surrounding uses in particular the nearby school; Other caravan parks at Headstone Manor and Kodak Park have been unsuccessful; This development would be out of character with this long established residential area; The applicant has failed to demonstrate the need for a facility in this location; The applicant has no experience of running a camping site; The applicants have not provided any cost benefit analysis to back up their financial arguments; The company's financial situation should not be the basis of making a planning decision; A better location for the caravan park would be the civic centre car park or the back garden of the all the Councillors; In clause 3.1 of the TS it is stated that the site will be licensed to the Camping and Caravanning Club of GB, however residents have checked this and they state that there will no involvement on their part; The C & C Club would only franchise their name to the site that is if only they are of sound financial standing.

### *Impact on Green Belt*

Green Belt should be retained; Development contrary to development plan as would reduce openness and opportunities for access for recreation and outdoor sports in the Green Belt; Traveller sites are inappropriate development in the Green Belt; Overdevelopment and encroachment on the Green Belt; Owner has tried to remove Green Belt land status; Caravan park has the same implications for Green Belt policy as a traveller site; This application seeks to circumvent Green Belt policy so as to allow other inappropriate development in the future; The site would not enhance the character of the Green Belt; Financial losses should not a reason to lose this area of Green Belt, open space and playing field. Then proposal is inappropriate development in the green belt and would conflict with the NPPF; The applicant has not forward any special circumstances to allow this development; The proposed development by reason of its extent, density and layout of pitches and inappropriate landscape strategy would affect the openness and visual amenities of the Green Belt; The caravan's will have a negative visual impact on the openness of the Green Belt; The proposal will result in caravans being a permanent feature the site becomes a residential use in the Green Belt; The development would lead to more buildings being sited in the Green Belt; Light and noise pollution would have an unacceptable impact on the Green Belt; Financial losses should not a reason to lose this area of Green Belt, open space and playing field; The ancillary buildings would be detrimental to the character and appearance of the current open setting of the locality.

### *Loss of sports facilities*

Loss of sports field; Playground used by children would be lost, resulting in health impacts; Owners have sought to reduce use of playing pitches but this does not reflect a decline the in demand for sports pitches in the area; Harrow has already lost too many playing fields; Until recently sporting use of the field flourished but owners have chosen to phase out the use of sports despite having a purpose built pavilion, changing area and bar area; Location should be used as sports and leisure recreation area; Green fields need to be maintained for the ever expanding community; Local teams forced to relocate after harassment and hostility from the owners; Understand from local residents that the companies' excessive pricing policy made it impossible for many organisations to use the football pitches; Question why fields cannot be improved as a recreational centre; Format of youth football to change which will place a demand on sports pitches; Legacy of

uptake in sport should not be stifled by a lack of appropriate land; Use of the fields stopped once inflated hire costs were introduced; Reduction in sports activities on the site, not because of reduced demand by local sports teams, but because the site operators have apparently discouraged it; There is support for sports uses from central government and sport England which this proposal would run contrary to; With the closure of the Kodak Site there will be fewer fields in the borough available for sport; The community is already losing the Kodak Site and Zone Leisure Centre so we need more open space not a caravan park; The sports use of the site has deteriorated as a result of poor management by the current owners and the applicants are trying to phase out the sports use of the site; The field was well used and suddenly all activities stopped and residents feel that this was carried out on purpose so as to cause financial hardship; The playing fields were very popular however the use stopped due to the inflated prices.

### *Character of the Area*

Development would be out of character with the residential nature of the area; Negative visual impact of development; Transportation Statement implies that caravans may be stored on site and if so, where?; Architecture of new ancillary blocks is utilitarian without architectural sympathy; The ancillary buildings would be detrimental to the character and appearance of the current open setting of the locality; The proposal will change the landscape character of this area of open space; The field gets water logged and muddy as it does not drain well, with caravans and cars using the fields it will make it worse; The current floodlights are an eyesore, the camping site with its additional lighting even at 1.5m will add to the disturbance; The proposed use is out of character to the residential use of the surrounding area; The ancillary buildings are of a poor design and out of character of the prevailing architecture and this shows the applicants' shoe-string approach of the application; .

### *Transport, Highway Safety and Access*

Broadfields is a narrow exit point and would prove difficult for caravans; Issues of access to the site; Increased traffic problems arising, especially considering the close proximity of Pinner Park School; Existing parking issues on Headstone Lane will be exacerbated; Headstone Lane is not a suitable location for large vehicles; Entrance on Headstone Lane is dangerous when used by cars and will be more dangerous when caravans are being used; Existing permission at the Kodak site will exacerbate traffic issues; Tailbacks from vehicles entering and exiting the site; Difficulties for caravans reversing; Issues with sight lines and blind spots; Bridge at Headstone Lane was considered long ago not to be strong enough for large vehicles; Caravans would not be able to negotiate the tight bends; Width restriction provided exactly to prevent vehicles of the size of caravans from using the road; Broadfields already heavily parked with commuter's cars; 5 schools in close proximity to the site which increases traffic pressures; Assumptions of Transportation Statement not based on robust evidence; Assumptions in relation to caravans leaving at peaking hours is guesswork; Trip surveys for other sites out of date; Only room for one vehicle to pass through Broadfields; Broadfields egress with oblique sightlines and inclines is not designed for such use; Traffic assumptions biased as conservative; Naïve to think being notified of width restriction at time of booking will be sufficient; Potential of CPZ being imposed around Hatch End station which will result in commuters migrating parking to areas close to Headstone Lane station; Traffic Impact Assessment fails to take account of extant community; Taking away six parking spaces from Broadfields is not workable; Broadfields is difficult to travel along as it incorporates a bend; Broadfields and Headstone Lane both have significant inclines and it is difficult to see traffic at a distance; Arrivals are unlikely to be as spread out as suggested by the applicant. Estimate also fails to deal with whether an effective site management system

could be put in place to cope with problems arising from the development; Evidence of illegal parking in Bridleway adjacent to Headstone Lane station by commuters due to parking demand along Broadfields; Confusion and transport issues will arise if people do not adhere to one-way system; Roads are narrow and increased traffic will severely impact on emergency services trying to gain access to the surrounding area; The owners of Harrow Garden Centre raise concern about the impact of caravans leaving Broadfields will have on traffic coming into Broadfields and then going into Oak Tree Court; In respect of deliveries Harrow Garden centre average 5-15 per day over the year by large trucks. When trucks turn into Broadfields there is insufficient turning space from the left side for the vehicle to turn into Oak Tree Court. This means that the only way this can be achieved is right of the traffic island. If there is another vehicle or vehicles at the top of the road waiting to turn left or right out of Broadfields there could be delay or traffic congestion until that vehicle or vehicles have exited; The 2008 the Traffic and Road Safety Advisory Panel states that Headstone Lane and in the vicinity of Headstone Lane station was a difficult road to cross due to the bend in the road hence poor driver and pedestrian visibility; Residents existing Random Close often get blocked by large vehicles accessing Broadfields where there is not enough space due to congestion. If a caravan was to face a large vehicle there would be no way to pass; The changes of the hours of use to avoid the peak traffic will not reduce congestion as there is still traffic at 9am and 4pm; This development will only add to the boroughs traffic congestion which will also be impacted on by the Kodak redevelopment; extension to Pinner Park School and the redevelopment of the old petrol pump; How will the heavy vehicles required to undertake the construction work access the site; The traffic surveys the applicants relies on are out of date and 2 years old; Headstone lane is gridlocked near Pinner Park Schools every morning during school times and any stray caravan will cause everything to stop. Headstone lane width restriction already suffers this when large lorries need to stop and reverse. The area is already saturated with traffic and will only get worse with the Kodak Development and new flats on headstone lane.; Buses and large lorries find it difficult to manoeuvre the bridge towed vehicles will find it even more difficult; Directional signage will not solve the problem and will be eyesore; Broadfields is narrow road that joins Headstone Lane at a double bend it is difficult to negotiate even without towing a caravan; The proposal will have significant safety concerns for local residents and school children; The width restriction barrier near Pinner Park School results in vehicles making u turns this will increase with the caravans and add to congestion and danger; Broadfields is too narrow to accommodate caravans it will be dangerous for residents and local children and cause damage to parked cars; Broadfields suffers commuter parking and parking down the lane to the garden centre is not possible as access is required for larger vehicles this leads to displacement parking elsewhere; The use should not be located to the nearby school there is a concern over child safety; Headstone Lane is very congested and the problem would only get worse at school drop off and pick up times; Proposed expansion of Pinner Park School will only increase congestion; Parked cars on Headstone Lane cause congestion what if caravans started parking there; The Council have already painted yellow lines at the top of Broadfields to prevent accidents and parking; The Broadfields club house is used frequently for Asian weddings and parties which causes congestion and parking problems; The proposed access from Headstone Lane has to pass a footpath and cycle track therefore putting pedestrian and cyclists at risk; Caravans leaving via Broadfields up an incline going into a bend by Headstone station this will cause congestion; Cars often use Almond Way to reverse causing congestion when they realise the width restriction this will only get worse with caravans; The inadequacy and physical constraints of the proposed access and egress points for the development and the difficulty in manoeuvring unwieldy vehicles within these constraints, would result in hazardous and obstructive vehicle manoeuvres, to the detriment of the safety of users of

the highway network and pedestrians. This would result in obtrusive queuing on the highway, to the detriment of the free flow of traffic especially as the roads affected by the proposal are already heavily congested; There would be conflict between the various use near the junction of Headstone Lane and Broadfields which includes Harrow St Marys Cricket Club and Raghuvanshi Charitable Centre in the summer months. On weekends it is so busy there are marshals at the junction directing traffic; Elderley Residents in the nearby Parkfield House will be affected by the increased traffic and Parkfield Avenue suffers from commuter parking the development will worsen the situation; the parking survey was carried out over 3 days in March 2013 when traffic levels are not going to be at there peak; The transport assessment makes ridiculous statements such as “carvaners are always cautious”; There are 6 schools within the vicinity of the during rush hours there is increased traffic which will causes tailbacks and this will increase with additional vehicles and cause accidents this will also get worse when pinner park school expands; The TA states that Headstone lane is 6m in width but fails to mention that cars parked on it make it narrow and hard to pass which would be even more difficult for caravans; Headstone Lane is a residential area with 3 schools in close proximity therefore it is inappropriate to consider the peak traffic flows between 17.00-1800 it should be 15.00-1800; Clause of 5.5 of the TS states that many caravans will be stored where is the storage area located within the site would this then become a storage park; The TS states that there would be 4 movements per hour 2 in and 2 out surely this must increase in the July and August when there would be more movements per 3 or 4;

