

SECTION 1 – MAJOR APPLICATIONS

ITEM NO: 1/01

ADDRESS: 51 COLLEGE ROAD, HARROW

REFERENCE: P/0737/15

DESCRIPTION: REDEVELOPMENT OF THE FORMER HARROW POST OFFICE TO PROVIDE 318 FLATS (CLASS C3), 862 SQ. METRES FLOORSPACE FOR RETAIL (CLASS A1), FINANCIAL & PROFESSIONAL SERVICES (CLASS A2), RESTAURANTS AND CAFES (CLASS A3), PUBS AND BARS (CLASS A4), HOT FOOD TAKE-AWAYS (CLASS A5), BUSINESS (CLASS B1) AND NON RESIDENTIAL INSTITUTIONS (CLASS D1) USES AND 1,672 SQ. METRES FLOORSPACE FOR LIBRARY (CLASS D1) USE IN BUILDINGS OF UP TO 20 STOREYS (134.5 METRES AOD) IN HEIGHT; 2,413 SQ. METRES PUBLIC REALM INCLUDING NEW PUBLIC SQUARE; BASEMENT AND SURFACE SERVICING AND PARKING (TOTAL 50 CAR SPACES, 3 MOTORCYCLE SPACES AND 521 CYCLE SPACES); PRINCIPAL VEHICULAR ACCESS FROM STATION ROAD AND WILLIAM CAREY WAY. PROPOSAL ALSO INCLUDES COMBINED HEAT & POWER PLANT; HARD AND SOFT LANDSCAPING, BALCONIES AND ROOF GARDENS; AND DEMOLITION OF FORMER POST OFFICE BUILDINGS. (RESIDENT PERMIT RESTRICTED)

WARD: GREENHILL

APPLICANT: THE HYDE GROUP

AGENT: JLL

CASE OFFICER: PETER BARRON

EXPIRY DATE: 22ND JUNE 2015

RECOMMENDATION A

GRANT planning permission subject to:

- (i) the withdrawal by the Ministry of Defence of its objection or referral to the Secretary of State;
- (ii) referral to the Greater London Authority (GLA);
- (iii) conditions; and
- (iv) the completion of a section 106 Planning Obligation;

by 24th September or such extended period as may be agreed in writing by the Chairman of the Planning Committee. Authority to be given to the Divisional Director of Regeneration and 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 proposed section 106 Planning Obligation Heads of Terms cover the following matters:

Provision of Library and Design Quality Assurances

1. The developer undertakes to ensure that the approved library (including the library garden and pavilion) will be provided to the Council using any such mechanism as is deemed appropriate and within a timeframe to be agreed.
2. The developer undertakes to set out a strategy for ensuring that the quality of the architecture and finish are preserved through all phases of development including delivery on site.

Affordable Housing and Wheelchair Homes

3. A minimum of 51 homes on the site to be provided as affordable homes in accordance with a schedule of accommodation (to include details of tenure and mix) to be approved in writing by the Council prior to the commencement of the development.
4. A review mechanism (to be agreed) to enable the financial viability of the development to be re-appraised at an appropriate time point (or points) during the course of the development to enable any additional affordable homes to be provided on-site, in the first instance, otherwise as a cash in-lieu sum for off-site provision.
5. 10% of affordable rented homes to be constructed as wheelchair homes and ready immediately upon completion for occupation by a wheelchair user.

Transport and Highways

6. The developer to use all reasonable endeavours to secure the effective implementation, monitoring and management of the residential and non-residential travel plans for the site.
7. The development to be 'resident permit restricted' and the developer to ensure that: (i) all marketing/advertising material makes reference to the fact that; and (ii) all sales and lettings agreements contain a covenant to the effect that; future owners, occupiers and tenants (other than those that are registered disabled) will not be entitled to apply for a residents parking permit or a visitor parking permit.
8. The developer to make practical space available on the site (or on any adjacent land that comes within the control of the developer) or otherwise on the public highway within the vicinity of the site to accommodate a parking space for a car club vehicle. The developer to make reasonable endeavours throughout the life of the development to secure a car-club operator to provide a vehicle for that space.
9. The developer to use all reasonable endeavours to secure the provision of the new bin store in William Carey Way.

Public Open Space

10. The civic square, St. Mary's View and the links to College Road and Station Road to be designated and retained in perpetuity as public open space.

Children and Young People's Play Space

11. A financial contribution of £3,420.00 to be paid by the developer to the Council to fund off-site provision (including enhancements to existing provision where appropriate) of play space and equipment appropriate for 11-15 year olds.

Public Art

12. The developer to make practical space available within the central square (the exact location to be agreed between the parties) to accommodate a piece of public art. A financial contribution of £50,000.00 to be paid by the developer to the Council to fund a transparent process for commissioning and installing a piece of public art. The said piece of public art to remain the ownership and responsibility of the Council.

Refuse and Recycling

13. The developer to ensure that the on-site arrangements (including the provision of suitable collection containers) for the disposal of general waste and recyclable materials to be operative prior to first occupation of the development. The developer to take all reasonable steps to secure twice weekly collections of waste and recycling over the lifetime of the development.

Tall Buildings and the Historic Environment

14. The communal roof terraces within the development to be opened-up for controlled general public access for a minimum number of hours (to be agreed) spread across a minimum of one weekend each calendar year, the selected hours and weekend(s), and methods of publicity, to be agreed with the Council. The developer to assume responsibility for managing and controlling public access and for obtaining all necessary consents and any necessary insurance cover.

Employment and Training

15. A financial contribution of £210,000.00 to be paid by the developer to fund local employment and training programmes.

16. The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.

17. The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan. The developer to implement the agreed Plan.

Decentralised Energy Networks

18. The developer to use all reasonable endeavours to ensure that the on-site energy centre is laid out with sufficient space to allow expansion and technical feasibility of CHP scheme to also serve any future redevelopment of the AAP site 17 (the site allocation in the adopted Local Plan) currently known as 17-33 College Road, Amba House and Harrow Baptist Church.

19. In the event of any future district decentralised energy network, the developer to use all reasonable endeavours to agree terms pursuant to a connection between the site-wide CHP system and the decentralised energy network.

20. The developer to provide safeguard a route to be agreed with the Council to allow expansion and technical feasibility of the CHP scheme to also serve any future redevelopment of the AAP site 17 (the site allocation in the adopted Local Plan) currently known as 17-33 College Road, Amba House and Harrow Baptist Church, and to enable a connection to any future district decentralised energy network.

Legal Costs, Administration and Monitoring

21. A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

RECOMMENDATION B

That if, by 24th September 2015 or such extended period as may be agreed in writing by the Chairman of the Planning Committee, the section 106 Planning Obligation is not completed, then delegate the decision to the Divisional Director of Planning to REFUSE planning permission for the appropriate reason.

1. The proposed development, in the absence of a Planning Obligation to (i) secure an appropriate level of affordable housing within the development, (ii) fund the provision of infrastructure directly related to the development and (iii) provide necessary commitments in relation to the development, would fail to provide affordable housing and would fail to mitigate the impact of the development upon infrastructure and the wider area, contrary to the National Planning Policy Framework, Policies 3.8, 3.11, 5.6, 6.3, 7.5, 7.7 and 8.2 of the London Plan (2015), Policies CS 1 and CS 2 of the Harrow Core Strategy (2012) and Policies AAP 1, AAP 6, AAP 10, AAP 11, AAP 19 and DM 50 of the Local Plan (2013), and the provisions of the Harrow Planning Obligations supplementary planning document.

BACKGROUND AND EXECUTIVE SUMMARY

Sometime in the early 2000s Royal Mail disposed of its central Harrow sorting office and Post Office at 51 College Road, having consolidated sorting office activities elsewhere and having opened a replacement Post Office facility at 12/14 College Road. The (now superseded) Harrow Unitary Development Plan (UDP) 2004 allocated the site and adjacent land for public transport improvements and redevelopment and, in 2005, a planning brief¹ calling for a 'signature development' of high quality and distinctive design on the allocated site was adopted.

Following an initial application in 2005, which was withdrawn, in 2008 the developer 'Dandara' lodged a planning application to redevelop the former Post Office/Royal Mail part of the allocated site for residential and other uses in buildings ranging between 6 and 19 storeys. The application was refused in 2009 and an appeal, by Public Inquiry, was held in 2010. The Secretary of State dismissed the appeal but in doing so accepted the principle of tall buildings on the site, up to 19 storeys and subject to 'world class' architecture.

In 2012 the Council adopted its Core Strategy for the Borough and further Local Plan documents followed in 2013, including an Area Action Plan (AAP) for Harrow and Wealdstone. These Local Plan documents supersede the UDP (and the planning brief) and, together with the London Plan, form the development plan for Harrow. The development plan designates Harrow & Wealdstone as an opportunity area for housing and employment growth and provides the contemporary policy framework for the consideration of tall building proposals. The subject site forms part of a wider site allocation in the AAP for 400 homes together with community and various commercial uses. Both the Core Strategy and the AAP acknowledge that the principle of tall

¹ The Harrow-on-the-Hill Station Planning Brief.

buildings up to 19 storeys on the site has, subject to architectural quality, been accepted.

The site was subsequently sold to the applicant, The Hyde Group, who entered into pre-application discussions with Council officers from July 2014. A pre-application meeting with officers of the Greater London Authority was held on 9th January 2015. Pre-application consultation was carried out over the period August 2014 to January 2015.

The subject application proposes the comprehensive redevelopment of the site to provide 318 homes, ground floor non-residential accommodation, a new library (to replace Gayton Library) and new public realm (including a civic square). There would be three main buildings: building A would front College Road and would be between 6 and 8 storeys in height; building B would occupy the rear part of the site, adjacent to the southern boundary with Harrow-on-the-Hill station, and would be between 12 and 20 storeys in height; and building C & D would be located in the south-eastern corner of the site and would be between 8 and 17 storeys high. Affordable homes would be accommodated in part D of building C & D and would comprise 51 x one and two bedroom flats. The library would include a mezzanine floor level and a detached library pavilion building would also be provided.

A basement would accommodate 50 car parking spaces together with cycle and motorbike parking, bin stores and services. As revised during the course of the application, an existing access point from Station Road would become a pedestrian-only link. Vehicular access to the basement and a loading area would be taken solely from William Carey Way. The main pedestrian access to the proposed civic square from College Road would be alongside the former First National House.

The application has been accompanied by an Environmental Impact Assessment. The Council has secured independent appraisal of the proposed affordable housing offer (in terms of viability), the impact of the proposed buildings on locally protected views, and of the performance and impacts of the development in daylight & sunlight terms. The Council's Design & Regeneration Officer has provided advice on the architectural and other design qualities of the proposal.

Recognising the level of local interest in the proposed development, notification letters about the application have been sent to 8,782 addresses surrounding the site and the wider area and 19 site notices have been posted in and around the town centre. The responses received are documented and considered in this report.