#### *Impact on Living Conditions on Nearby Occupiers*

The houses backing the site will suffer loss of privacy and overlooking; The proposal would increase noise, litter and rubbish and pollution to the detriment of the area; The ES states that there is no odour detectable on site however this is not true as the existing club serves food and smells effect properties in Randon Close; The amenity block will have a negative impact on 18 and 20 Randon Close in respect loss of amenity;

#### *Noise and Disturbance*

Noise generated; Lighting will be an eyesore; Noise arising from caravans as a result of the playing of music; Noise methodologies not offered; In the past people have got on the field and caused a noise nuisance; Local residents suffer noise form the pavilion this will only get worse when people using the site will have their own parties with loud music; Vehicles leaving Broadfields will cause a noise nuisance to residents many of whom are elderly; The ES not comprehensive there is no methodology to the noise measurement data; traffic impacts are based on an optimistic 4 movements per hour; no regards is made to light spill and human activity on this area of open space; the assumption that the sites permeability will not change but no account is taken of the access road; new block; hard standing for caravans and associated parking; The applicants have no track record of operating such a site and there is details on how the site will be managed and policed;

#### *Biodiversity and Ecological Issues*

Development will negatively impact on wildlife and plant life; Tree Sparrows have been identified previously in the area but reports do not refer to this; Note timing of bat report in December when bats are not in evidence and nesting birds are not seen; The noise, light and activity generated by the proposed development will be round the clock creating considerable impact and disturbance on protected species such as bats as well as other wildlife and local residents; The construction works will have a significant environmental impact;

#### *Need of Tourism facilities and appropriateness in this location*



Caravan and Camping Club unlikely to approve of this site given the access restrictions; Little to attract tourists in this location; Harrow is not a tourist area; Financial implications are not a reasonable reason to change the use; Development not suited to a highly residential area; No market research to indicate such a use is needed; Company has done nothing to address the financial issues they plead; Question whether the Camping and Caravanning Club would franchise the site given the financial state of the applicant; Assumed demand is not based on evidence; How will the site be managed to ensure that caravans will be only sited on the fields for 21 days; The buildings are not large enough to cater for the number of proposed occupants. The amenity blocks are poorly laid out affording little privacy;

#### *Impact on Scheduled Ancient Monument*

Scheduled ancient monument should be preserved; Proposal would damage the scheduled Ancient Monument of the 'deer leap'; English Heritage put the monument adjacent to the site as a 'monument at special risk'. Plans for the proposals but it is at further risk; No means to judge the applicant's assumptions on the archaeological impacts; There would be damage to the scheduled ancient monument from construction and use; The impact of increased human activity is likely to have an adverse impact on the heritage interest of the scheduled ancient monument; Pinner Park is an historic park that should be protected and also an archaeological priority area; The current playing fields are a buffer to the historic Pinner Park and Headstone Manor the proposal will have a negative impact on these ancient monuments;

#### *Drainage Issues*

Issues of drainage on the site; Intensive use of the site will mean current drainage systems would be overloaded; The proposed development would result in increased levels of surface water run off and increase the flood risk; Gardens in the locality have been known to flood the use of the site will only make the situation worse;

#### *Local Benefit*

No benefits arising for residents from the proposal; The proposal will be an extra burden on health care services in the area this will only increase with the Kodak Site; The footpath link to the green gird offered by the applicant is only deliverable if other land owners agree and is no benefit to the local community or outweigh the harm of the development;

#### *Crime, Safety and Environment*

Hazards arising from storage of gas containers; Security risk to residents; More crime arising in the area; Development will increase litter levels; Increase in pollution and noise pollution; Query as to how park will be policed; Burglary problem in the area would be exacerbated; Problems with refuse arising; Increased parking emissions; Plastic surfacing proposed will be inadequate and hardsurfacing will replace this; Planting will provide cover for burglars; Loss of views; Odour arising from refuse; Evidence that sites of this nature lead to increased crime and anti-social behaviour; Concerns in relation to the safety of school children – this should be a priority; Caravans would be much better placed on brownfield sites; Elderly care home and vulnerable people on Headstone Lane which would be affected by the proposal; No management plan which covers issues of security; Odour impacts appear optimistic; No assessment of light spill and human activity on fauna; Waste will attract vermin; Playground of Pinner Park School backs the site and application poses a security risk; Will people be CRB checked before allowed to go on the site given the close proximity of the site to Pinner Park School; Cooking and barbecue odours; Caravan park will affect the reputation of the borough as a safe place; In light of cuts to spending on policing, there is a concern around security issues,

especially given the issues around the existing management of the site;

### *Community*

Temporary people on the site does not foster a sense of community; NPPF encourage local democracy to prevail; No economic benefit to the residents of Harrow; Developer's assertion that there is no individual right to a view sums up the developers approach to amenity value; Camping and caravan park not mutually conducive uses; Development would not promote healthy lifestyles; Proposals will change demography of the area;

### *Property Prices*

Property prices will go down as a result of the proposal; Planning blight would affect property values;

### *Gypsy Site and surmised use*

Understand that the application will be a gypsy site; Naïve to think development would not be used by travellers; Housing development on the site will follow; Likely that owner would apply for permanent mobile homes; Site will simply become a permanent settlement leading to environment and anti-social issues; What controls are available from the Council to stop the use becoming the storage of caravans?; Dishonest representation of the proposed use of the land; Proposal silent on impacts of itinerant caravan communities using the site;

### *Planning History of the site and other sites*

Previous planning permissions on the site have not been adhered to; Existing permission at the Kodak site will exacerbate traffic issues; Pavilion operating as a restaurant rather than ancillary to the sports field; Already lost playing pitches from Kodak development; Recent demolition works have not been removed from the site, rather they have been buried on the site; Site has been used for sporting use since 1913; Current management of the site whereby hardcore and tarmac is dumped adjacent to the ancient monument raises queries as to the future management of the site; Trees have been cut down on the site; Development of the former Petrol Station site will increase parking demand and traffic;

### *Infrastructure*

Development would not add provide financial contributions towards Council tax, Water rates or emergency services; Increased signage and yellow lines should not be at the tax payer's expense; Development would stretch current resources; Greater pressure on local schools; Will extra policing be required and if so, who would pay for this?; Concern is raised as to how on site waste disposal will be taken care of in close proximity to a school and residential houses;

### *Inconsistencies and inaccuracies in application*

Factual inaccuracies in submission in stating that there are a number of crossing points; Transportation Statement flawed as it only refers to surveys on three days, evidence is not robust and statements are not qualified by evidence; No company registered as North West London Caravan and Camping Ltd at Companies; British Caravan Club and Caravanning and Camping Club unaware of application; The company Northwest London Caravan and Camping Ltd does not exist; The amended reports do not address the concerns of local residents, or the impact of the development on the Green Belt; Scheduled ancient monument and nature conservation; The applicants transport statement is inaccurate as it mentions a garage which does not exist (para 3.4) and has

been demolished and is being replaced a residential development which has not been reassessed; The TA refers to the bridleway as being privately owned, it is not it is owned by Harrow Council; The information about the business on bridleway 51 is incorrect (3.10) there are 2 sports grounds not 1 both with function facilities and 3 residential properties and there is the garden centre wood yard and Montessori nursery not mentioned in paragraph 3.10; The Stilwell Report states at para 3.10 that there are no rights of way for wheeled traffic this a glaring mistake; The applicants claim that the field in front of the pavilion will be used for 11 a side football. However the fields is leased with Kalbho Ltd then it cannot be used for such a purpose; The open space statement suggests that the grassed area could be used for a variety of sports uses why did the applicants not try to carry out those uses for financial gains;

**Petition No.1 (38 signatures) from Parkfield House residents:**

*“Parkfield House is a peaceful and harmonious community. Its residents have worked solidly all their lives and now, in their autumnal years, very much treasure the semi-rural tranquillity of this location. They therefore strongly object to any potential disruption of the status quo. Unfortunately the establishment of a caravan park and camping site would, given its proximity to their living space, represent just that. Noise is an obvious issue. Who for example would therefore be there to explain loud music thrashing out at an impromptu midnight barbeque is unacceptable? Or that honking on a car horn at a similar time is likewise a nuisance.*

*I must ask, given the influx of hundreds of ‘strangers’ into such a small community, who vets their motivation or intentions on hiring such a facility? Doubtless 98% would be blameless would mean harm to no one. Alas, Parkfield House has been the target of all too many ‘conmen’ and other undesirables. The notion of importing, via this scheme, just 2% of the aforementioned is very worrying. (NB many of Parkfield’s residents are highly vulnerable and elderly all living in this sheltered accommodation).*

*Traffic congestion in an area as cramped as this is quite severe. Any addition to the problem would be most unwelcome. Also there is the issue with the junction by Headstone Lane Overground station. This is a notoriously hazardous spot. I myself have witnessed a dozen ‘near misses’. Adding volume to traffic using this junction, by drivers ill acquainted with this area, is a recipe for disaster.*

*In conclusion, I empathetically oppose the proposed development and trust that you will give this plea due and fair consideration.”*

**Petition No.2 (3,390 signatures):**

*“This is a petition in opposition to planning application No: P/0304/13.*

*We, the undersigned, are entirely against the proposed planning application P/0304/13 for change of use of part of the Broadfields playing fields, located within a green belt area, to a touring caravan and camping site.”*

**Support (1):**

The proposed use will be less of a nuisance than the existing sports and social use of the site; There are other caravan sites within or near the M25 that are good neighbours and offer tranquillity, security and accessibility; The applicants must be affiliated to the Caravan Club UK to assure neighbours that the site will run in line with best practice; When the site was used for sport the noise levels were high with a lot of swearing and shouting; The sports club is very loud and noisy on Fridays and weekends when there

are functions; The site is also under a helicopter flight path which adds to noise; The noise of caravan and camping site will be significantly less than a sports club; The sports and social use of the site attracts a significant number of trips and vehicle movements. This peaks on weekends this will be similar to the proposed use; The width of the Headstone Lane entrance and width of the access road will be adequate for caravans; The entrance to the site from Headstone Lane although on a bend has good visibility; Users of the site will use nearby public transport to get into central London and not make additional trips in and out; There will be no parking nuisance caused by the development; The proposals will enhance the open space through landscaping and planting; So long as foul waste is catered for there will be no odour problems; Barbecues are common in the area and any additional will not be noticeable in the area; The sports use of the site required the field to be maintained and used to the detriment of wildlife; The proposed use will provide hedgerows for birds and for greater diversity of wildflowers; The landscaping will screen the caravans and the visual impact is negative; There is little archaeological value of the site; Local businesses will benefit from the extra trade.

## **APPRAISAL**

### *The Development Plan*

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.'*

The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

In this instance, the Development Plan comprises The London Plan 2011 [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 2013 [SALP] and Harrow Local Area Map 2013 [LAP].

On 11 October 2013, the Revised Early Minor Alterations [REMA] to The London Plan 2011 were adopted. The REMA now form part of development plan

## **MAIN CONSIDERATIONS**

### **Principle of Development, Development within the Green Belt and Land Uses**

#### *Spatial Strategy*

The adopted National Planning Policy Framework [NPPF] has brought forward a presumption in favour of "sustainable development". The NPPF defines "sustainable development" as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF sets the three strands of sustainable development for planning to be; to play an economic, social and environmental role. The NPPF, following the deletion of the Planning Policy Statements and Guidance Notes, continues to encourage the effective use of land by reusing land that has been previously, recognising that "sustainable development" should make use of these resources first.

The adopted Harrow Core Strategy 2012 [CS] sets out the spatial vision for the borough

and in the context of the principle of development proposed here, the objectives of the CS seeks to resist the loss of open space and where possible increase provision, enhance residents' access to open space and recreation facilities and promote job creation and business growth.

#### *Development within the Green Belt*

The site forms part of the Metropolitan Green Belt and is part of the wider expanse of open land which includes Pinner Park Farm to the north-west and bounded the settlements of Pinner and Hatch End to the west and north, Headstone to the east and North Harrow to the south.

Paragraph 81 of the NPPF states that *“local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land”*. The NPPF also repeats the now superseded guidance of the Planning Policy Guidance 2: Green belts [PPG2] and states that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF also sets out what is not “inappropriate” development and in the context of this application, development is not inappropriate if it is for the *“provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”*. Paragraph 89 of the NPPF also refers to new buildings in the Green Belt. Exceptions to inappropriate development are: *“the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”*.

In the Design and Access Statement [DAS] the applicant in the Planning Assessment states that *“the provision of appropriate buildings for outdoor recreation and replacement buildings for the same use and being not materially bigger are acceptable in the Green Belt”*. However, this does not acknowledge that the buildings would not be for the same use, nor does it make an assessment as to firstly, the appropriateness of the use, and secondly, the impact of built development on the Green Belt independently. The applicant also refers to the scale of the existing buildings stating *“the new reception building plus the waste water disposal building are of a lesser floor area and volume than the present group of buildings ... so that the openness of the Green Belt will improve in this respect, such that a very special circumstance within the terms of the NPPF, exists. And buildings to enable recreational use are acceptable in the Green Belt.”*

While the Council is satisfied that the proposal would amount to an outdoor sport and recreation use, the primary element of the proposal is a change of use of land in the Green Belt. Previous national policy held that such changes of use would be inappropriate unless they maintained openness and did not conflict with the purpose of including land in the Green Belt. However, that position has changed as a result of the NPPF. Paragraph 90 of the NPPF sets out the forms of development (aside from the construction of new buildings) which are not inappropriate development in the Green Belt, provided they do not conflict with the purpose of including land in the designated area. The specific types of development are listed in the five bullet points and do not include material changes of use. Therefore, in accordance with the NPPF, a material change of use of land is inappropriate development in the Green Belt.

Whilst Paragraph 81 of the NPPF states that *“local planning authorities should plan*

*positively to enhance the beneficial use of the Green Belt to provide opportunities for outdoor sport and recreation”* it does not deal with the matter of material change of use. Further, Paragraph 89 deals with the construction of buildings and the reference to “it” in the 1<sup>st</sup> bullet point is in connection with the provision of appropriate facilities. Therefore, in accordance with the NPPF, the proposal to construction new buildings on the site is inappropriate development within the Green Belt, and by definition, is harmful to the Green Belt and should not be approved except in very special circumstances.

In the Design and Access Statement [DAS] the applicant in the Planning Assessment marries these two clauses and states that *“the provision of appropriate buildings for outdoor recreation and replacement buildings for the same use and being not materially bigger are acceptable in the Green Belt”*. However, this does not acknowledge that the buildings would not be for the same use, nor does it make an assessment as to firstly, the appropriateness of the use, and secondly, the impact of built development on the Green Belt independently. The applicant also refers to the scale of the existing buildings stating *“the new reception building plus the waste water disposal building are of a lesser floor area and volume than the present group of buildings ... so that the openness of the Green Belt will improve in this respect, such that a very special circumstance within the terms of the NPPF, exists. And buildings to enable recreational use are acceptable in the Green Belt.”*

The policies of the NPPF in terms of recreational development in the Green Belt are clear in seeking to support opportunities for access to the Green Belt through sport and recreational activities. In accordance with paragraph 81 of the NPPF, the principle of this proposed recreational use in the Green Belt would not be “inappropriate” provided that it preserves the “openness” of the Green Belt and does not conflict with the purposes of including land within it. Development plan policies of The London Plan 2011 [LP], the CS and the policies of the Development Management Plan Policies [DM DPD 2013] are consistent the NPPF in terms of uses in the Green Belt.

#### *Openness and Visual Amenities of the Green Belt*

The applicant assesses the impact of the development on the openness in the amended Landscape and Visual Impact Assessment [LVIA] to support the Environmental Statement [ES]. At para 6.2.1 of this document acknowledges that openness is an important and in the opinion of the LPA a fundamental attribute. The applicants contend that the landscape alterations would create an agricultural land pattern more akin to the local rural landscape. The applicant at para 6.2.2 states that proposed area of the overall field to be occupied by the caravan pitches is relatively small and constitutes 30% of the applicants holding. The LVIA does not provide any further commentary on the impact of the development on the openness of the GB. The Design and Access Statement states at para 4 that the NPPF advises that the provision of appropriate buildings for outdoor recreation and the replacement of buildings for the same use and being not materially bigger are acceptable in the GB.

The LVIA informs a strategy of mitigation and change to the environment by landscaping the site and surrounds. Paragraph 4.3.3 of the LVIA recognises that the *“change in land use would generate a minor impact on the landscape character of the site, although the changes would not be experienced to any detriment from public viewpoints and the perception of openness in the local landscape will largely remain and even perhaps slightly enhanced. These impacts have been addressed through sensitive and careful positioning and layout of the site, and through the addition of new and structural native planting.”* However, the LVIA and the Open Space Statement, which primarily deals with issues of open space availability in the borough and is discussed further below, fail to

acknowledge *“the essential characteristics of the Green Belts are their openness and permanence”* as outlined at paragraph 79 of the NPPF.

The LVIA proposes substantial new screen planting to reduce views to the application site from views from surrounding areas. The biodiversity and ecological impacts on these strategies are considered in the further detail below. However, in terms of impact the openness and visual amenities of the Green Belt, the proposals would give rise to significant adverse impacts on “openness”. The provision of central buffer zone, a mound with hedgerows with a coppice and the screen hedgerows adjacent to the rear gardens of the properties along Headstone Lane would introduce clearly defined, linear barriers to the open expanse of the site. These features would have readily identifiable man-made qualities which would segregate the site into distinct linear parts and undermine the purposes of the inclusion of the site within the Green Belt. Buffer zones to the west and north of the site would heighten this sense of enclosure. Views from within and into the site, whether private or public, would be significantly restricted or entirely absent and the qualities of the Green Belt would be permanently eroded.

The LVIA also confirms that the mitigation strategy would be fully matured within 15 years of implementation. However, in the years before this and particularly in the early years of the implementation, the mitigation strategy would have little or no effect as the trees and shrubs would be planted at 0.8 – 1.2m in height. Though the applicant indicates that the site would have relatively generous pitch space standards, the pitches would nonetheless appear relatively densely grouped. It is acknowledged that the touring nature of the site means caravans, tents and motor homes on the site would be transient. Nonetheless, the transient nature of development would not be apparent as vacant pitches would quickly become occupied again and the effect on the openness of the site would be continuous. It is also acknowledged that the activities associated with the use would primarily be concentrated in the late spring, summer and early autumn months. However, these effects would be continuous yearly and would have significant impacts on the permanence and openness of the Green Belt over these months.

For these reasons the openness, permanence and visual amenity of the Green Belt would be adversely affected by the development proposal in the short term, by the impacts on caravans, tents and motor homes on the site, and in the longer term, by the adverse effects on the landscaping of Broadfields.

Officers consider that the impact of the proposals means that development would not satisfy the provisions of the NPPF, policy 7.16 of the LP, policy CS1.F of the CS and policies DM16 and DM17 of the DM DPD. The development would not preserve the openness of the Green Belt, conflicts with the purposes of including land within the Green Belt and therefore represents and inappropriate development in the Green Belt. The single “very special circumstance” argued by the applicant for the development, is not considered sufficient to outweigh this harm to the openness.

In respect of the impacts of the built development on the site, the reception building and waste and water disposal building would not be materially larger than the buildings these would replace and accordingly, these structures would not have any greater impact on openness. Further consideration of the appearance of the building on the landscape is provided in Section 2 of the Appraisal below.

The applicant makes reference in the Transport Assessment to future tourists storing caravans on the site, rather than making individual journeys to and from the site each

time they visit. The lawfulness of storing caravans on the site is unclear without specific evidence and this assumption is therefore discounted in this assessment.

### *Loss of Sports Pitches*

#### *Applicants Case*

As part of this planning application the applicants have submitted an Open Space Statement (Nov 2013) which outlines the case for the loss of playing fields for a touring caravan and camping site.