The planning application has been assessed having regard to the relevant provisions of the development plan for Harrow together with the National Planning Policy Framework (NPPF), local supplementary planning documents and supplementary planning guidance & best practice guidance issued by the Mayor of London. It considered that the proposal would:

- broadly accord with the Local Plan site allocation for the redevelopment of this site and would make a positive contribution to local economic development and regeneration objectives;
- make an acceptable contribution to affordable housing, having regard to the independently-appraised viability of the proposal (to be kept under review), and an appropriate contribution to housing supply overall;
- achieve a high standard of residential quality for future occupiers and, having regard to the high density nature of the proposal and the town centre location, have an acceptable impact on the amenity of neighbouring occupiers;

- as revised, make appropriate arrangements for access and servicing of the development;
- provide an appropriately restrained amount of car parking, having regard to the high public transport accessibility of the location;
- comply with the development plan policy framework for tall buildings and, crucially, would be of a high standard of architecture and design;
- not adversely affect any locally protected views, having regard to the findings of independent assessment, and would not adversely affect local townscape character;
- create a new local view of St. Mary's Church and Harrow-on-the-Hill from within the proposed library;
- contribute to the creation of a lifetime neighbourhood;
- involve less than substantial harm to the setting of heritage assets that would be outweighed, having special regard to the Council's statutory duties in respect of heritage assets, by the significant public benefits of the proposal;
- make appropriate arrangements to enhance the landscape and biodiversity value of the site, and provide an opportunity to safeguard mature lime trees within the site;
- contribute to climate change adaptation and mitigation and enable safeguards to be built-in having regard in particular to air quality, noise and land contamination during construction; and
- in addition to providing a library and new public realm, would make a contribution to infrastructure through the Community Infrastructure Levy.

It is proposed to secure mitigation, controls and additional details, where necessary, through appropriate conditions of planning permission and a Planning Obligation under section 106 of the Town and Country Planning Act 1990 (as amended). In accordance with the NPPF, including its presumption in favour of sustainable development and subject to the completion of a satisfactory Planning Obligation, referral to the Mayor of London and the withdrawal of an objection from the Ministry of Defence, 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 square metres 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: No

Gross Existing Floorspace (GIA): 5,800 square metres

Net Proposed Floorspace: 22,736 square metres

GLA CIL (provisional): £957,344.50

Harrow CIL (provisional): £2,825,187.00

Site Description

- 0.67 hectare site on south side of College Road, Harrow; site is allocated for redevelopment in the Local Plan (AAP site 17)
- site comprises former Post Office and Royal Mail sorting office complex in predominantly three storey buildings with basement with loading /servicing area at rear
- vehicular access from College Road leads to ramp down to basement; vehicular access from Station Road now defunct due to removal of vehicle crossover from

- adjacent part of the public highway
- site has irregular configuration and is adjoined: to the north/east by the block 17-33 College Road, Harrow Baptist Church, William Carey Way, Lynwood House and nos. 377-387 (odds) Station Road; to the south by no. 389 Station Road and Harrow-on-the-Hill Station; and to the west by the former First National House
 - other near neighbouring property includes 355-371 Station Road, Amba House (15 College Road), Granville Parade and other premises opposite in College Road, St. Ann's Shopping Centre and Avanta House (79 College Road)
 - site is within Harrow town centre's (a Metropolitan Centre) primary shopping area and the Harrow & Wealdstone Opportunity Area, as designated in the Local Plan and the London Plan respectively
 - proximity to Harrow-on-the-Hill Station (Metropolitan line and Chiltern Railways) and Harrow bus station (various local bus routes) give the site a public transport accessibility (PTAL) rating of 6b (very good)
 - to south of adjoining railway is Harrow College Lowlands Road campus (contains a grade II listed building) and Lowlands Recreation Ground (Metropolitan Open Land and within the Roxborough Park and The Grove Conservation Area)
 - beyond Lowlands Road to south is Harrow-on-the-Hill: an Area of Special Character, various conservation areas and listed buildings including St. Mary's Church (grade I) and includes The Grove open space (Metropolitan Open Land)

Proposal Details

Headline Proposals

- full planning application for comprehensive redevelopment following demolition of existing former Post Office and Royal Mail sorting office complex
- redevelopment would provide 318 homes, commercial floorspace, new accommodation for Gayton Library, a civic square, other public realm, basement parking/servicing and combined heat & power plant
- above-ground development would comprise three separate blocks:
 - **building A** would front College Road and would be between 6 and 8 storeys high, with commercial floorspace at ground floor level and 47 flats over
 - **building B** would be situated alongside the railway boundary and would be between 12 and 20 storeys high, with the library at ground floor level and 130 flats over
 - **building C & D** would be situated to the rear of Harrow Baptist Church/ William Carey Way and would be between 8 and 17 storeys high, with commercial and servicing floorspace at ground floor level and 141 flats over
- below-ground development would comprise a basement with an access ramp from William Carey Way

Layout and Heights of Proposed Buildings

- **building A:**
 - would comprise three 10 metres wide x 20 metres deep modules; each module would be stepped back by approx. 1.5 metres so that the western module would line-up with the front of the former First National House and the eastern module would line with the front of 17-33 College Road
 - there would be a gap of 9 metres between the west flank wall and the ground level east flank wall of the former First National House (increasing to 11 metres above ground level)
 - the east flank wall would be cantilevered to give a gap of 4 metres between it

and the west flank wall of 17-33 College Road at ground floor level reducing to a gap of 6 metres above

- the western module would have 8 storeys (green roof on top), the middle module 7 storeys (private terraces on top) and the eastern module 6 storeys (communal roof gardens & private terraces on top)
- **building B:**
 - would comprise three 12.5 metres wide x 21.5 metres deep modules; each module would be stepped back by approx. 3 metres
 - relative to the adjacent part of the southern site boundary, the western module would be between 1 & 6 metres into the site, the middle module would be between 3 & 8 metres into the site and the eastern module would be between 5 and 10 metres into the site
 - the ground floor would extend up to and abut the adjacent part of the southern site boundary
 - there would be a gap of 4 metres between the west flank wall and the ground level east flank wall of the former First National House (increasing to 6 metres above ground level)
 - there would be a gap of 16 metres between the east flank wall and the west flank wall of building C & D
 - the western module would have 12 storeys (communal roof gardens & private terraces on top), the middle module 16 storeys (private terraces on top) and the eastern module 20 storeys (green roof on top).
- **building C & D:**
 - would comprise four 12.5 metres wide x 21.5 metres deep modules; each module would be stepped back by approx. 3 metres
 - relative to the adjacent part of the southern site boundary, the western module would be between 0 & 4 metres into the site, the middle modules would be between 1 & 6 metres and 3 & 8 metres into the site respectively and the eastern module would be between 5 and 10 metres into the site
 - the ground floor would recessed underneath the southern façade to create a colonnade space as part of the pedestrian link from Station Road into the civic square
 - there would be a gap of 16 metres between the west flank wall and the east flank wall of building B
 - there would be a gap of between 2.5 & 4 metres between the east flank wall and the adjacent part of the eastern site boundary (forming the rear boundary of neighbouring Station Road property)
 - the western module would have 17 storeys (green roof on top), the west-middle module 14 storeys (private terraces on top), the east-middle module 11 storeys (communal roof gardens & private terraces on top) and the eastern module 8 storeys (communal roof gardens & private terraces on top)
- thus, it can be seen from the above that there would be a 'hierarchy' of buildings on the site, expressed through the dimensions, step back variations and storey height differentials between the component modules
- the gap between buildings A and B (i.e. the space forming the civic square) would be 17 metres between the western modules, 19 metres between the middle modules and 20 metres between the eastern modules
- there would be a single storey building broadly triangular in footprint to the east of building B (situated to the rear of the former First National House) that would be a detached pavilion building for the library
- the above storey heights count the ground floor as one storey, however for the

avoidance of doubt the main library (ground floor of building B) would have a mezzanine level and the ground floor storey of buildings A and C & D would also be higher than the height of each residential storey within the development

- the heights of the proposed buildings to roof level, measured above ordnance datum (AOB) and relative to the ground level of the adjacent part of College Road and the proposed ground level of the development are set out in Table 1 below
- all of the roofs would be enclosed by a balustrade; this would increase maximum height of building A to 96.55 AOD, of building B to 134.55 AOD and of building C & D to 123.05 AOD

Table 1: Proposed Building Heights

Building	No. of Storeys	Proposed Roof Height (Metres AOD)	Level of College Road (Metres AOD)	Proposed Roof Height (Metres Above College Road)	Proposed Site Level (Metres AOD)	Proposed Roof Height (Metres Above Proposed Site Level)
A	6	88.75	67.25	+21.5	68.25	+20.5
	7	91.75		+24.5		+23.5
	8	94.75		+27.5		+26.5
B	12	108.25		+41		+40
	16	120.25		+53		+52
	20	132.25		+65		+64
C & D	8	94.25		+27		+26
	11	103.25		+36		+35
	14	112.25		+45		+44
	17	121.25		+54		+53

Proposed Residential Use

- of the 318 proposed homes, 267 (84%) would be private and 51 (16%) would be affordable
- of the 318 proposed homes, 13 (4%) would be studio flats, 148 (47%) would be one-bedroom flats, 137 (43%) would be two-bedroom flats and 20 (6%) would be three-bedroom flats
- of the 51 affordable homes, 30 (59%) would be for affordable rent and 21 (41%) would be offered through intermediate products; all of the affordable homes would be provided as one or two bedroom flats and would be located in block D of building C & D
- further, detailed breakdown of the proposal's housing offer is provided in the *Housing and Residential Quality* section of this report
- each block would have its own entrance, lobby, stair and dual lift core; lifts would serve every floor and provide direct access to the basement
- the applicant has advised that there would be a development manager (a 'concierge') employed by Hyde on site between 8.30am and 5.30pm weekdays and at times to be decided on Saturdays

Proposed Non-Residential Uses

- the proposal would make provision for 1,672m² library floorspace² comprising 1,469m² within the ground floor (including a mezzanine level) of building B and 203m² in a detached library building
- a further 163m² external area between building B and the pavilion would be provided as a library garden
- the main entrance to the library would be on the north elevation of building B (situated towards the north-western corner) for maximum visibility from College Road via the gap between building A and the former First National House
- the proposal makes provision for 862m² commercial floorspace spread across the parts of the ground floor of buildings A and C & D; the applied-for uses for this floorspace are retail (Class A1), financial & professional services (Class A2), restaurants and cafes (Class A3), pubs and bars (Class A4), hot food take-aways (Class A5), business (Class B1) and non-residential institutions (Class D1)
- the commercial floorspace would comprise 520m² in building A, with frontage onto College Road and the proposed civic square, a smaller unit of 70m² fronting the west elevation of building C & D and a unit of 367m² fronting the colonnaded south elevation of building C & D

Parking, Access and Servicing

- principal vehicular access to the site would be from/to William Carey Way
- associated off-site highway works proposed to
 - provide a bin enclosure for bins currently stored unlawfully on the highway of William Carey Way;
 - accommodate the path of HGV movements into William Carey Way from College Road and vice versa; and
 - provide a traffic island to ensure left-turn only from William Carey Way into College Road
- a ramp from William Carey Way would access the basement parking and bin storage area; access to the basement would be managed by a resident fob system and an intercom to the development manager and library staff
- a loading bay at ground floor level within the eastern module of building C & D would be accessed from William Carey Way for bin collections and general servicing of the development
- a dedicated lift would provide access from the basement to the library for 'blue badge' holders and for servicing requirements
- a dedicated lift would provide access from the basement to the loading bay for bin collections and general servicing
- 50 car parking spaces are proposed: 2 allocated to the library for 'blue badge' holders and 48 for residents (of which 32 would be allocated to wheelchair accessible homes)
- 3 motorcycle spaces and 521 bicycle spaces are also proposed
- a secondary vehicular access from College Road would be provided to enable the civic square to be serviced for special events
- access from Station Road would be for pedestrians only

Public Realm and Landscaping

- the proposal would make provision for a total of 2,413m² public realm
- a new civic square would be provided centrally within the site, formed by the space between proposed buildings A and B (north/south) and neighbouring buildings the

² All floorspace figures here are taken as the gross external area (GEA) of the proposed buildings.