The applicants accept that the site has a “*well established recreational use in the Green Belt*” (para 7). The applicants make reference to two documents which they consider support their case for the release of designated playing fields to other recreational use.

The Council completed two studies in respect of open space provision within the borough. The first was the “Open Space, Sport and Recreation Study 2011 and the second was the Harrow Outdoor Pitch Strategy (2012).

The applicant’s state at paragraph 23 of their Open Space statement that there is no provision is made for touring caravans and camping in the borough and that the development would provide such an opportunity. Although privately owned it is emphasised that there would be cleanly enhanced opportunities for public access.

The applicants state that in the 2011 study Broadfields was included in the NW sub area of the borough. At para 37 of the applicant’s statement they consider that there was a surplus of sports pitches in the NW sub area of the borough, that there was a decline in participation in 11 side football and therefore pitch provision would exceed standards in 2026.

The applicants also consider that the more recent Harrow Outdoor Pitch Strategy 2013 would support their case for the loss of the playing field use. At para 40 of the applicants report it is stated that the study concluded that there would be sufficient number of senior pitches. Broadfield’s was considered as part of the study where according to the report sport was no longer the focus for this site.

The applicants state (para 42) that the closure of the Broadfields pitches should be taken into account on the consideration of this planning application and the approach the Council should adopt it is suggested is the 2.2 hectares to be utilised for the proposed use. It is stated that none of the Broadfields pitches have been in use since 2008. Notwithstanding this position they consider there would appear to be a surplus of playing pitches in the NW sub area of the borough.

At para 47-53 the applicants provide a broader analysis of the open space provision in Harrow. Reference is made to the recently approved outline planning approval at the Kodak Sitewhich they consider will provide further opportunities for open space. The applicants states that this development depicted in the illustrative parameter plans the reconfiguration of existing open space, the redevelopment of existing sports facilities and an extension of green link. The applicants state that there was public concern over the loss of open space and playing fields which the council did object to.

In conclusion the applicants consider that there has been a net increase in open space of 14.29 ha in the AMR monitoring period 2010-2011. There was also the provision of a new



football centre of excellence (The Hive) at the Prince Edward playing fields. It is therefore concluded the Borough has a sufficient provision of both open space and playing fields.

The applicants Open Space statement also makes reference to the owners of the sties (Harrow Community Sports Limited) financial situation would make it difficult for them to maintain the use of the site for sport recreation. It is stated that the company has invested £3.2million into the site on top of the purchase price in 1992. The Council have not been provided with details of where this money has been spent. The applicants compare this figure to the £1.4 million paid by Kodak for the re provision of pitches in respect of planning approval P/3405/11 and consider there client is being unfairly penalised.

The applicants see the use of part of the site for a caravan park as the means to maintain its future use for sport recreation and make it commercially viable. The applicant's state that multi use synthetic pitches will remain in use in addition a grassed area in front of the pavilion will be set aside for other sports and recreation uses.

### *LPA Assessment*

As the proposal involves the loss of playing fields, Sport England has to be consulted as a statutory consultee. Sport England strongly object to this proposal as it is not considered to accord with Sport England's playing fields policy and is contrary to the NPPF by virtue of the fact that a significant amount of playing field will be lost and not replaced elsewhere and there is a clear sporting need to retain the site in sporting use.

The application site is now vacant but has a lawful use as playing fields. The applicant contends that the use of the site as playing fields last occurred in 2008 but does not provide a specific date. Sport England, however, indicate that the Football Association [The FA] have confirmed that the site (the entire Broadfields site) was used heavily in the very recent past and marked out as 6no. football pitches in the winter months and 4no. cricket pitches in the summer.

The Council consider that the site constitutes playing fields as defined in the Town and Country Planning Development Management Procedure (England) Order 2010 in that it is on land that has been used as playing fields within the last five years, and the field encompasses at least one playing pitch of 0.2ha or more.

Sports England's response indicates that The FA have confirmed that there is no current sporting activities on the site and this is because the users were displaced last year after the site was sold to new owners which appears to conflict with the applicants assertion of the most recent use of the land. Aerial photos of the site supplied by Sport England, most recently in dated February 2012, also indicate that the site is marked out for playing pitches. Some of the representations received from neighbouring occupiers appear to confirm the view of Sport England that sports users of the site have been displaced by excessively high rental rates. The Town and Country (Development Management Procedures) Order 2010 provides the definition of a playing field as land which has been "used as a playing field at any time in the 5 years before the making of the relevant application and which remains undeveloped ...". From the evidence provided by Sport England, it appears clear that site was recently used a 'playing field' and the application is assessed on this basis. In the introduction to the Open Space Statement, the applicant acknowledges the change of use from playing fields to a site for touring caravans.

The NPPF recognises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Paragraph 74 of the NPPF

places significant protection on open space, sports and recreational buildings and land, including playing fields and states that these should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreation provision, the need for which clearly outweighs the loss

The Broadfields site is designated as Green Belt for its strategic significance. However, the site has a dual purpose as open space for recreation and sport and in this light it is considered that the spirit of policy DM18 of the DM DPD, which highlights the value of open spaces as places for people to participate in sport, play and informal recreation, is relevant to this application. This policy states that *“proposals for the inappropriate change of use of open space will be resisted”*. This is consistent with the NPPF and policies 3.19.B and 7.18.B of the LP.

As is advocated in the companion guide to PPG17, ‘Assessing needs and Opportunities’ which remains extant, the Council has conducted surveys on the provision of open space and sports facilities in the borough in 2005 and 2011. The most recent PPG17 study has informed the Council’s recently adopted Outdoor Sport Strategy 2013 which provides further guidance on the future requirements of the borough in terms of sports facilities in the borough. At paragraph 4.11 of the CS, the CS indicates that there is 1,334 hectares of open space in the borough but the PPG17 assessment demonstrates that there are considerable variations in the level and quality of provision across the borough and identifies significant shortfalls in the availability of access open space for a range of uses, when assessed against the recommended standards. In light of this, and in view of forecast population increases and planned residential development in the borough, policy CS1.F of the CS states that *“the quantity and quality of the Green Belt, Metropolitan Open Land, and existing open space shall not be eroded by inappropriate uses or insensitive development.”*

The PPG17 surveys are based on sub-areas and the application site falls within the north-west sub-area, the only sub-area which has a projected surplus of land for sport, 29.05ha, against the recommended minimum standards. Overall the borough is experiencing an existing and future shortfall of land for sport in 2026 of 12.37ha and 18.86ha respectively<sup>48</sup>. The applicant considers that the relative health of the north-west sub-area is indicative of a surplus of land available for sport in the locality. However, it is considered that the availability of sports pitches must be assessed on a wider basis. The recommended standards of provision are minima and taken together with the arbitrary nature of the sub-area boundaries, it is considered that greater weight should be given to the overall borough picture rather than the localised ‘surplus’ above the minimum. The overall borough picture is one of increasing deficiency in the quantity of open space and outdoor sports availability. As a London borough, where the availability and price of open land are such that any strategy to address the existing deficiency by public acquisition of land for new open space is unlikely to succeed, the appropriate response to the PPG17 study must be quantitative protection of existing provision, along with improving quality and access.

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<sup>48</sup> It should be noted that early analysis of the 2011 census data indicates that population growth in London and the borough would be higher than the assumptions contained in the 2011 PPG17 study.

The Outdoor Sports Strategy 2013 outlines a clear deficiency in the availability of youth playing pitches and also acknowledges a trend whereby many sports teams based in the borough play outside of the borough, further giving weight to the approach of considering borough wide assessment of provisions as teams are clearly mobile, but also indicating a trend for the provision of sports in the borough. In respect of football pitches in the borough the PPG17 study also confirms at paragraph 9.69 that the six pitches at Broadfields are some of the few in the borough that were either good (5) or excellent (1). Changing facilities were described as good. Many of the other football pitches in the borough do not meet these qualitative standards. The loss of better quality playing fields not only has a quantitative impact on the availability of space within the borough but also adversely affects the boroughs capacity to facilitate sport and attractiveness as a location for sport. It is considered that the applicant has failed to demonstrate that land and buildings in open space are surplus to the requirements of the local community or the borough.

The applicant has not indicated that there would be any re-provision of space of any kind and makes no commitment in the applicant to satisfy the expectation on re-provision.

In terms of the third strand of paragraph 74 of the NPPF, the proposal would be for a recreational use but not a sporting one. The applicant does not offer any argument on whether the provision of the recreational use would outweigh the loss of the sporting and recreational use of the land. In terms of whether the need outweighs the loss, the response received, up-to-date evidence, and the responses from the GLA and Sport England on need provide strong arguments that the benefits of the proposal would not outweigh the loss. Conversely, the need for the proposed facilities is unclear. The applicant has not provided any justification or assessment of the need or economic benefit for such facilities except for explaining that the current use of the site has operated for some time at a loss. The applicant is critical of the scant recognition of tourism in the CS or other planning document in the OSS, despite what the applicant contends is clear support in the LP.

The LP does refer at policy 4.5.B to the need to promote and facilitate a range of visitor accommodation and includes camping and caravan sites. However, policy 4.5.A also requires the Mayor, boroughs and stakeholders to ensure that new visitor accommodation is in appropriate locations and indicates that beyond the Central Activities Zone that development should be focused in town centres and opportunity and intensification areas, where there is good public transport access to central London and international and national termini. The policy continues by stating that it may be appropriate to locate visitor accommodation related to major visitor attractions of sub-regional or greater significance in other locations, but only where it can be demonstrated that no suitable site in one of the appropriate locations exists and there are clear links between the accommodation and the attraction being served.

The application site is not located in a town centre or area with good public transport links. The applicant has not done any assessment of other sites that may be more appropriate, nor has the applicant identified the attraction the site would serve, save for identifying central London as a whole. The applicant is critical of the scant recognition of tourism but policy DM34 of the emerging DM DPD guides new hotel and tourism development. This policy is consistent with the policies of the LP in seeking to direct development sequentially towards town centres first, edge of centre and then areas of the highest public transport accessibility level.

Having regard to the provision 74 of the NPPF, officers consider that: the applicant has failed to demonstrate open space, buildings or land to surplus to requirements; the loss of open space, buildings or sports facilities would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location and; the development proposed recreational provision would clearly outweigh the loss of sports and recreational provision. The provisions of the NPPF are repeated and encapsulated in policy 3.19 and 7.18 of The London Plan policy CS1.F of the Harrow Core Strategy 2012 and Policy DM18 of the Development Management Policies DPD (2013).

#### Sport England and GLA Position on loss of playing Fields

Sport England and the GLA have strongly objected to the development proposal on the basis of the adverse impact upon a clear existing and projected deficiency of sports facilities in the borough.

Sport England consider that the applicants failure to provide re provision to an equivalent or better quality in suitable location would fail to accord with para 74 of the NPPF. The application site's status is as playing fields and not a former playing field and to validate their opposition SE have made reference to appeal decision APP/U4610/A/12/2176169 where an inspector assessed the extent to which a playing field remains a playing field over time and the inspector held that although a site is not currently in active use it is capable of being used for that purpose.

The applicants Open Space Assessment seeks to demonstrate that there is oversupply of pitches. Sport England are aware of the Councils Outdoor Sport Pitch Strategy 2013 and having reviewed this document it is considered that there is not a clear and demonstrable oversupply of pitches in the borough, there is need for youth pitches and in addition Middlesex Cricket Board have also indicated that there is a need for three additional cricket squares with good quality changing rooms.

Sport England considers that the findings of the Outdoor Sports Study are clearly at odds with the applicants open space assessment. This robust study draws upon audit and survey information providing a qualitative and quantitative analysis of the pitch provision situation in the Borough. The study does not support the loss of and redevelopment of the Broadfields Country Club.

The GLA have also has assessed Sport England's position, the applicants open space report and the Harrow Outdoor Sport Pitch Strategy 2013. The GLA consider that SE assessment and objection of the planning application in regard to the loss of playing fields is robust and the applicant's argument for the loss of playing fields is not found to be justifiable. The GLA object to the loss of playing fields and the applicant will need to offer alternative sites.

#### *Conclusion to the Principle of Development*

The proposed use would conceivably have some economic benefit in marginally higher levels of employment provision and money invested in the local economy. However, the applicant has not provided any quantitative measure of the likely economic gain, and in the absence of any identified need for the facilities, economic gain is not likely to be significant. The principle of the development proposed, by virtue of a conflict with paragraphs 74 and 89 of the NPPF explicitly, and policies 3.19.B, 7.16 and 7.18.B of the LP, policy CS1.F of the CS and policies DM16, DM17 and D18 of the emerging DM DPD, is not accordingly acceptable. The development would have significant adverse impacts on the environmental quality and openness of the Green Belt and result in the loss of

sports pitches where no re-provision is being offered.

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

The site does not have any specific landscape designation beyond its status as Green Belt. The LVIA addresses issues of character, landscape and townscape impacts arising from the development. In terms of the assessment of the hierarchy of the landscape against the methodology advocated by the Landscape Institute guidelines, the LVIA considers the application site to be an 'Ordinary Quality Landscape' in evaluating the quality of the site, which is towards the lower end to the hierarchy. The site has an attractive open quality, but in the light of the surrounding obtrusive features such as the all-weather pitches to the south of site and the absence of any substantial flora on the site, the 'Ordinary Quality Landscape' designation attributed to the site is considered to be fair.

The LVIA concludes by acknowledging that the division of the single mown grass area to be divided by indigenous planting will alter the character of the immediate area. However, this would be offset by providing more interest and local biodiversity, and augmenting and enhancing the existing local landscape by landscaping which will have a positive impact on the landscape once established. The site's relatively discrete position in the landscape would not significantly impact on the setting, and the overall effect is assessed as slightly adverse in Year 1 to slightly positive in Year 15.

It is acknowledged that the established characteristics of the site offer some capacity for change in character terms. However, and as outlined above, the development would have significant impacts on one of the primary characteristics of the site, its openness, which the LVIA considers will not be affected (para 7.1.4). The Council consider that in the early years the proposed planting would provide very limited softening to the proposed caravan park.

The Council consider that the proposed planting would not provide screening, from various locations, on Day 1. The layout proposals, planting strategy and sections show that the proposed mound has been increased in height from 0.5m to 1m and is to be planted with native plants 600-900mm and extra heavy standard trees 3.5 - 4m in height. In the early years the proposed planting would provide very limited softening to the proposed caravan park. It is noted on the Landscape cross Section, Day 1, that the mound provides initial low level screening / reduction in scale - mass planting would take some years to provide screening and the larger tree planting canopies would be above the caravan height, however, there would be views underneath the tree canopies and in the spaces, between the trees. In winter there would be views through the tree branches. Some feathered trees have been proposed within the hedgerow planting - height 2- 2.5m, but again it would take time, over some years, for this planting to provide screening of the caravans, camping and pitches. This is confirmed in the Design and Access Statement, Clause 5.1.11, under Landscape Outcomes - states 'In year 1 caravans would be visible from the rear of some properties particularly those in Headstone Lane

It is considered that the visual intrusion of the development on the character of the area is underestimated in the LVIA. As touched upon above, the screening effect of the landscaping strategy in the immediate years after its implementation would be low. The impacts on the character and appearance of the area would be moderately adverse in the early years after development. As outlined above, the maturation of the landscaping strategy for the site would have a significant effect on the character of the site, changing the Broadfields site from one of open expanses and low maintenance uses to one of a

highly managed and man-made landscape. The maturation of the landscaping strategy would successfully screen the application site and it is accepted that, in the longer term, the impacts of development could have a slightly positive impact on the character of the site but not on openness if managed correctly

Tree. The applicant proposes to provide two buildings at the northern end of the site, one to provide a reception area, toilets and washing facilities and another to provide for water and waste disposal. The reception building would be of significant scale, as detailed in the 'Proposal Details' section of the report whilst the other building would be relatively minor. Each of the buildings would be constructed in a utilitarian style, with pitched roofs devoid of any specific visual interest. Though it acknowledged that the buildings would replace storage buildings of a similarly poor quality, it is likely that any proposed building would endure long after the life of the existing storage buildings on the site, thus extenuating the harm arising to the character of the locality beyond existing levels. The policies of the development plan are clear in required development proposals to provide a high standard of design and architecture, notwithstanding the existing development on the site. It is considered that the proposed buildings not meet paragraph 56 of the NPPF, London Plan Policies 7.4, 7.6 and Policy DM1 of the Development Management Policies DPD (2013).

The applicant contends that the visual impact of development is minimal and long term, with no detrimental residual visual impacts and this should form a strong material consideration in favour of the application. However, as detailed above, it is considered that the short-term impacts of development are underplayed and the long terms are only moderately positive. Given the immediate effects that would be felt, it is considered that the character of the application site and its surrounding areas would be adversely affected, contrary to development plan policies which require development to respect site context and the surrounding area.

#### *Impact of Development on Trees*

The Arboricultural Report concludes that the development proposal would not necessitate the removal of any trees with the possible exception of two sycamore trees at the northern end of the site. However, the removal of these trees would be justifiable in light of their relatively low grade. This position is considered to be fair, and any potential loss in arboricultural terms would be mitigated by the re-provision of trees planting on the site and appropriate conditions.

#### **Biodiversity and Ecological Impacts**

The applicant has submitted an Ecological Data Search document for Broadfields and a Phase 1 Habitat survey for the site. The Phase 1 Habitat Survey concludes that protected species are unlikely to be affected by the development, subject to appropriate attenuation measures, and further surveys are considered to be unnecessary.

The Council's Biodiversity Officer has reviewed the application and notes the date that the survey was undertaken in December 2012, when bats are unlikely to be present, and does not provide adequate information in relation to the behaviour of bats. Three trees to the south-west are identified as suitable features for harbouring bats but these are 'unlikely to be affected' by the development. This is part of the boundary tree belt which includes the historic pale and old oaks within its length. There is also a stream at the heart of the western section. This type of habitat scores highly in guidance for assessing the value of potential development for bats. These features are also attractive to commuting bats passing between roosts and foraging grounds but have not been

assessed in the habitat survey. It is unclear whether existing buildings on the site have been surveyed for the presence of bats.

It is acknowledged that there is floodlighting provided for the artificially surfaced pitches to the south of the site and how well these lights are used is also likely to have an impact on the behaviour and use of this route for bats. Notwithstanding the impact of any floodlighting, if principal bat commuting routes are significantly disturbed by light spill and some human activities associated with the development, the impacts of which have not been considered by the applicant, this disturbance could hinder the animals' ability to feed and the conservation status of the species in the locality might suffer.

In light of the high value locations for bats in the immediate locality and the absence of adequate surveys to determine the impacts upon bats species identified, it is considered that the development would conflict with policy 7.19 of the LP, saved policy EP27 of the UDP and policy DM20 of the emerging DM DPD.

It is acknowledged that the development would have a potentially positive impact on ecological impacts and biodiversity on the site and in the locality through the use of planting and landscaping of the site and these impacts are considered to weigh in support of the development. However, these impacts are considered to be insufficient to outweigh the adverse impacts that could potentially arise to protected species, bats, in the absence of adequate information to determine the likely impacts.

### **Archaeological and Heritage Asset Impacts**

The Archaeological and Historic interest of the site is derived from the Scheduled Ancient Monument, part of the deer pale of Pinner Park Farm, which abuts the western boundary of the site. The pale takes the form of linear ditch, approximately 250m in length, varying between 1 and 7m in width and 1m in height. Scrub, trees and vegetation define the linear boundary along the pale. The applicant has submitted an Archaeological Assessment in support of the application. The Archaeological Assessment concludes that the development would not have any negative impact on the Scheduled Monument but may present a slight positive impact through enhancement of knowledge of the monument.

English Heritage have commented on this revised planning application and noted the submission of the Archaeological Assessment. However, the Archaeological Assessment does not consider the impacts of development on the setting of the Scheduled Ancient Monument in accordance with published English Heritage guidance on the setting of heritage assets. The applicants have also failed to assess the potential impact on as yet to be recorded below ground archaeological remains been considered despite the discovery of probable prehistoric features 200m to the south. , in accordance with best practice and suggested guidance procedures. The development considers physical impacts associated with development on the Scheduled Ancient Monument but does not consider the continuing impacts that may arise from increase human interaction.