- former First National House and Harrow Baptist Church
- the space would wrap around into the gap formed between proposed buildings B and C & D and this area is referred to as St. Mary's Terrace
- the new civic square and St. Mary's Terrace would comprise approximately 1,737m² of the public realm; the remainder would be formed by the pedestrian links to College Road and Station Road respectively
- the main ground level within the site would be 1 metre higher than the adjacent ground level of College Road, the change negotiated by a gradient either side of building A
- the landscape proposals include catenary lighting for the new civic square, a water feature within St. Mary's Terrace, an 'art wall' adjacent to the blank ground level façade of the former First National House, seating, children's play facilities and trees

Materials/External Appearance

- the superstructure would be formed of reinforced or post-tensioned concrete
- the north and south elevations of the proposed buildings would be 'screenwalls':
 - floor to ceiling glazing set-in from the outer face of the elevations and behind vertical concrete fins (each coloured and angles on one side)
 - the vertical fins would be set within double or triple height zones formed by the extension of very second or third floor slab to the outer face of the elevations, these would be staggered between different modules to prevent continuous horizontal lines across each building
 - further articulation would be provided by inset balconies (each flat would have at least one balcony) with glass balustrade
- the east and west elevations of the proposed buildings would be expressed as 'sidewalls':
 - height zones (as above) carried through from north and south screenwalls but with narrow window openings set within smooth-finish sidewall panels giving an overall more solid appearance
 - panels designed with rough-textured chamfered edges adjacent to one side of each window opening
 - back-painted glass between individual floors of window opens within the height zones
 - return edges of inset-balconies situated at corners
- this design approach reflected at ground floor level, though ground floor side walls of buildings A & B more predominantly glazed
- the ground level south elevation of building B (the library) would be solid due to the presence of the adjacent London Underground retaining wall; however the south elevation at mezzanine level would be fully glazed forming a horizontal band of vertical emphasis windows overlooking Harrow-on-the-Hill Station

Revisions to Application Following Submission

Following further discussion with the Highway Authority during the course of the application, the applicant has reconsidered the access arrangements to omit the restoration of vehicular access onto the site from Station Road. An addendum to the Design & Access Statement confirms that the link from Station Road would be a pedestrian route. Associated minor adjustments have been made to the positioning of the basement access ramp and the north elevation of the loading bay would be cantilevered to accommodate turning head space for Wetherspoon's HGVs, bin lorries and other servicing vehicles. Vehicle tracking drawings have been submitted to demonstrate the adequacy of the turning head space and arrangements for such

vehicles to enter and leave William Carey Way from/to College Road.

As a consequence of the revised access arrangements the opportunity has been taken to enclose the loading bay to the south elevation and to extend the active frontage of the main ground floor commercial unit in building C & D. In the interests of safety and security, the space to the east side of building C & D has also been closed-off, meaning that there would be no connection between William Carey Way and the Station Road pedestrian link.

A further consequence of the alterations to the ramp is a reduction in the length (by approximately 6 metres) of the amenity area to the north side of building C & D. The addendum to the Design & Access Statement therefore relocates the children's play space from the residents' amenity area on the north side to an area alongside the pedestrian link route on the south side of building C & D.

Other minor alterations are: a modification to the positioning of a secondary entrance to the library on the east elevation of building B, so that it becomes more prominent in the view of pedestrians approaching from the southern link route; modification of the positioning of the internal stairs serving the mezzanine level within the library; additional soft landscaping proposed within St. Mary's Terrace; and confirmation that a colour palette of warm buff and yellow (rather than darker colours as originally proposed) hard landscape materials would be used.

Revised floorplans have been submitted to respond to officers' comments with regard to the proposed residential layouts, including the balconies.

Additional information includes: details within the addendum to the Design & Access Statement of the visual relationship between the library and the art walk to Harrow-on-the-Hill and St. Mary's Church; a road safety audit and a report by a Broadcasting Consultant about the impact of the upon the receipt of broadcast signals in the area.

Environmental Impact Assessment (EIA)

The proposed development is considered to be EIA development within the meaning of The Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 (as amended).

On 2nd December 2014 the applicant made a request for a scoping opinion under the above regulations. Having agreed a time extension with the applicant, the Council issued a scoping response on 13th January 2015.

Accordingly, this planning application has been accompanied by an Environmental Statement (in various volumes). The topics addressed in the Environmental Statement are:

- Heritage, Townscape and Visual Impact
- Ground Conditions, Hydrology and Contamination
- Water Resources, Hydrology and Flood Risk
- Transport
- Sunlight, Daylight and Overshadowing
- Microclimate – wind
- Microclimate – air quality
- Noise and Vibration

- Archaeology
- Socio-Economic Effects

The Statement includes a consideration of the residual effects, interrelationships, cumulative and non-significant effects.

All of the environmental information contained within the Environmental Statement, including proposed mitigation measures (where relevant) has been taken into consideration. The additional information and revisions during the course of the application are all considered to be minor in nature and do not alter the conclusion that the proposal's environmental impact, subject to mitigations, is acceptable.

Relevant History

- P/2416/05: Redevelopment: 366 Flats, 1 Retail (A1) Unit, 3 Retail/Restaurant/Bar (Class A1, A3 & A4) Units, Gym and Crèche in Buildings Ranging From 6 to 19 Storeys; Car Parking; Landscaping and Access; withdrawn 17th June 2008
- P/1620/08: Revised Application for Redevelopment to provide 410 Flats in 3 Blocks Ranging Between 3 & 19 Storeys in height; 87 Car Parking Spaces in Basement; 3 Parking Spaces at Ground Floor Level; 442 Cycle Spaces; 7 Motorcycle Spaces; 1,120 Square Metres of A1, A2, A3, A4 & B1 Floorspace at Ground Floor Level; Creation of Public Square and Pedestrian Footbridge; refused 11th August 2009 for the following reason:
 1. Excessive bulk and mass, scale and intensity would be overbearing, visually obtrusive, detrimental to the character and appearance of the nearby Conservation Area, Area of Special Character and MOL and would appear over dominant in the skyline to the detriment of the long views of Harrow on the Hill by reason of competing with the primacy of the St Mary's Spire, a historic landmark and, when viewed from The Grove Open Space and within the locality, would be detrimental to the views of the Harrow Weald Ridge, contrary to HUDP policies D4, D14, D31 and EP31 and London plan policies 4B.1, 4B.2, 4B.9, 4B.10, 4B.11 and 4B.12.
- A public inquiry was held between 15th & 19th March and on 29th March 2010. The appeal was dismissed by the Secretary of State on 22nd July 2010.

The report of the Planning Inspector whom conducted the Public Inquiry includes the following text on the principle of tall buildings at the site:

"...I find no objection in principle to tall buildings on the appeal site. In coming to this conclusion, I have assumed a building no taller than proposed in the appeal scheme; taller than that and St. Mary's spire might become obscured in some views. The acceptability in principle of a tall building was agreed by most of those speaking at the inquiry..."³.

On the question of the architectural quality of the proposal, however, the Inspector concluded:

"...I do not see the scheme as possessing any 'outstanding' qualities. Its Art Deco styling seems to me a cosmetic, not evolving naturally from the building form but

³ Paragraph 171 of the Inspector's Report.

applied to a form that seems, in places, to have been arbitrarily manipulated to accommodate it. I cannot see that the development would 'inspire, excite and delight'. I do not consider that the buildings would qualify as 'world class architecture'⁴.

- A copy of the Inspector's report and the Secretary of State's decision is attached at **Appendix A**.

Application Submission Documents

In addition to the application forms (including CIL form) and drawings (listed at the end of this report) the following supporting documents have been submitted with the application:

- Affordable Housing Statement
- Planning Statement
- Design and Access Statement
- Heritage, Townscape and Visual Impact Assessment
- Transport Assessment
- Transport Assessment Appendices
- Residential Travel Plan
- Statement of Community Involvement
- Waste Strategy
- Environmental Statement Non-Technical Summary
- Environmental Statement Volume 1
- Environmental Statement Technical Appendix

Pre-Application Consultation

The applicant has submitted a Statement of Community Involvement documenting the consultation carried out prior to the submission of the application. This is summarised below:

- 11th August 2014: ward councillor meeting
- 20th August 2014: community group meeting
- 8th September 2014: Harrow Baptist Church Trust meeting
- 22nd September 2014: community group briefing
- 15th & 18th October 2014: public exhibition and workshop
- 19th October: presentation to Harrow Baptist Church congregation
- 17th January 2015: public exhibition

In addition, newsletters were sent to 7,916 local addresses on 1st October 2014 and 5th January 2015. Throughout the pre-application consultation period information was made available on the website www.51collegeroad.co.uk

Further details of the above events and all of the feedback received is documented in the Statement.

Advertisements & Site Notices

Major Development, Character of Conservation Areas, Setting of a Listed Buildings, Departure from the Development Plan and Application Accompanied by an Environmental Impact Assessment - Harrow Times 5th March 2015 (Expiry: 26th March 2015)

⁴ Paragraph 183 of the Inspector's Report.

On 5th March 2015, 19 site notices were posted at 16 different locations at and around the site (Expiry: 26th March 2015)

FIRST APPLICATION CONSULTATION

Application First Consultation

Sent: 8,782 (11th March 2015)

Replies: 68 (63 objecting; 5 supporting)

Expiry: 8th April 2015

Extent of First Consultation and Availability of Documents

The extent of consultation, which was selected for consistency with that carried out in respect of the previous 'Dandara' applications, was based on a 1 kilometre radius of the site. Letters were also sent to those outside of this area who are recorded as having commented on the previous applications. The notification letters gave a 28 day response period.

In addition to online publication of the application drawings and documents via the planning search facility of Council's website, an additional bespoke website was prepared to host the application. Hard copies of the application drawings and documents were placed on-deposit at Wealdstone and Gayton Libraries.

Summary of Individuals' Consultation Response Issues

Adequacy of application material

Illustration on front cover of Environmental Statement and other application information is misleading; true scale of proposals has been hidden; a physical model and CGI should have been made; 318 flats would hold more than 555 residents; there are no 12 storey buildings in the vicinity of the site.

Harrow-on-the-Hill Station

Station should be made more accessible from underground passage and bus circulation simplified; the ramp into the station from the former Post Office should be reinstated for public access; proposal should contribute to station infrastructure e.g. improved access and lifts; train and bus stations are already stretched to the maximum with no lifts or escalators; development does not need to be a landmark, signpost or portal.

Height

Too high/tall for site and surrounding area; no other landmark of this height in the area; four towers of heights proposed would be overbearing and dominate the skyline; scale and massing out of character; witness reputation and environmental destruction of Croydon; unjustified intrusion into the landscape; if height reduced would be in favour; no better than Council developments of the 1960s & 70s, many such developments have now been demolished due to social problems; would be more than double the height of Roxborough Heights; at odds with distinctly suburban character of Harrow; more than 10 storeys would stick out badly; would prefer tallest block be reduced in height.

Highways/Parking

50 spaces for 318 flats is inadequate; already a parking problem in Harrow town centre and surrounding streets; Morrison's development led to more on-street parking; surrounding area grid locked at rush hour; 500 cycle parking spaces will not be used; balance of car and cycle parking illogical and ignores reality; unrealistic to expect

residents not to own cars; roads are falling to pieces (dangerous for cyclists); development should be parking permit exempt; parking pressure will thwart regeneration attempts.

Housing

How many for families? How many affordable? More one bedroom hatches; overdevelopment/too dense; don't need more flats; already too much housing/overcrowding in Harrow; more housing desperately needed; low cost housing should be spread throughout the borough; houses for families not flats is required; Harrow has contributed enough already, what about other boroughs?; 51 out of 318 affordable flats is inadequate/majority should be social housing; no affordable three bedroom units; proposed units ripe for buy-to-let; should be town houses for families and low-rise flats; probability of transient temporary renting residents; when other developments completed there will be more than 1,000/1,250 extra residents in Harrow; number of flats is for commercial reasons only; Council is 650 homes ahead of schedule for its housing target so less pressure for more flats.