### **Setting of Pinner Deer Park**

English Heritage consider that there would harm to the scheduled deer park through development within its setting. They consider that Pinner Park represents a remarkable survival from a medieval deer park in a surrounding landscape which has been transformed by modern suburban development. The outline of the park and historic features within it are still perceptible and defining features in the modern landscape.

Modern housing has encroached up to the park boundary leaving the application site as one of the few locations where the perimeter remains undeveloped. Moreover, there is still a recognisable corridor which retains some of its historic character between the park and the medieval Headstone Manor to the south east.

The Council endorse the view of EH in that the proposal will change the character of one of the last few open spaces by introducing structures and hard surfaces to previously undeveloped land. The proposed landscaping would also change the perception of the boundary to more of a green lane denied on both sides by embanked hedgerows.

Policy DM7 of the DMP states that when considering proposals affecting scheduled ancient monuments states the priority over other policies in the DPD will be afforded to the conservation of the assets affected and their setting as appropriate to the significant of the asset.

In respect of Scheduled Ancient Monuments Policy DM7f states the Council will have regard to the relationship of the monument with other archaeology and the wider landscape in which it should be interpreted. The Council consider that there are no benefits associated with the development which would override the harm identified to the setting of the Scheduled Monument.

The applicant considers that the development would have a moderate positive impact with the enhancement of wildlife and knowledge of the monument. However, it is considered that these impacts are overplayed in the light of the fact that positive impacts would be realised through biodiversity impacts and the absence of a management scheme which would provide appropriate and monitored access to the monument. The applicant considers that slightly positive impacts would occur in providing a planted 10 metre buffer zone between the scheduled monument. English Heritage considers that the planting scheme would further obscure the setting of the scheduled monument and would have a negative impact on its setting. Negative impacts would arise if access to Pinner Park, other than by defined footpaths and bridleways occurred. No assessment is provided of this impact and no management procedures to preclude these impacts have been suggested.

In the absence of appropriate assessment on the below ground archaeological significance and the adverse impacts on the setting of the scheduled ancient monument, the proposal would be contrary to the NPPF, policy 7.8 of the LP, policy DM7 of the Development Management Policies (2013).

### **Traffic, Parking, Access and Highway Safety**

The Headstone Lane sports ground would comprise of 75 caravan pitches with the site opening to the public from 8am to 6pm. Arriving vehicles would access the site via an existing opening off Headstone Lane with vehicles leaving the site through an exit situated off Broadfields. This would therefore operate as an internal “informal one-way system” through the development envelope. The most active period of site use would traditionally be during the summer months of July and August with the highest level of activity occurring on a Friday and Monday which coincides with peak arrivals and departures respectively.

### **Traffic Generation/ Vehicle Queuing on the Public Highway**

A reference has been made to existing/previous pavilion activities within the Environmental statement (ES) by the applicant. The pavilion is licensed to cater for up to



700 persons and it is indicated that somewhere in the region of 150 can be present at any one time. However the applicant has not demonstrated a comparison between generated traffic flows and trip distribution for this use against proposed activities in order to gain an understating of net impacts on the highway network. An estimate has however been produced which indicates that with a 75 pitch arrangement at 80% occupancy could be expected to produce an average of 4 car/caravan movements to and from the site. This percentage level of occupancy is considered as a realistic average for this site in the context of the profile demand of this locality. Using existing surveyed information from other camping sites in England the applicant has demonstrated that during peak site activity, being Friday and Monday, it would be expected that approximately 140 two way vehicle movements throughout the day. These vehicle movements would consist of cars, towed caravans and motor homes.

The main aspect of concern is the lack of a robust site management and operational strategy which would enable adequate controls to be deployed toward minimising highway impacts particularly with regard to the manner of vehicle arrivals and departures which is a source of significant concern. The applicant highlights that a length of 200m would be available within the site itself to allow for queuing of vehicles with their caravans. In reality this would provide space for 13 -14 vehicles to stack within the site.

The applicant also infers that the majority of caravan activity would occur between the off-peak traffic hours of 10am to 4pm however it is also proposed to apply opening hours to the site (8am to 6pm) which would inherently prohibit 'early bird' arrivals entering the site thus potentially leading to undesirable and obstructive queuing/stacking of vehicles on Headstone Lane which in itself is physically incapable of supporting such obstruction without substantive impediment of traffic flows on the highway network. The following aspects in relation to this point are demonstrated as follows:-

#### **Queuing on Headstone Lane (caravan arrivals)**

It is imperative that a build up of queuing is avoided outside of the site particularly during traffic peak periods at the Headstone Lane entrance which is to operate as a 'one-way in'. As indicated by the applicant, the site would be mostly active between the hours of 10am and 4 pm on Friday for arrivals and Monday for departures with a slightly lesser level of activity during the weekend. As the site is proposed to open from 8am and in the absence of an acceptable site management strategy there is significant potential for queuing to occur by early arrivals if the site has not been fully vacated with pitch non-availability resulting in highway obstruction.

A clear demonstration would be required based on how such potential impacts are to be avoided. The evidence produced to address this aspect of avoiding/minimising such impacts both at peak and off peak traffic periods on traffic flow and safety grounds is considered insufficient.

#### **Queuing in Broadfields (caravan departures)**

Double yellow lines placed in isolation had been proposed in this road by the applicant with the aim to provide passing places for the cars/caravans leaving the site. However this action would result in a loss of parking spaces on the roadway which is unlikely to be favoured by the local residents as parking availability would diminish as a result. The delivery of such measures is therefore far from guaranteed as objections resulting from the Traffic Management Order (TMO) statutory advertising process may not be resolvable resulting in non- implementation. Hence this proposed solution is now excluded.

The limitations of the physical width of Broadfields results in parking on both sides of the road with the creation of an informal one-way system through the road which is variable in direction depending on the presence of opposing flows. Caravan sizes vary with the maximum allowable in the UK equating to 7m x 2.3m. The road width is approximately 7.5m with a moderate curvature present. With parking on both sides the effective width reduces to approximately 3.5m. This leaves a caravan width clearance of somewhere in the order of 1.2m (3.5 - 2.3) which must be considered in the context of a potential length of a car and caravan approaching 12 - 13m and the consequences of attempting to traverse a vehicle in such circumstances.

This raises the question of physical and adequate manoeuvrability through the road which the applicant would be required to demonstrate using the maximum size of caravan quoted above. Notwithstanding the above comments made with regard to avoiding new waiting restrictions it is accepted that some minor modifications to the existing double yellow lines may be required predominantly at the Broadfields/Headstone lane junction to assist this process. If progress through Broadfields would be demonstrated to be achievable the applicant would then be required to ensure that departures through the road would occur off peak and be staggered over a period of at least one hour to avoid a potential stacking of emerging vehicles on the highway. An agreed site management plan would be key to this aim which again is considered insufficient.

### **Physical Access/Egress provisions**

The applicant has indicated that the site would be accessed via an existing access to the playing fields off Headstone Lane with vehicles leaving the site through an exit situated off Broadfields. They have indicated that to ensure that this arrangement would be conveyed to patrons arriving to the site a submitted signage strategy would avoid undesirable impacts on the highway network.

### **Headstone Lane Access-**

This is proposed to be a 'one way in' entrance to the site for all vehicles. In its present configuration it would be unable to accommodate turning movements associated with towed caravans given the potential 'worst case' vehicle lengths and widths as outlined above. Accordingly the access requires substantial modification to allow effective discharge from the highway into the site which is a necessary requirement on traffic fluidity and safety grounds. The applicant has proposed remedial action. Although sightlines are not the prime concern given the proposed 'one way in' arrangement, all efforts would need to be made to incorporate maximum improvements to sightlines in order to achieve improved inter-visibility between other vehicles and pedestrians on the highway.

### **Broadfields/Headstone Lane junction-**

Towed caravans emerging from Broadfields and turning right onto Headstone Lane are likely to encounter manoeuvring difficulties at this junction owing to the presence of a traffic separator which splits Broadfields into two. It is noted that within the ES it is stated that this right turn will not occur owing the width restriction south of the site present outside of Pinner Park School in Headstone Lane which precludes southbound and indeed northbound caravan movements. However Pinner Park Avenue (linking Headstone Lane with Harrow View), located mid-way between site and the said width restriction, can be used to avoid this restriction and hence the right turn out of Broadfields would be an available option for caravan patrons leaving the site contrary to the

applicant's assumption. Arriving vehicles would also have the opportunity to use Pinner Park Avenue which seemingly has not been considered but which should have been picked up within the trip distribution analysis. The applicant would therefore be required to demonstrate how the above manoeuvre can be achieved within current highway constraints with remedies if not the case.

### **Pedestrian Access**

In pedestrian terms the site is readily accessible by public transport which the applicant acknowledges. As part of marketing the site, sustainable travel should be promoted in the form of a travel plan administered by the site management company to encourage sustainable patronage travel modes. This requirement would be achieved by way of appropriate planning condition.

### **CONCLUSION**

For these reasons, the proposed access and egress arrangements for the site pose significant concerns for highway safety on the site, resulting in detriment to highway convenience and safety, contrary to policy 6.3A.B.C of the LP, saved policies T6 and T13 of the UDP and policy DM43 of the emerging DM DPD.

### **Residential Amenity**

#### *Physical Impact of Development*

The development would physically impinge on the landscape, as detailed in Section 1 of the Appraisal above. A number of representations have been received in terms of the adverse impacts on views which would arise from the development and the use of hedging and buffer areas which would limit views of Broadfields and though this is acknowledged, private views of landscapes are not material planning considerations and it is the strategic importance of the openness and visual amenity which is considered to be harmful. The use of hedges and buffer zones may have some impact on the overshadowing of gardens, particularly along Headstone Lane. However, it is considered that these impacts would not be unreasonable. As such, no adverse impacts to neighbouring amenities would arise from the physical form of development.

#### *Noise, Disturbance and Odour*

The applicant has conducted noise testing of the site in its existing and proposed uses at numerous points along the eastern boundary of the application site and within the proposed site. The applicant considers that the levels arising would not exceed levels appropriate for a residential area. A number of representations have been received in relation to potential noise impacts arising from the site.

The Council's Environmental Health Team has reviewed the application and considers that the proposed noise levels generated by the site would not have unreasonable impacts on neighbouring amenity. Against a backdrop of noise generated by the main rail line to the north, aircraft and traffic noise, the schools in the surrounding areas and the general distance from neighbouring properties to the application site, this is considered to be fair. It is also noted that the lawful use of the site has capacity to generate significant levels of disturbance by way of noise from sporting activities.

Consideration of impacts arising from the use of the toilet and shower and waste and water disposal facilities is also required. These facilities are located in close proximity to the neighbouring properties at 18 and 20 Randon Close. The nature of the proposed use would mean that these facilities could be used at night-time hours when users would

reasonable expect peace and quiet. Notwithstanding this, the likely use of these facilities at these hours would be low, and it is considered, that on balance, unreasonable impacts would not arise.

The applicant indicates that vehicular movements on the site would be limited by a management strategy for the site. Although no management strategy is provided, it seems reasonable that movements onto and off the site could be limited to certain times, limiting the impact on neighbouring amenities by way of noise and disturbance. The applicant indicates that movements by towed caravans would be limited to between 0800 and 1800 hours and other vehicles and cars to between 0800 and 2100 hours. The hours of movements to and from the site to those proposed would significantly limit impacts to neighbouring properties. Vehicles would nonetheless pass in close proximity to the rear of the properties on the southern side of Randon Close and to those at Barmor Close. However, the rear of these properties and the access way from Headstone Lane are, in general, relatively well screened by natural vegetation. Though the impacts of vehicles moving along the access and egress routes would not be insignificant, it is considered that any disturbance arising would not be unreasonable.

The Environmental Health Team also note that the site benefits from an existing site contractor for the removal of waste and this contractor would also serve the proposed use. Though specialist services may be required for human waste disposal services, many of these services would be dependent on the site securing a license under the 'Caravan sites and Control of Development Act 1960'. It is considered that waste would be disposed of in an appropriate manner in order to accord with this piece of legislation and no adverse odour impacts would arise to neighbouring properties.

Though the concerns of neighbouring residents in terms of noise and disturbance that would arise from the proposed development are therefore acknowledged, in association would appropriate controls and conditions, it is considered that the impacts arising would not be unreasonable.

### **Development and Flood Risk**

The application site is within Flood Zone 1 (the lowest flood risk) though an area of land approximately 200m to the south of the site forms part of the functional floodplain (zone 3b) of the Yeading Brook West. The applicant has provided a Flood Risk Assessment [FRA] and concludes that the proposed development would be appropriate and sustainable.

Touring caravan and camping sites are a 'more vulnerable' use as set out at Table 2 of the Technical Guidance accompanying the NPPF. Footnote 3 of the Technical Guidance confirms that *'for any proposal involving a change of use of land to caravan, camping or chalet site, or to a mobile home site or park home site, the Sequential and Exception Tests should be applied.'* The applicant has not applied the Sequential and Exception tests and though it is acknowledged that the site is within Flood Zone 1, these tests should nonetheless be conducted.

The Environment Agency has also objected to the application on the basis that the FRA does not accord with the requirements set out at paragraph 9 of the Technical Guidance to the NPPF and the FRA does not therefore provide a suitable basis for assessment of flood risk arising from the development. In particular, the applicant has not demonstrated that the infiltration rate and storage volume required to attenuate surface water run-off from the critical 1 in 100 chance in any year storm event, with an appropriate allowance

for climate change, can be provided on site. In the absence of such information or an adequate FRA, the application would not accord with policies 5.3.C, 5.12.B/C and 5.13.A of the LP, saved policy EP12 of the UDP and policies DM16 and DM17 of the Development Management Policies (2013).

### **Accessibility and Inclusivity**

It is considered that the proposed layout of development does not preclude inclusivity and these issues could be addressed by an appropriately worded condition, were the development acceptable in all other respects.

### **Sustainability and Climate Change Mitigation**

Touring caravans are inherently associated with unsustainable forms of development as they are they reliant on the private motor car. However, there is an acknowledgement that some forms of development require such reliance on the private car or these uses would be precluded entirely. The application site would support some forms of sustainable travel once people have reached the site, despite the relatively poor public transport accessibility level [PTAL] level of 2 (low) of the site, given the location of the site adjacent to Headstone Lane station and the availability of some amenities small scale convenience uses close by.

The applicant has not described how the development would accord with the strategic aims of policy 5.1 of the LP but given the scale of built development on the site and the scale of the site which could provide for low carbon technologies, it is considered that these issues could be addressed by appropriately worded conditions and no objections are therefore raised in this regard.

### **Equalities Implications and the Human Rights Act**

#### *Equalities Implications*

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have considered the obligations of the local planning authority in respect of the Equalities Act as detailed above in this assessment of this application.

It is considered that this application would not have any adverse impact on equalities.

#### *Human Rights Act*

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (“the Convention”) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. This application has been advertised and considered in accordance with the relevant Planning Acts and is being determined in accordance with the Council's adopted Scheme of Delegation for planning applications. No infringement of this article therefore arises.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these articles are allowed in certain defined circumstances, for example where required by law. However, any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective. The determination of the planning in accordance with Section 38(6) of The Planning and Compulsory Purchase Act 2004, which requires the application to be determined in accordance with the adopted development plan (a document developed through extensive consultation with the community and in the public interest) unless other material considerations indicate otherwise, would satisfy this objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'. The determination of the planning in accordance with Section 38(6) of The Planning and Compulsory Purchase Act 2004 would also satisfy this objective.

### **S17 Crime & Disorder Act 1998**

Policies 7.3.B and 7.13.B of The London Plan, saved policy D4 of the UDP and emerging policy DM1 of the DM DPD require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal.

A number of representations have been received relating to the perception of increased crime levels arising from the proposed development. These comments are primarily based on existing burglary levels in the locality and the perception that the site would be used by members of the travelling community.

The principles of determining planning applications only permits the consideration of impacts associated with the proposed use or development. Reference to prevailing crime rates in the locality is therefore not strictly relevant to this application. Reference to the perceived use of the site as a traveller site is also not relevant as this relates to a materially different use which would require the specific grant of planning permission. An assessment of these impacts is not therefore appropriate in this planning application.

Representations have been received from the local police in this area which relate to the storage of caravans on the site which the police raise as a concern. It is considered that an appropriate and robust management plan could be provided for the site which would preclude or limit such activities. Further information in relation to the security of the site would also be required but it is considered that each of these issues could be secured by condition. It is therefore considered that no adverse impacts in terms of crime and safety would arise from the development proposal.

### **Consultation Responses**

#### *Loss of Green Belt*

Issues around Green Belt openness and whether the development is appropriate in the Green Belt is considered in the appraisal above

### *Loss of sports facilities*

The comments of neighbouring residents in respect of playing fields are noted. Comments relating to the displacement of sports teams on the site appear consistent with the comments on Sports England. Further issues around the availability of sports and open space in the borough are addressed in the appraisal above.

### *Character of the Area*

Issues around the character and appearance of the area are addressed in the appraisal above. Issues around the storage of caravans on the site are also addressed in the report above.

### *Transport, Highway Safety and Access*

The numerous points made are noted, in particularly the high number of references to the width restriction adjacent to the junction of Melbourne Avenue and then issues that would arise if large vehicles missed the turn off into the application site. The Highway Authority has commented on the application and objected on the basis of impacts on the highway network and these impacts are assessed in the appraisal section of the report above.

### *Noise and Disturbance*

Issues around noise and disturbance are addressed in the appraisal above

### *Biodiversity and Ecological Issues*

Issues around biodiversity and ecological Issues are addressed in the appraisal above

### *Need of Tourism facilities and appropriateness in this location*

Issues around need for facilities in the locality are addressed in the appraisal above. Whether the Camping and Caravanning Club would franchise the development site or are aware of this application is not a material planning consideration.

### *Impact on Scheduled Ancient Monument*

Issues around Scheduled Ancient Monument are addressed in the appraisal above

### *Drainage Issues*

Issues around spatial and localised flood risk are addressed in the appraisal above

### *Local Benefit*

The point of local benefits accruing from the development is noted and addressed in the appraisal of the report.

### *Crime, Safety and Environment*

The issues of security and safety are noted. However, it is considered that many of these issues could be addressed by the use of appropriate conditions to secure the site. There is no evidence to suggest that the users of the property would introduce anti-social behaviour and any summation in this respect can only be conjecture.

Issues of impacts of development flora and fauna are considered in the appraisal above and the Council's Biodiversity Officer has reviewed the information provided indicating that only significant adverse impacts would only be to bats.

The Council's Environmental Health Team has reviewed the application and has not identified any significant issues around waste, odour or vermin that could not be dealt

with by conditions.

### *Community*

The development would not have a significant impact on the demography of the area as users would be transient. The economic and social benefits of the proposal are considered in the appraisal above

### *Property Prices*

Property values of neighbouring properties are not a material planning consideration.

### *Gypsy Site and surmised use*

The development description is clear in seeking a change of use to a 'touring caravan and camping site'. Other surmised intended uses would not be lawful and would require the specific grant of planning permission. Consideration of the impacts of other forms of development on the site is not therefore appropriate.

### *Planning History of the site and other sites*

The impact of development on other sites in the locality is noted. In particular reference is made to the development of the Kodak site. The planning permission for this development seeks to re-provide facilities in other parts of the borough.

In relation to the application site itself, there are no outstanding issues of planning breaches on the site.

### *Infrastructure*

Were the application acceptable in all respects, consideration would be given to the infrastructural requirements of development in accordance with Regulation 122 of The Town and Country (Community Infrastructure Regulations) 2011 (as amended) and infrastructural requirements would be secured by way of legal agreement.

### *Inconsistencies and inaccuracies in application*

Some inaccuracies and inconsistencies in the submitted plans are noted. However, it is considered that adequate information has been provided to determine the application and an assessment has been made on this basis

## **CONCLUSION**

The development proposes the change of use of playing fields to a touring caravan and camping site. In considering the application, regard has been given to the economic, social and environmental impacts of development that comprises sustainable development as outlined in the NPPF.