Infrastructure

Further burden on GP surgeries, dentists and local services; Northwick Park Hospital unable to cope with patient numbers; insufficient resources to sustain further building, including trains and utilities; not enough school places or playgrounds; Harrow population density already high; more doctors and schools needed for this and other applications in Harrow; should be a doctor's surgery in one of the blocks; requirement for playspace is not met; there should be a review of all intended infrastructure in Harrow town centre sites and adjustments made to ensure optimal location before it's too late; cumulative impact on infrastructure of this and other developments e.g. on sewerage.

Library

A great London library an excellent idea, will boost Harrow's cultural standing; Harrow already has a library – a minor injuries unit would be better, or arts centre, or performing arts centre or concert hall or community meeting rooms; proposed library too small; library should be located on Greenhill Way car park with new Civic Centre and value of released requirement used for station access improvements instead.

Miscellaneous

Council is sacrificing central Harrow to protect Pinner and Stanmore; if the development goes ahead residents will leave the borough; would like a Post Office in Harrow; fly tipping is becoming a huge problem; contrary to Council's own policy; Harrow is an Air Quality Management Area – HGVs during construction would lead to health problems for local residents; construction work should finish at 16:00 not 18:00 hours each day; Harrow Council has already spent huge sums on St. Ann's Road & Station Road and on Lowlands Recreation Ground; agree with comments of the Campaign for a Better Harrow Environment; impossible to create sense of community with high-rise development; many of the proposal's disadvantages could be moderated by reduced height; 17-31 College Road should be acquired to allow more flexibility to plan an improved development.

Public Space

More public space needed; need a shared civic space; no green space proposed; look and feel would be alien and oppressive; would be dim, depressing concrete space; other locations more appropriate for suggested events; not enough sunlight to communal space and play areas (essential to health & wellbeing), even by the relaxed BRE

standards overshadowing will constitute a major adverse impact; is there sufficient demand for a new public square and Lowlands open space?

Retail

Harrow town centre in decline /already empty shops in Harrow – don't need more; Harrow doesn't need more pubs, bars, cafes and take-away food outlets (would add to litter and rowdy behaviour); more non-commercial space needed; better use of site would have been modern shops and prominent retail outlets; adding more shops will not help to regenerate Harrow.

Townscape/Design

Current site is an eyesore; development must get finished – don't want another Bradstowe House; Harrow being ruined by reckless development; balconies get used for storage/satellite dishes and make the area look like a rubbish tip; Lyon Road and Bradstowe House are already large developments in Harrow – why the need for more?; looks like a box set of monoliths and will cast a depressing shadow over the town centre; looks like a block of lego; antipathetic to the appearance of the town centre; very poor unsympathetic design; flavour of this project has relation to US cities more than historic Harrow-on-the-Hill; height and mass will overwhelm the central space; not world class architecture; contrary to rural environment of Harrow; precedent for inner city urban sprawl.

Views

Will disfigure and irreparably change views of Harrow-on-the-Hill; should be preserved; will spoil view looking north from Harrow-on-the-Hill and interrupt the line of Harrow Weald Ridge, development would become the main feature in this view; flats on top of Morrison's already obscure the view and only a third of the height; would rival St. Mary's and would breach horizon line; would set precedent for others sight lines to the Hill have been mendaciously misrepresented; Harrow Hill is one of the defining natural and architectural attributes of the area, the impact upon it was a widely held concern of residents opposing the 'Dandara' scheme in 2011; unwelcome and unnecessary intrusion into surroundings and would obscure views of Harrow Hill; view from Wood Farm will be completely obstructed, contradicting the Council's Local Plan; not clear how Harrow College development will affect the proposed new view.

Summary of Responses from Amenity Groups and Adjoining Premises

Campaign for a Better Harrow Environment

Development Design and Height: Proposal is for 20 (not 19) storeys and is misleading as includes a mezzanine floor. Design is far from world class architecture; nothing more than ordinary tower blocks. Although stepped, bulky and slab like in appearance. The top of the development would be the same height as the roof of St. Mary's Church.

Protected Existing Views: Proposal will intrude in views from Old Redding, The Grove and Wood Farm. Particularly concerned about impact upon Wood Farm and The Grove as it would be taller than the Local Plan maximum height thresholds. Extremely intrusive from The Grove and threatens to obstruct completely the Hill from Wood Farm.

New View: Not clear how much the Hill and Church would be visible due to the Harrow College extension building.

Conservation and Heritage: Harrow Hill Area of Special Character contributes greatly to

local culture an identity. Proposal would not comply with Policy AAP 8 requirement for coherent urban form that enhances Harrow Hill.

Car Parking: Totally inadequate. Of 50 spaces, 32 would be wheelchair accessible leaving only 18 spaces for other residents. Occupants will end up competing with existing residents for on-street space and will lead to increased parking in cycle lanes. Counter to regeneration aims.

Public Transport: Housing development and population growth in the town centre is posing additional strains on public transport. The need for step-free access to Harrow-on-the-Hill Station continues to be an urgent issue. We expect the Council to demonstrate significant progress by the time developments get built.

Travel Plan: Question travel plan assumption that 1,000 new residents will not affect local highways. Cycling provision in the area not adequate to encourage use of bicycles. Travel Plan Coordinator will need zeal and diplomacy to obtain information on mode shift. Broadband provision would help residents to work from home. Travel advice ought to be decoupled from the developer's sales function. No proposals for a car club are included. PTAL score does not take account of physical accessibility to bus stops and train stations. Overcrowding of the station is now an issue at peak times.

Public Areas: Most communal space will be in shadow – particularly the children's play area. Civic square would be a narrow chasm between tall blocks, not enough for meaningful activities and adversely affected by unsightly elevations of neighbouring buildings. Likely to suffer vehicular access enjoyed by 17-31 College Road.

Affordable Housing: Just 16% provision is extremely disappointing.

Environmental Statement: Suspect that the proposers are not intending to comply with policies. Land decontamination likely to be expensive making this a high risk project. Additional demand on already strained sewerage network (especially following office conversions).

Alternative Plan: Without acquiring 17-31 College Road any development inevitably compromised. Compulsory purchase on fair term should be pursued.

Concluding Remarks: Application could be improved by lowering the height of the taller blocks.

Conservation Areas Advisory Committee

Appeal decision requires outstanding design. Proposal would detract from the setting of the conservation areas, St. Mary's Church and listed building in grounds of Harrow College. Huge mass, bulk, height and cliff like, not elegant. Negative visual impact from various viewing points; every view will be impaired. Begins to enclose the Hill. If impacting on views needs to be exemplary design; it is yet to be demonstrated that this can be achieved. Anything of similar height as the Hill will have deleterious impact on its setting and create a sever jolt to the whole ethos of the Hill. Town centre buildings are up to 8 storeys. Will impact views of Harrow and horizon from the Hill. Hard appearance; no balance of hard and soft to the proposal; just a block of concrete. This is a unique set of conservation areas due to geography and topography; the Hill needs to be seen. Should only accept a tower if world class and people want to come to look at it. This is a series of tower blocks. The appeal decision is not met. It would set a precedent. It would

block light on Lowlands Road side.

Harrow Architects' Forum

The architecture does not possess any outstanding qualities and would not qualify as world class architecture. Proposal presents a sterile block. Views of St. Mary's only through chasm between blocks. Public square does not open directly onto College Road and would be overshadowed/overwhelmed. No sense of scale or relationship to town centre or Harrow-on-the-Hill. Architecture lacks a more sensitive human scale and would not bring favourable recognition to Harrow. External spaces would be bleak, claustrophobic and receive little sunlight. 3D model and daylight report highlights bulk and gross overdevelopment. Overall height should be reconsidered, overwhelming when combined with mass. No sense of fun or imagination, predictable, visually repetitive and austere. Would set a precedent.

Harrow Baptist Church

We welcome the proposals and are resolved to be co-operative partners to maximise the benefits to the community. We wish to engage constructively with the developer with possible options to open up access to the Church from the civic space. We welcome undertakings given about restricting work to standard hours in the working week, as minimising noise and disturbance is important to the life and work of the Church and those using its facilities. We look for reassurance that the 5 parking spaces on William Carey Way will not be adversely affected and clarification about planned refuse and recycling arrangements. We note that the wind assessment and light surveys do impact on small areas of church property.

Harrow Business Improvement District

Harrow BID represents over 200 levy paying businesses in Harrow town centre. At their meeting on 30th April 2015 the Board of Directors considered the 51 College Road proposal. The Board concluded that they support the proposal as it will bring a long neglected site back into use and add to the vibrancy and vitality of the town centre in general and College Road in particular.

Harrow on the Hill Forum

Harrow Hill is one of the few areas of uncontrolled parking in Harrow and is used by commuters using Harrow-on-the-Hill and South Harrow stations. The application site is only a short walk from the unrestricted streets of the Hill and could add substantial further demand to already very limited space, and will have a significant impact on the amenity of those that live or work or visit the Hill.

The Harrow Hill Trust

The original vision for the site was by Will Alsop, a prize winning internationally renowned architect. Over ten years that vision has been lost. When built the proposal will look like public housing from the 1960s. The substantial mass will dominate views towards and from the Hill. The tallest block would be as high as St. Mary's Church. The proposal does not meet the criteria set in the Harrow & Wealdstone Area Action Plan and should be refused.

RDP Newmans, 373-375 Station Road

William Carey Way: Narrow carriageway used as service road and (frequently) for siting of bins. Question the Council's adopted highway plan. Proposed bin store would be on the highway; insufficient space for landscaping and pedestrians. If not highway then inadequate visibility splays. Not possible for two HGVs to pass on William Carey Way.

Not possible to restrict movements on William Carey Way without a Traffic Regulation Order. Existing carriageway not safe to accommodate additional car, HGV and cyclist traffic movements.

William Carey Way/College Road junction: Large vehicles will be forced to turn left and overrun the footway of College Road. No information about safety of pedestrians; a safety audit should be required. Inadequate information about existing traffic movements. Weatherspoon's lorries not accommodated.

Station Road access: No existing vehicular access from Station Road. Narrow width would compromise safety of pedestrians and cyclists. Add to confusion at Gayton Road/Station Road junction. A safety audit should be required. No inter-visibility where new service road joins William Carey Way; this will be dangerous.

Sproull & Co., 31-33 College Road

Concerned about safety and security issues. We have a right of access alongside our building. Plans show unrestricted pedestrian access alongside our building to the central square, this is a health and safety hazard unless there is safe demarcation of vehicular and pedestrian traffic. Developers should pay for surveyor's report and indemnity in case of damage to our building. The existing security gate should be replaced at the developer's expense. We require unrestricted access to our building at all times. Could our underground car park be accessed from the underground car park of the new development in future?

Summary of Responses from Statutory and Other External Bodies

Ancient Monuments Society

No response

British Airports Authority

No response

Civic Trust

No response

Civil Aviation Authority

No response

Commission for Architecture and the Built Environment

No response

Council for British Archaeology

No response

Environment Agency

Unable to provide detailed response to planning consultations for sites located within an inner source protection zone due to limited resources. The developer should address risks to controlled waters from contamination at the site. All investigations of land potentially affected by contamination should be carried out by a suitably qualified competent person. The Environmental Permitted Regulations 2010 make it an offence to cause or knowingly permit an activity that will result in pollution to surface water or ground water.