The development would have significantly adverse impacts on the environmental quality of the area as the strategically important characteristics of the Green Belt would be irreparably and harmfully altered. The development would also have significant impacts on the safety and convenience of the highway network. Other issues around the environmental quality of the locality including the biodiversity impacts, archaeological and historical interest of the site and flood risk could also be adversely affected by the development proposal. It is considered that significant weight should be attributed to these harmful effects.

The proposal would also have adverse impacts on the social impacts of the borough and the locality. The borough is experiencing existing and anticipated future shortfalls in



sports and playing field provision. High pressures on available land mean that this deficiency is unlikely to be rectified and the Council's has committed to a strategy of consolidation and improvements in quality to address deficiencies in adopting the Core Strategy for the borough. The loss of existing provision would undermine this strategy and fail to account for the sustainable development of existing and future communities and offer these communities access to social and infrastructural facilities. As has been alluded to in representations received, the development would be primarily, if not exclusively, for non-residents of the local area and would not therefore aid social cohesion or inclusivity in any respect. It is considered that significant harm should also be attributed to the adverse social effects of development.

The applicant is clear in stating that the reasons for the development are economic gain. However, the economic gains for the locality are not significant. Though the proposed use would result in some additional employment on the site, employment on the site would not be significant and certainly not significantly above the lawful use of the site as playing fields. Associated benefits arising from tourism spend in the area are not quantified by the applicant but it is likely that most of the tourism spend would be in areas outside of the borough. It is considered that only moderate weight can be afforded to the economic benefit of development.

For these reasons, in considered the strands of sustainable development and balancing these objectives against each other, 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.

#### **INFORMATIVES:**

##### **1 INFORMATIVE:**

The decision to **REFUSE** planning permission has been taken having regard to the following national planning policy guidance and policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012, the saved policies of Harrow's Unitary Development Plan 2004 and the following emerging policies of the development Management Policies development Plan Document, and to all relevant material considerations, and any comments received in response to publicity and consultation.

#### **National Planning Policy and Guidance:**

National Planning Policy Framework (2012)

Assessing needs and opportunities: A companion guide to PPG17 (2002)

#### **The London Plan (2011):**

2.7 – Outer London: Economy

2.8 – Outer London: Transport

2.18 – Green Infrastructure: The Network of Open and Green Spaces

3.1 – Ensuring Equal Life Chances for All

3.2 – Improving Health and Addressing Health Inequalities

3.16 – Protection and Enhancement of Social Infrastructure

3.19 – Sports Facilities

4.5 – London's Visitor Infrastructure

5.2 – Minimising Carbon Dioxide Emissions

5.12 – Flood Risk Management

5.13 – Sustainable Drainage

6.1 – Strategic Approach

- 6.2 – Providing Public Transport Capacity and Safeguarding Land for Transport
- 6.3 – Assessing Effects of Development on Transport Capacity
- 6.7 – Better Streets and Surface Transport
- 6.9 – Cycling
- 6.10 – Walking
- 6.12 – Road Network Capacity
- 6.13 – Parking
- 7.2 – An Inclusive Environment
- 7.3 – Designing Out Crime
- 7.4 – Local Character
- 7.5 – Public Realm
- 7.6 – Architecture
- 7.8 – Heritage Assets and Archaeology
- 7.13 – Safety, Security and Resilience to Emergency
- 7.14 – Improving Air Quality
- 7.15 – Reducing Noise and Enhancing Soundscapes
- 7.16 – Green Belt
- 7.18 – Protecting Local Open Space and Addressing Local Deficiency
- 7.19 – Biodiversity and Access to Nature
- 7.21 – Trees and Woodlands

### **Local Development Framework Core Strategy**

#### Harrow Core Strategy (2012)

- CS1 – Overarching Policy
- CS5 – Rayners Lane and North Harrow

#### Development Plan Document: Development Management Policies (2013)

- DM1 – Achieving a High Standard of Development
- DM2 – Achieving Lifetime Neighbourhoods
- DM3 – Protected Views and Vistas
- DM6 – Areas of Special Character
- DM7 – Heritage Assets
- DM9 – Managing Flood Risk
- DM10 – On Site Water Management and Surface Water Attenuation
- DM12 – Sustainable Design and Layout
- DM16 – Maintaining the Openness of the Green Belt and Metropolitan Open Land
- DM17 – Beneficial Use of the Green Belt and Metropolitan Open Land
- DM18 – Protection of Open Space
- DM20 – Protection of Biodiversity and Access to Nature
- DM21 – Enhancement of Biodiversity and Access to Nature
- DM22 – Trees and Landscaping
- DM34 – Hotel and Tourism Development
- DM42 – Parking Standards
- DM43 – Transport Assessments and Travel Plans
- DM44 – Servicing
- DM45 – Waste Management
- DM47 – Retention of Existing Community, Sport and Education Facilities
- DM48 – Enhancing Outdoor Sport Facilities

#### *Evidence Base Documents*

- Strategic Flood Risk Assessment (2009)
- Open Space PPG17 Study (2011)

Habitats Regulations Assessment (2010)  
Outdoor Sports Strategy (2013)

### **Supplementary Planning Documents**

Supplementary Planning Document: Sustainable Building Design (2009)  
Supplementary Planning Document: Access For All (2006)

### **Other Relevant Documents**

Harrow Biodiversity Action Plan (2007)

#### **2 INFORMATIVE:**

#### **REFUSE WITHOUT PRE-APPLICATION ADVICE**

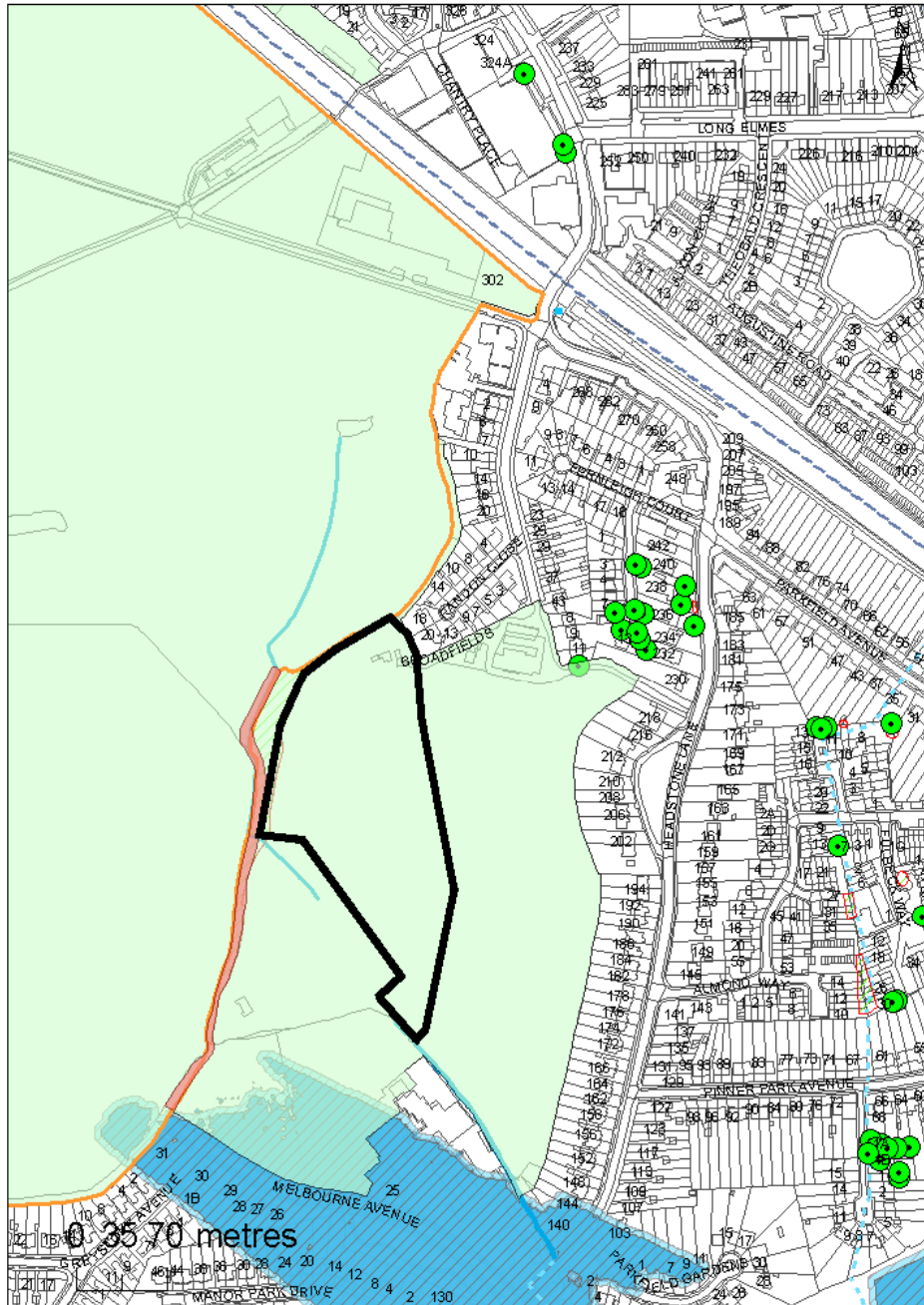
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

#### **3 INFORMATIVE:**

It is noted that on the application form the applicant states that pre-application advice has been sought from the local authority about this application in the form of Screening and Scoping under EIA regulations. A Screening Opinion and Scoping Opinion were provided by the local planning authority. However, invitations to the applicant following the issuing of these opinions to engage in pre-application discussions were not taken up by the applicant.

Plan Nos: 4300/3B; 4300/4; 4300/5; 4300/6A; 4300/7A; 4300/8A; 478/01 P4; Location Plan; TS11-266A/5 Rev A; Environmental Statement; Design and Access Statement; Design and Access Statement; Transport Report and Parking Survey; Open Space Report; Phase 1 Habitat Survey and Biodiversity; Phase II Arboricultural Impact Assessment; Flood Risk Assessment; Archaeological Study; Landscape and Visual Impact Assessment (plan 478/01 P4); Tree Impact Study; Topographic Survey

**BROADFIELDS SPORTS & SOCIAL CLUB, HEADSTONE LANE, HARROW**



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**SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES**

None.

**SECTION 5 - PRIOR APPROVAL APPLICATIONS**

None.