Georgian Group

No response

Greater London Authority

The high-density mixed use redevelopment of this town centre and opportunity area site is strongly supported. The provision of affordable housing should be independently reviewed and further discussion is sought as to the potential for three bedroom affordable rented flats. The scheme is generally of a high quality design and its scale accords with the principal objectives of London Plan Policy 7.7, but exploration of the feasibility of a cantilever design and noise attenuation to the southern façade is suggested. Inclusive access is broadly in accordance with the London Plan but a wheelchair accessible route to the elevated play space north of building C & D is sought. The energy strategy and climate change adaptation measures are supported.

The scheme is broadly acceptable in strategic planning terms. Detailed comments provided by Transport for London (below).

Hertsmere Borough Council

It is highly unlikely that the proposed development would have transport impacts on Hertsmere.

Hertfordshire County Council

No response

Historic England

The development will be prominent in many local views, affecting the setting of several conservation areas and listed buildings.

The Harrow School conservation area and large complex of listed buildings within it are an extremely important part of Harrow's character and history. The development would be prominent in views from the north west of this conservation area. The conservation area appraisal notes the value of un-obscured views across Harrow. The development would obscure these views to some degree.

In views from Harrow School playing fields, the school and associated historic buildings cluster on a prominent hill site [is] characterised by its semi-rural setting. The development would draw the eye from this extremely significant complex, introducing a competing element.

Roxborough Park and The Grove conservation area is immediately to the south of the site. The conservation area appraisal notes that openness of the area forms a key part of its character. The proposal would introduce a much taller element into the skyline which through its scale and design does not respond to local character and history, or reflect the identity of local surroundings, as per NPPF section 58.

Views of St. Mary's Church spire are highlighted in application documents as being of high importance and in the Secretary of State's judgement regarding a similar 2008 application for the site, the Inspector noted the potential for any building greater than 19 storeys to obscure views of the spire. Not only is there potential for the proposed buildings to directly obscure views, either by increased height or altered massing, but there is also the risk that it will visually compete with the spire in some key views.

We consider the proposed scheme would cause some harm to the setting of designated historic assets. This harm should therefore be weighed against the public benefits of the proposal. The necessity of giving 'special regard' to the desirability of preserving the setting of designated heritage assets, as laid out in the 1990 Act, has been clarified by the Barnwell Manor High Court judgement (2013). The judgement stated that decision makers should give considerable importance and weight to the desirability of preserving setting when weighing this factor in the balance, and that preservation of setting is a desired or sought-after objective.

We note the earlier decision that tall buildings on the site may be acceptable if of 'world class' architectural quality. We would note the importance of ensuring that due process has been followed in ensuring that the required exceptional design has been achieved.

NB: In a subsequent telephone conversation with the Council's conservation officer, Historic England has:

- clarified that it considers the harm identified as being 'less than substantial';
- referred to NPPF paragraphs 132 and 134, in particular the need for clear and convincing justification;
- stated that whilst specific views are raised in the letter, it is the wider setting that is the concern;
- advised that subsequent decisions have not altered the principles established by the Barnwell Manor judgement.

Historic England (Archaeology)

The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.

London Borough of Barnet

No objection.

London Borough of Brent

No objection.

London Borough of Hillingdon

No response

London Underground Infrastructure Protection

No objection in principle however there are a number of potential constraints on the redevelopment of a site close to underground tunnels and infrastructure. Request that any grant of planning permission subject to a condition and informative (suggested).

Metropolitan Police

No response

Ministry of Defence (MoD)

The site is approximately 5.7km from RAF Northolt and occupies statutory aerodrome height, technical and birdstrike safeguarding zones. The site also occupies the statutory safeguarding zone surrounding Chenies Met Office site.

The proposal occupies statutory height safeguarding zones that serve to ensure air

traffic approaches and the line of sight of navigational aids and transmitters/receivers are not impeded. The proposal is within the area protecting the operation of a Precision Approach Radar (PAR) that surveys the eastern approach to the main runway at RAF Northolt.

As the proposed buildings would intrude into the protected line of slope of the PAR and will disrupt effective operations of the PAR the MoD wishes to object. However if the heights were reduced to no higher than [former First National House] then the MoD would have no objection.

Should the applicant submit a revised proposal then the MoD would request, as a condition of planning permission, a construction management strategy to control details of cranes and other tall construction equipment which may affect the performance of the PAR.

National Grid

No response

National Planning Casework Unit

No response

Natural England

From the information provided, the application is not likely to result in significant impacts on statutory designated sites and landscapes. We have not assessed the application for impacts on protected species. The local planning authority should ensure it fully understands the impact of the proposal on local sites and whether the proposal is likely to affect an SSSI.

Network Rail

No response

NHS Harrow

No response

Society for the Protection of Ancient Buildings

No response

Thames Water

Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. If the local planning authority is minded to approve the application a 'Grampian' style condition should be imposed (suggested). The applicant should incorporate protection to the property on the assumption that sewerage may surcharge to ground level during storm conditions.

In respect of surface water drainage, the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Connections are not permitted for the removal of ground water.

Thames Water recommends the installation of fat traps to all catering establishments.

Three Rivers District Council

No response

Transport for London

The access arrangements should be safety audited. The low level of car parking provision is supported however further electric vehicle charging points are required. Some additional 'short stay' cycle parking may be required. The assumed trip generation is reasonable and so it is accepted that there would be no significant impact on the capacity of the local transport network. The College Road taxi rank should be retained. The Travel Plan should be secured by way of a s.106 Planning Obligation and delivery & servicing and construction logistics plans should be secured. A discussion to investigate ways that the development could contribute to funding the step free access project would be welcomed.

Twentieth Century Society

No response

Victorian Society

No response

Affinity Water

No response

Watford Borough Council

No response

Summary of Responses from Internal Consultees

Biodiversity Officer

Would prefer to see a mixture of native and non-native species with trees and shrubs which produce nectar-rich flowers for bees and butterflies and berries for birds. Potential for installation of green roofs with native wildflowers. Area too busy/light for bat boxes however bird boxes/bricks to east-west side walls should be sought. Appropriate species would be swift, starling and house sparrow.

Conservation Officer

In my view the proposal would have an adverse impact on the setting of the surrounding heritage assets (both designated and non-designated) of the conservation areas on the Hill which are an important part of the Harrow's character and history and contain a high concentration of listed and locally listed buildings, and the characteristically low lying surrounding land which contains some listed and locally listed buildings, by reason of its height, scale and massing. This is because it would be distracting and competing in characteristic views to and from the hill and its surrounding low lying land and would introduce a much taller element to the town centre that is not characteristic of the local area or history. There is a need for clear and convincing justification for any harm and currently it is not clear that the public benefit would outweigh the harm.

NB: In a subsequent e-mail the Council's conservation officer has advised that the harm is not considered to be substantial.

Design and Regeneration Officer

In general this is an elegantly designed and proportionate scheme of appropriate scale within the town centre context and given its proximity to the train station, which will make a positive contribution to the local architectural and urban context and sets a good

precedent for further higher density development to come. We would argue, if built in accordance with the design shown in the visuals it sets a high quality benchmark for London's North-West region.

The mixed nature of uses within the development will contribute positively to the local economy including residents use of local facilities and general public use of the public space. There is currently a lack of hard high quality public space within the town centre for people to rest and relax. The ambition of a second phase for the scheme is supported as well.

The provision of non-retail workspace fronting onto the railway along the new pedestrian link is important for creating a good use of the development for live work and play. With changing pattern in terms of working and more people setting up businesses initially working from home the development should provide appropriate spaces for residents to rent in terms of individual desks or separate units for people to use as follow-on space. The multifunctional use of the library will play a key role for this new work pattern. An appropriate workspace operator should be found should co-working feature in the scheme.

We would like to be involved in the work-up of detailed designs with respect in particular to the following matters:

- approval of materials and other detailed design aspects of the buildings;
- internal library layout and library signage;
- hard and soft landscaping of the public realm, the library pavilion building and art wall;
- amenity space north of building C & D;
- lighting of public areas (wall-fixed rather than catenary lighting is recommended);
- southern colonnade and play space;
- communal roof gardens (planting etc);
- arrangements for home delivery;
- arrangements for ensuring that the promised architectural and design quality is achieved (retention of SOM architects recommended).

Engineering Drainage Team

No objection subject to conditions (suggested) regarding the disposal of sewerage, surface water disposal, surface water attenuation and details of green roofs (together with its maintenance plan). The run-off rate from the site should not exceed 5 litres per second.

Economic Development Team

The Economic Development team welcomes new investment in this prime site within Harrow town centre. It welcomes the proposals to develop a new library and a public square which will help diversify the offer of the town centre, thus maintaining its vitality and viability.

Environmental Health Officer

Air Quality

The submitted information demonstrates that the air quality impacts of the development would be acceptable, in line with national air quality objectives and the GLA 'air quality neutral' standard. Mitigation of dust emission during construction will be required. Real time monitoring for air quality and dust should be undertaken, including for 3 months

beforehand to help establish baselines. Conditions should be used to secure this.

Land Contamination

The submitted information demonstrates that potential soil contamination exists, with a risk potential. An intrusive site investigation will be needed to take soil samples etc., with production of a remedial strategy to deal with the identified risks. Conditions should be used to secure this.

Noise

The submitted information demonstrates that mitigation measures will be needed during construction and in respect of new dwellings with (otherwise) unacceptably high levels of environmental noise. Conditions should be used to secure this.

It is noted that the dwellings will have balconies which will also be affected by noise. Occupants will have access to communal roof terraces where noise levels will be within maximum recommended levels. From an environmental viewpoint, the noise affecting the balconies is not ideal. However, this is a matter for consideration in the overall planning decision. The guidance states that such compromise can be considered where the convenience and desirability of having dwellings in such an area outweighs such noise issues.

Housing Enabling Team

Affordable wheelchair housing should be fitted out ready for a wheelchair user to move into and balconies to all flats should be wheelchair accessible. Battery charging points should be provided. An annotated plan to show how wheelchair users would access parking spaces, mail boxes, amenity spaces, bins and the street should be provided and other accessible details should be confirmed. All wheelchair homes should have a car parking space; it should be noted that some wheelchair users may also have an electric buggy. Lifts should be suitable for an attended wheelchair user. Marketing of shared ownership and market homes should ensure wheelchair occupiers have the opportunity to personalise their homes during the construction phase.

Traffic, Highways and Asset Management Team

The principle of adopting the public realm areas within the development is acceptable as it is in the public interest for the Council to manage and maintain this. It would therefore be appropriate for the Council to enter into an agreement with the developer under section 38 of the Highways Act 1980 for the public realm (precise area to be agreed) to be dedicated as highway. The agreement will need to include a commuted sum for maintenance of any trees, street furniture and non-standard features. The library garden should not be included in this agreement.

Landscape Architect

The existing trees, including trees on adjacent neighbouring land, need to be plotted accurately and their canopy spreads. The proposed method of building construction, to prevent any damage to the existing trees both above and below ground level require explanation. The following tree report and information would be required:

- a Tree Survey, drawings and report, supported by a tree schedule, in accordance with recommendations provided in BS 5837:2012 Trees in relation to design, demolition and construction; and
- an Arboricultural Impact Assessment and Tree Constraints Plan and including a Tree Protection Plan and Arboricultural Method Statement.

The ground level amenity spaces will be much more overshadowed and gloomy than is desirable and this factor together with the additional wind effect will make the public space/seating areas less desirable places to be, to spend time and sit in. Whilst the proposal to use high quality natural paving, in particular, would be welcomed, the addition of some stones, such as granite, would be non - reflective and any dark colour would add more gloom to the overshadowed public space. It may therefore be sensible to review the final colour choice of the proposed natural stone paving. The suggested buff and yellow tones would help to create a feeling of space and brighten the floor space and surroundings of the amenity areas.

Conditions would be required for the detail of the proposed hard and soft landscape and landscaping implementation including a 5 year period for replacements, play areas, levels, green roofs and green walls together with the future management and maintenance of the hard and soft landscape for all the public / communal spaces to remain under the control of the proposed development.

The proposal to use larger semi mature specimen trees, pleached trees and green screen walls would be appropriate and provide some much needed instant impact to the public amenity areas. These larger sized specimens together with trees and shrubs in planters would require a management and maintenance regime, for the routine day to day maintenance and to ensure that the planting not only survives but thrives. The possibility of any future replacement planting required, would also need to be factored into the management and maintenance. The planting would require regular watering, particularly in the spring and summer and details of the proposed method of irrigation, frequency and regime is required. Trees and shrubs in the proposed planters require irrigation and the detail of this, the proposed planter type, size, available space for tree planting, installing and fixing the tree, growing medium, drainage layers, mulch and so on are required to be able to assess the likely chance that these specimen trees will survive, thrive and contribute in a positive way to the amenity area.

Waste Management Team Leader

Given the size of the development and the space required for bins it may be advisable for the development to have two bin collections per week. An additional charge will be levied upon the managing agents for this extra collection (residents' council tax is based on one collection per week); if payment doesn't occur the managing agents will be responsible for the clearance of all additional waste and Harrow Council will not be liable for this. We will also require payment for the provision of the bins so that they can be ordered from our supplier prior to delivery.

Applicant's Response to Ministry of Defence (MoD) Objection

The applicant has appointed a consultant⁵ to provide a technical response to the MoD's objection (above). The applicant states that the consultant has been advising on tall buildings and aviation issues in London for many years. The advice is as follows:

- The location of the proposed tall building OS 515412 E 188064 N, 5.7 km from the northern end of Runway 25 at Northolt, with a completed building height 134.5 mAOD, has been accepted by Northolt and by NATS.
- The flight paths for aircraft taking off and landing on the main runway 07-25 pass overhead the site and Harrow on the Hill, where the physical obstacle on the Hill is shown on aeronautical charts as 408 ft (124 m) AOD, which is only 11m lower than

⁵ Donald Butler Aviation Consultant (D J R Butler BSc. (Eng) Hons Ceng ACGI DIC MICE)

the proposed tall building.

- A preliminary assessment indicates the proposed tall building to be clear of the Heathrow safeguarding outer horizontal surface (OHS) level of 173 mAOD and the Northolt OHS level of 184 mAOD.
- The Northolt Runway 07 take off climb surface (TOCS) passes over the site at 149 mAOD and the Runway 25 approach surface at 164 mAOD, i.e. the proposed tall building does not penetrate these surfaces.
- The Northolt Runway 25 approach glide path is 3.5 degrees which passes over the site at 382 mAOD (1250ft AMSL), i.e. 248m above the proposed tall building. This is the glide path of the Precision Approach Radar (PAR).
- It would appear from this preliminary assessment that the proposed tall building is clear of the Northolt safeguarding obstacle height limitation surfaces (OLSs) and there is a generous clearance for the 3.5 degree glide path.
- I would expect the NATS assessment to enable NATS to withdraw its objection. I recommend negotiations with NATS be continued through the Planning Authority.

SECOND APPLICATION CONSULTATION

Application Second Consultation

Sent: 369 (3rd June 2015)

Replies: awaited (to be reported as addendum information)

Expiry: 21st June 2015

Reasons and Extent of Second Consultation and Availability of Documents

A second, limited consultation was considered to be necessary following the receipt of revisions to the proposal and additional information from the applicant. The principal revision concerns revised access arrangements and the additional information comprises a report on the potential impact of the proposal upon broadcast signals. The extent of the second consultation was therefore limited to those properties immediately surrounding the site and those where the receipt of broadcast signals would be affected by the proposed development, together with the Campaign for a Better Harrow Environment as the principal amenity society for central Harrow. The notification letters gave until 21st June response period.

The revised drawings and additional information were published via the planning search facility of Council's website and the bespoke website. Hard copies were placed on-deposit at Wealdstone and Gayton Libraries.

Summary of Response to Second Consultation

Any responses to the second consultation will be reported in the addendum and verbally to the Planning Committee.

MAIN CONSIDERATIONS

POLICY AND REGENERATION

- 1) National Planning Policy Framework
- 2) London Plan
- 3) Harrow Core Strategy and Harrow & Wealdstone Area Action Plan
- 4) Relationship of Proposal with Spatial Planning Policy Context
- 5) Loss of Former Post Office and Royal Mail Postal Sorting Facility
- 6) AAP Site Allocation 17

- 7) Town Centre and Retail Policy
- 8) Economic Development and Regeneration

HOUSING AND RESIDENTIAL QUALITY

- 9) Affordable Housing
- 10) Housing Supply, Density and Overall Housing Mix
- 11) Residential Quality of Proposed Development
- 12) Amenity of Neighbouring Occupiers

TRANSPORT AND PARKING

- 13) Access and Highways
- 14) Parking

TOWNSCAPE AND DESIGN QUALITY

- 15) Tall Buildings
- 16) Taller Buildings
- 17) Locally Protected Views
- 18) Opportunities to Create New Local Views
- 19) Townscape Character
- 20) Lifetime Neighbourhoods

HERITAGE, LANDSCAPE AND ECOLOGICAL

- 21) Listed Buildings and Conservation Areas
- 22) Locally Listed Buildings
- 23) Archaeology
- 24) Areas of Special Character
- 25) Landscaping and Trees
- 26) Ecology and Biodiversity

CLIMATE CHANGE AND ENVIRONMENTAL

- 27) Flood Risk and Sustainable Drainage
- 28) Carbon Dioxide Emissions Reductions
- 29) Sustainable Design and Construction
- 30) Decentralised and Renewable Energy
- 31) Air Quality, Ventilation and Odour
- 32) Noise
- 33) Contaminated Land

INFRASTRUCTURE

- 34) Provision of Library
- 35) Provision of Civic Square
- 36) Electricity and Gas
- 37) Water Use and Waste Water Capacity
- 38) Waste and Recycling
- 39) Other Infrastructure

OTHER CONSIDERATIONS

- 40) Equalities Impact
- 41) Human Rights Act
- 42) Crime and Disorder Act
- 43) Consultation Responses

POLICY AND REGENERATION CONSIDERATIONS

1. National Planning Policy Framework (2012)

The National Planning Policy Framework (NPPF) was published by the Government in 2012 as a streamlined replacement of the previous suite of national planning policy statements and associated publications. For decision making purposes, although the NPPF is not a 'development plan' document, it is a material consideration.

The NPPF was taken into consideration as part of the examination-in-public of Harrow's Core Strategy, prior to the adoption of the Strategy in 2012, and informed the preparation of Harrow's other Local Plan documents prior to their adoption in 2013. Both the Core Strategy and the other Local Plan documents are therefore fully in accordance with the principles and policies of the NPPF.

The NPPF describes the pursuit of sustainable development as involving improvements to people's quality of life and to the quality of the built, natural and historic environment. At the heart of the NPPF is a presumption in favour of sustainable development. For decision making purposes this means approving development proposals that accord with the development plan without delay.

2. London Plan (*Consolidated with Alterations Since 2011*) (2015)

The Further Alterations to the London Plan were the subject of examination-in-public during 2014. In March 2015 the Mayor of London published an updated version of the Plan consolidated with the adopted further as well as previously adopted alterations.

The spatial strategy for London is set out at chapter 2 of the London Plan. It uses a number of strategic designations to identify areas for more accelerated levels of change, pursuant to the objective of accommodating London's objectively assessed development needs. Among the designations are 'Opportunity Areas' and 'Intensification Areas'. As part of the now adopted further alterations to the Plan, the strategic designation of Harrow & Wealdstone's has changed from that of an Intensification Area to an Opportunity Area⁶, with an expectation that higher density residential and mixed-use development on key strategic sites will contribute to the delivery of 3,000 jobs and a minimum of 2,800 new homes within the Area⁷. Pursuant to the delivery of the spatial strategy for London, Policy 2.13 *Opportunity Areas and Intensification Areas* of the London Plan requires proposals to:

- support the strategic policy direction for the Area;
- optimise residential and non-residential output and provide necessary infrastructure;
- contribute to meeting (or exceeding where appropriate) the Area's employment and housing outputs;
- promote inclusive access including cycling and walking; and
- support wider regeneration.

In recognition that population growth⁸ in London is likely to be significantly above that which was anticipated in the original 2011 version of the Plan, and informed by new

⁶ Opportunity Areas are defined as having for capacity for at least 5,000 jobs or a minimum of 2,500 new homes (or both). By contrast Intensification Areas, whilst also displaying potential for employment and housing growth, have capacities below those that can be achieved in the opportunity areas.

⁷ See Annex 1 to the London Plan (2015).

⁸ Informed by the results of the 2011 Census.

evidence⁹, the 2015 London Plan adopts an annual London-wide housing target¹⁰ for the new plan period 2015-2025 of 42,389 p.a. (up from 32,210 p.a. for the period 2011-2021) of which Harrow's annual target for the new plan period is 593 p.a. (up from 350 p.a. for the period 2011-2021). As with the original 2011 Plan, the targets contained within the 2015 London Plan fail to reconcile a potentially significant gap between household growth projections¹¹ and the identified availability of land for new housing¹², meaning that the targets continue to be expressed as minima. There must be, therefore, a renewed emphasis on all boroughs meeting and exceeding their housing targets.

Turning to strategic non-residential forecasts, the London Plan (2015) contains projections of household expenditure growth for the period 2011-2036 of an average of 3 per cent p.a. in respect of comparisons goods retailing and of 2.2 per cent per annum in respect of convenience goods retailing¹³, but acknowledges that there may be a surplus of retail floorspace in some parts of London¹⁴. Notwithstanding, the Plan continues to embody an important spatial role for London's network of town centres, noting that: "...A spread of successful town centres across London complements the role of the Central Activities Zone and supports the 'polycentric' structure promoted by the European Spatial Development Perspective"¹⁵.

3. Harrow Core Strategy (2012) and the Harrow & Wealdstone Area Action Plan (2013)

Harrow's spatial strategy for the plan period 2009-2026 is set-out in the Core Strategy (2012) and is predicated on a new, pro-active approach to growth management and place-making. The strategy focuses on the [now] opportunity area designation of central Harrow and Wealdstone to deliver growth through higher-density residential and mixed-use development, it being a location with high levels of public transport accessibility and where there is capacity to accommodate and benefit from major change. Pursuant to the spatial strategy, the Core Strategy incorporates an objective to create 3,000 jobs within the opportunity area and a policy commitment to deliver a minimum of 2,800 new homes on sites to be identified and allocated in an area action plan.

The Harrow and Wealdstone Area Action Plan (AAP) (2013) seeks to establish the opportunity area as the 'Heart of Harrow', reassert Harrow's visibility as the capital of Metro-land in London and to reaffirm Harrow town centre's role as a Metropolitan Centre. As required by the Core Strategy, the AAP identifies and allocates sites with a combined capacity of 3,684 new homes and estimates that there is potential to deliver over 3,000 jobs across the opportunity area.

In recognition of the different issues and opportunities across the entire Heart of Harrow opportunity area, the AAP designates a total of seven sub areas. To address the issues and exploit the opportunities of 'Harrow Town Centre Central' (within which the subject

⁹ The GLA's 2013 Strategic Housing Market Assessment (SHMA) and Strategic Housing Land Availability Assessment (SHLAA). For a full explanation of London's housing requirements, see paragraphs 3.14A-3.19A of the London Plan (2015).

¹⁰ See Table 3.1 at Chapter 3 of the London Plan (2015).

¹¹ The London Plan (2015) refers to uncertainties over the scale and nature of forecast population growth, and the need to deal with a backlog of unmet housing need, stating that the SHMA produces household growth ranges of 49,000 p.a. (2015-2036) and 62,000 p.a. (2015-2026).

¹² The London Plan (2015) states that the SHLAA identifies capacity to deliver 42,000 homes p.a. (2015-2025).

¹³ See London Plan (2015) paragraphs 4.40 and 4.42.

¹⁴ See London Plan (2015) paragraph 4.42A.

¹⁵ Paragraph 2.69.

site is situated) the objectives for the sub area comprise:

- promotion of new development that enhances the Metropolitan status of the centre;
- broadening of the retail/leisure offer including the evening economy;
- provision of a network of civic spaces linked by pedestrian connections;
- improved visual and physical permeability within the town centre and with Harrow Hill; and
- addressing the underwhelming existing built character.

The AAP also sets out a number of urban realm improvements and infrastructure requirements for the sub area. These include: improvements to the railway edge for those arriving or passing-through Harrow; public realm and shopfront improvements to College Road; creation of high quality public spaces associated with a new landmark development; and provision of a new central library.

4. Relationship of Proposal with Spatial Planning Policy Context

Without prejudice to the appraisal of the many detailed planning considerations that are relevant to the subject proposal, as set out in the proceeding parts of this report and including the assessment of the proposed tall buildings, it is evident that in *principle* terms the proposal accords with the spatial planning policy context as established in the development plan for the Borough. Specifically:

- the scale of residential development, the proposed mix of uses and the creation of new public realm would contribute positively to the delivery of the opportunity area's housing, employment and public realm improvement objectives;
- the replacement of the existing disused/derelict former post office complex with a new 'landmark' development would improve the appearance of the site from both Harrow-on-the-Hill station and College Road, and so would help to reassert the visibility of Harrow and confidence within the town; and
- the development would result in a significant injection into the town of new commercial uses and residential occupiers that would help to sustain Harrow's Metropolitan Centre status and support the wider regeneration of the town.

It would also deliver some significant specific infrastructure to the 'Harrow Town Centre Central' sub area; namely: a new purpose-built central library; a new civic square linked by new cyclist and pedestrian-friendly public realm within the site to College Road and Station Road; a new visual link from the town centre to Harrow Hill and St. Mary's Church; and new space for retail, leisure and other uses that could make a valuable contribution to Harrow town centre's retail offer and evening economy.

5. Loss of Former Post Office including Royal Mail Postal Sorting Facility

The existing building complex was erected in the late 1950s and came into use as Harrow's central sorting office and Post Office circa 1961. The complex was vacated sometime in the early 2000s when the sorting office functions were transferred to premises in Elmgrove Road and the post office was relocated to 14 College Road. The site was subsequently sold by Royal Mail for redevelopment.

A Post Office may be regarded as a community facility. London Plan Policy 3.16 *Protection and Enhancement of Social Infrastructure*, Core Strategy Policy CS1 Z and Local Plan Policy DM47 *Retention of Existing Community, Sport and Education Facilities* provide the context for considering the loss of such facilities. In this case however it is self-evident that the transfer of sorting office functions and the relocation of the Post Office away from the site, together with the site's subsequent sale for redevelopment and the

passage of time, mean that the former use has effectively been abandoned. In these circumstances and in accordance with the site's allocation for redevelopment it is not considered that the loss of the existing former Post Office/sorting office complex is unacceptable.

6. AAP Site Allocation 17

Land Uses

Local Plan Policy AAP 5 *Density and Use of Development* requires development on allocated sites to be in general conformity with the relevant objectives and site development parameters set out in the plan.

The site allocation specifies the leading land uses as residential (Class C3), shops (Class A1) and civic/community based non-residential institutions (Class D1). Supporting land uses are listed as financial and professional services (Class A2), restaurants and cafes (Class A3) and public houses (Class A4), as well as assembly and leisure uses (Class D2), offices (Class B1), hotels (Class C1) and student housing.

The subject proposal is compliant with the leading and many of the supporting land uses, providing 318 flats, a new library and commercial floorspace for flexible use within the full range of town centre uses within the 'A' classes, offices (B1) or community (D1) use. The range of 'A' class uses applied-for includes take-aways (A5) which, although not listed within the range of supporting land uses in the allocation, is not a material departure from the types of uses envisaged and considered appropriate in this town centre location.

Assembly and leisure use is not proposed within the application but is provided on the wider allocated site by the adjacent Harrow Baptist Church and could be retained in its current complex or be re-provided as part of a second phase (see *Delivery* below). Taking into account recent market signals from other sites within the opportunity area¹⁶ it is not considered that hotel provision or student accommodation would contribute positively to scheme viability at the present time, and in view of their status within the allocation as supporting land uses it is not considered that the absence of these materially affects the overall compliance of the proposal with the land use expectations of the site allocation.

Site Constraints, Dependencies and Design Considerations

These parts of the site allocation commentary deal with the specific site constraints and design requirements of the site. Other than those paragraphs relating to delivery (see below) consideration of the proposal in relation to these aspects of the site allocation will be dealt with in the relevant issue-based sections of this report.

Site Specific Infrastructure

The site allocation calls for a new central library, public realm and publicly accessible areas on the upper floors, where appropriate. The subject proposal delivers a new central library, a new civic square and other areas of public realm, and it is considered that limited public access to the proposed communal roof gardens will be secured by agreement (see *Planning Obligations* section of this report).

Delivery (including target outputs)

¹⁶ The closure of existing town centre hotel accommodation and the proposed omission from the approved redevelopment of the Kodak site of student accommodation.

The allocated site area predominantly comprises the former Post Office site at 51 College Road, but also includes no. 15 College Road (Amba House office block), nos. 17-33 College Road (shop/office block) and Harrow Baptist Church, as well as William Carey Way. The total allocated area amounts to 1.05 hectares with target outputs of 400 homes and 40 jobs are sought. The subject application brings forward the former Post Office component of the allocated site in isolation, with outputs of 318 homes and an estimated 45 net new jobs¹⁷.

Local Plan Policy AAP 4 *Achieving a High Standard of Development throughout the Heart of Harrow* resists development that would prejudice the development of other parts of a site or which would frustrate the delivery of allocated sites.

The commentary to the site allocation sets out the approach to be taken to the planning of the larger site and the implications of fragmented ownership. Under the heading '*site constraints/dependencies*' the commentary states that:

"The site is in various ownerships and would benefit from a site wide approach to provide an integrated, well laid out, comprehensive development whilst enabling, without constraint or prejudice, each parcel to be developed separately over time".

Under the heading '*delivery*' the commentary notes that:

"Site assembly may be required to enable a comprehensive and workable scheme for the whole site should this be agreed between the parties. However the absence of such an agreement should not delay or compromise the early development of the former post office portion of the site. Development is therefore likely to come forward in at least two phases".

Thus, the AAP envisages an integrated approach¹⁸ to the development of the site as a whole but remains clear that the larger allocated site need not be brought forward as a single proposal. The subject proposal would achieve an appropriately substantial proportion of the allocated site's residential output and would meet the target employment output. In terms of infrastructure, it would independently deliver both the new central library and a new civic square. Given the clarity provided in the site allocation's commentary and the extent to which the subject proposal would contribute to the delivery of the target outputs and broader objectives of the allocated site, it is not considered to be premature to the consideration of any proposals for the rest of the allocated site to proceed to consider and determine this application in isolation.

However, the question of the development of the larger allocated site remains an important one. In particular: (i) consideration of the risk of compromising the redevelopment of other parts of the allocated site; (ii) ensuring that the character of this side of College Road is comprehensively and coherently improved; and (iii) ensuring that the new public space within the site engages with College Road's public realm.

During pre-application discussions with officers, the applicant presented material to officers to show, in indicative terms only, that the remainder of the site could be

¹⁷ See Table 15.7 of Volume 1 of the Environmental Statement. It is estimated that 45 jobs would yield from the proposed 862 square metres A1-A5/B1/D1 floorspace.

¹⁸ It is worthy of note that the pre-submission version of the AAP included a conceptual illustration of how the larger site might be developed, although that illustration was removed following representations by the previous owner of the former Post Office site during the plan's examination in public.

redeveloped in a second phase to provide retail floorspace and replacement premises for Harrow Baptist Church at ground floor level and accommodation on the upper floors. It is envisaged from the material presented that the upper floors of the buildings fronting College Road would be of similar depth and would have a stepped design to mirror those proposed to front College Road in the application scheme and, in so doing, giving a comprehensive, unified character to the site as a whole. Crucially, the indicative scheme showed how the new civic space and a view towards Harrow Hill might be opened-up to College Road and that, from the envisaged depth of the upper floors, the north-facing flats in building C & D of the application proposals need not be an impediment to that second phase.

It must be emphasised that the aforementioned presented indicative material does not form part of the subject planning application, has not been demonstrated to be viable or (in all other planning respects) feasible and was not accompanied by information as to the likely housing, employment and other outputs. Moreover, it does not prejudice the willingness of the owners of the land concerned to bring their parts of the site forward for redevelopment. However it does suggest that the development of the remainder of the allocated site would not be prejudiced by the subject proposal and that, in indicative design and layout terms, a scheme that secures improvement to the character of, and that opens-up the new public space to, College Road might be achieved.

Paragraph 4.59 of the Planning Statement submitted with the subject application expresses a hope that the proposal will be a catalyst for change and states that the applicant is prepared to assist the Council and local owners to achieve this. In this regard it is noted that, prior to the submission of the application, the applicant co-operated fully and positively in the preparation of the Council's Housing Zone Bid for the Heart of Harrow.

The Bid, now accepted, acknowledges the commencement of negotiations towards land purchase and sanctions £4.5 million in loan funding to cover up-front and land assembly costs associated with the redevelopment of the remainder of the allocated site. Officers expect to maintain a constructive working relationship with the applicant, landowners and other interested parties with a view to progressing this part of the Housing Zone to the mutual satisfaction of all of the parties. Consistent with the tests set out in Local Plan Policy AAP 22 *Supporting Site Assembly within the Heart of Harrow*, in the absence of a viable/deliverable scheme for the remainder of the allocated site and as purchase negotiations have only just commenced it is not considered necessary or appropriate at the present time for the Council to intervene using its compulsory purchase powers.

7. Town Centre and Retail Policy

NPPF 'town centre first' Principle

As noted above, the proposal makes provision for 862 square metres commercial floorspace for the following uses: retail (Class A1), financial and professional services (Class A2); restaurants and cafes (Class A3); pubs and bars (Class A4); hot food take-aways (Class A5); business (Class B1); and non-residential institutions (Class D1). In addition, the proposal would re-home Gayton Library by providing 1,672 square metres purpose-built new library floorspace.

The site is located entirely within Harrow town centre's primary shopping area, as identified at chapter 7 of the AAP Local Plan document and the façade of the former Post Office in College Road is designated as secondary shopping frontage. Accordingly,

the provision of a significant component of new commercial floorspace for 'A' Class and related non-residential uses is entirely 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.

Town Centres in London and Harrow

Harrow town centre is classified in the London Plan¹⁹ as a 'Metropolitan Centre'. After 'International Centres', of which there are only two²⁰, Metropolitan Centres represent London's network of higher-order centres (13 in total), serving multi-borough catchments and with a range of employment, service and leisure functions and comprising at least 100,000 square metres retail, leisure and service floorspace. Harrow currently comprises square metres floorspace and is assessed in the London Plan as having 'medium' level strategic growth potential.

London Plan Policy 2.15 *Town Centres* sets out the strategic policy criteria for developments in town centres. In relation to the criteria, it is considered that the proposed development would:

- help to sustain and enhance the vitality and viability of Harrow Metropolitan Centre, by bringing an increased residential presence into the town centre and through the potential for linked trips by shoppers using the proposed new commercial premises and the library;
- accommodate an appropriate level of economic and housing growth through the redevelopment of this previously-developed site within the town centre;
- add to the diversity of the retail, leisure and employment offer within the town centre and, by providing a new home for Gayton Library, the quality of this aspect of public service provision within the town centre;
- be in scale with the centre as a Metropolitan Centre;
- by reason of its location would encourage use of public transport and, by reason of its design/layout, would also promote access by walking and cycling;
- promote safety, security and lifetime neighbourhoods (see below);
- both by the proposed creation of new public realm and through the Harrow Community Infrastructure Levy, contribute to environmental and other associated enhancements; and
- through its design and layout, help to reduce delivery, servicing and road user conflict.

London Plan Policy 4.7 *Retail and Town Centre Development* states that the scale of proposed retail, commercial, culture and leisure development should be related to the size, role and function of the town centre. Recognising Harrow town centre's status as a Metropolitan Centre, the highest-order centre in the Borough, Core Strategy Policy CS1 L directs proposals for major retail and leisure development to Harrow town centre whilst Policy CS2 supports the development of a diverse evening economy within Harrow town centre, including leisure, cultural and tourism activities. Local Plan Policy AAP 16 *Supporting the Service Sector in Harrow Town Centre* supports major new community development within the centre where it would not be at odds with other AAP policies, Core Strategy objectives and residential amenity. Policy AAP 17 *Primary Shopping Areas and the Primary Shopping Frontage* reaffirms the direction given to major retail development to locate on sites within the primary shopping area of Harrow town centre.

¹⁹ Refer to Annex 2 of the London Plan (2015).

²⁰ The West End and Knightsbridge.

The cumulative scale of proposed retail/commercial floorspace and of the proposed library is considered to be entirely appropriate to (and would help to sustain) the size, role and function of the centre. The wide range of 'A' Class uses applied-for ensures that the proposed development would have the capacity to make a positive contribution to the development of a more comprehensive/diverse evening economy within Harrow town centre whilst the library would make a complementary contribution in terms of local leisure and culture. In these circumstances it is considered that proposal would comply with the strategic components of London Plan, Core Strategy and other Local Plan policies for town centres in London and in Harrow.

Proposed Unit Mix, Range of Uses and Potential for Markets

Of the commercial floorspace applied-for, there would be one small unit fronting St. Mary's Terrace, one larger unit fronting the pedestrian walk-through from Station Road and a substantial block of floorspace would be provided within the ground floor of building A. This largest of the commercial floor areas would have dual aspect to College Road and the new civic square, with secondary aspects to the end elevations of the building, and would be capable of subdivision to create smaller units. The second largest unit would have a particularly wide frontage to the pedestrian walk-through and so could also be capable of subdivision.

Noting that the precise end-users are unknown at this stage, the Planning Statement²¹ acknowledges that planning permission has been sought for the widest range of uses possible and, in particular, states that the southern (second largest) unit could be a workshop space, offices or medical facility among other possible uses. The Design and Access Statement²² shows how the new civic square and St. Mary's Terrace could accommodate up to 24 market stalls or 8 marquees.

London Plan Policies 4.8 *Supporting a Successful and Diverse Retail Sector and Related Facilities and Services* and 4.9 *Small Shops* point to the value of local facilities/services, markets and small shops as part of vibrant, diverse retail sector. The importance of diverse retail and related activities is amplified further in the Mayor of London's *Town Centres SPG*²³ (2014). Local Plan Policy DM 41 *Evening Economy* supports proposals which enhance the evening economy of town centres.

The 'centre of gravity' for mainstream retail purposes in Harrow town centre is likely to remain St. Ann's Road and the two indoor shopping centres, meaning that the role of retail/commercial floorspace at the application site would be likely to be a complimentary one. The proposal therefore builds-in maximum flexibility in terms of the size range of the proposed three commercial units (and their scope for subdivision) and in terms of the range of 'A' Class uses for which planning permission is sought. In particular, it would allow for occupation by small independent or moderately sized national-multiple occupiers and for the development to establish as a small enclave of alternative shops, daytime cafes, evening eateries/bars or any mix of these or other such uses. Together with the potential for a market or other events within the new civic square and St. Mary's Terrace it is considered that the proposal poses an exciting opportunity for a successful and diverse addition to Harrow town centre's offer.

²¹ See paragraphs 3.27 & 3.28 of the Planning Statement.

²² See section 4.8 of the Design & Access Statement.

²³ See paragraph 1.1.14 of the SPG.

As noted above, the façade of the former Post Office in College Road is designated as secondary shopping frontage to which Local Plan Policy AAP 18 *Secondary Frontages, Neighbourhood Parades and Non-Designated Retail Parades* applies criteria relating to the length of frontage in non-retail use and a requirement for active frontage or appropriate window display. Strict implementation of this policy is, of course, affected by the relevant provisions of the Town and Country Planning (General Permitted Development) Order 2015 which provides further relaxation of local planning authorities' control over changes within the A Class uses, and it is not intended to frustrate the provisions of the Order or the flexible range of A Class uses sought in the application. For this reason, it is not considered necessary to apply a condition to any planning permission with regards to any future changes of use of the proposed commercial floorspace. It should be noted that permitted changes from shop (and indeed office) use to residential would not apply since the Order builds-in safeguards with regards to the date when use as a shop (or office), from which it is proposed to exercise such a permitted change, has to have been in use.

Amenity Impacts of the Proposed Commercial Uses

The Mayor of London's SPG recognises that certain town centre uses raise amenity issues and Local Plan Policies AAP 18 and DM 41 include criteria requiring the consideration of impacts of uses proposed upon neighbouring residential occupiers. Policy DM 1 *Achieving a High Standard of Development* requires consideration of the amenity impact of a proposed use/activity in terms noise (including hours of operation), vibration, dust, air quality and light pollution.

It is therefore also considered necessary to exercise control of certain aspects of the commercial uses applied-for to ensure reasonable compatibility, within this town centre environment, between those uses and the living conditions of occupiers residing within and surrounding the development. To secure that control, a condition is recommended that would require the Council's prior approval of: the use of amplified sound; any plant and/or other machinery (including but not limited to air condition units and air extraction units); and the provision of furniture and/or equipment (including but not limited to tables and chairs, means of enclosure and outdoor heaters/lighting) associated with the extension of commercial activity outside of the building. It is also considered necessary to control the hours of use of the ground floor commercial premises as a condition of any planning permission.

In addition, it is recommended that the condition would require notification to/the Council's prior approval of any use falling within Classes B1 or D1. This is because some uses that could fall within these classes may raise unforeseen amenity issues that require specific, tailored controls or that may involve activates not compatible with a higher density residential environment.

It should be noted that the above amenity impact controls would only apply in respect of the first use of the proposed commercial floorspace. Subsequent changes of use (other than those permitted under the aforementioned or any replacement Order) and any associated operational development would require planning permission in their own right, allowing the consideration of amenity and any other impacts through the normal planning application route.

Active Frontage Canopies

Local Plan Policy AAP 17 includes a requirement for new retail development within the primary shopping area to incorporate a canopy to provide shelter along the shopping

frontage. Paragraph 4.140 of the reasoned justification to the policy explains the rationale for the requirement:

“...The Council considers that the provision of well-designed new canopies can be a greatly appreciated amenity for shoppers and, by association, contribute to the attractiveness of the town centre”.

The submitted drawings indicate that there would be a number of individual canopies over shop and residential entrances but do not make provision for a continuous canopy along the ground floor frontages. On the advice of the Council’s Design and Regeneration officer, that the provision of canopies would compromise the design quality of the proposed development, it is considered on balance that absence of canopies to the active frontages is not unacceptable. It is also worthy of note that the southern colonnade of building A and the cantilever to the eastern end of building A would provide the shelter that would otherwise be secured by canopies.

8. Economic Development and Regeneration

The NPPF reaffirms the Government’s commitment to securing economic growth²⁴. Paragraph 21 of the NPPF advises that, when drawing-up Local Plans, local planning authorities should (amongst other things):

- set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;
- set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period; and
- identify priority areas for economic regeneration, infrastructure provision and environmental enhancement.

This advice is reflected in the London Plan’s designation of intensification and opportunity areas and as taken forward in Harrow’s Core Strategy and Area Action Plan (AAP) for Harrow & Wealdstone – the ‘Heart of Harrow’. Harrow’s spatial vision sets a target for the provision of 4,000 additional jobs in the Borough by 2026, of which the majority (3,000) are planned to be delivered within the Heart of Harrow. Core Strategy Policy CS1 P supports mixed use development where this secures employment generating development and diversification of Harrow’s economy.

Although not a part of the Local Plan, it is notable that the Council has recently published a Regeneration Strategy for the period 2014-26. The Strategy sets out three core objectives and these are considered below.

Place: providing homes and infrastructure needed by the population and high quality town centres that attract investment and fosters community engagement.

As documented elsewhere in this report, the proposal would make a valuable contribution towards the delivery of target housing outputs for the Heart of Harrow, the Borough as a whole and London. The direct provision of the library on the site and any remaining monies due under the Community Infrastructure Levy mean that the proposal would make an appropriate contribution towards infrastructure made necessary by population growth.

The proposal would introduce high quality development, including a substantial component of new public realm, into Harrow town centre. This represents a substantial

²⁴ See paragraph 18 of the NPPF.

investment on the part of the developer. The potential of the public realm to accommodate events and the presence of the proposed new library would optimise the potential of the development to foster community uses within the site.

Communities: creating new jobs and breaking down barriers to employment

The Council's Libraries, Sport and Leisure Services Manager has confirmed that there are 35 persons currently employed at Gayton Library, comprising a mix of full time and part time²⁵ employees. Additionally, the Service Manager has advised there is potential for a further 8 full time employees (of the library contractor's central operations unit) to be located within the new library. Clearly, however, all of these would be transfers from other premises and so not net new jobs.

The potential employment yield of the other non-residential floorspace within the proposed development has been estimated by the applicant²⁶ to be 45 employees. As such, the proposal would make a modest but nevertheless welcome contribution to the provision of additional employment opportunities within the Heart of Harrow.

In the short term, the development of the proposal would make a valuable economic contribution to the construction sector. The applicant's Environmental Statement estimates that, based on the estimated build cost, the proposal would support 615 full time jobs and 3,874 non-full time jobs in this sector²⁷, though it is important to note that the nature of the construction sector supply chain is such that these would not all be on-site, or even within the Borough.

In accordance with Harrow's Planning Obligations SPD, the Council's Economic Development Unit has requested a contribution of £210,000.00 from the development to fund local employment and training programmes. Such a contribution is considered necessary to ensure that the proposal properly contributes to the Borough's wider regeneration objective in this regard. It is therefore recommended that appropriate provisions be made as part of a Planning Obligation.

Business: reinforcing commercial centres, promoting Harrow as an investment location, addressing skills shortages and developing local supply chains through procurement

Information about the potential benefits of the development, in terms of additional spending, has also been provided by the applicant. Specifically, it is estimated that the new households on the site could generate a total of £73,598.00 per week on convenience shopping and £88,344.00 per week on comparison shopping²⁸. It is reasonable to assume that at least some of this spending would take place within Harrow town centre, particularly in respect of convenience goods shopping. It is further estimated that, during the construction phase, up to £6,150.00 could be expended by workers on food and drink and, again, it is reasonable to assume that much of this expenditure would occur within the vicinity of the site.

The psychological impact of the proposed development on future potential investors cannot, of course, be quantified. However it is considered that, as a highly conspicuous site adjacent to Harrow-on-the-Hill Station and after years of decay, the replacement of

²⁵ Including lunch time and Saturday assistants – approx.. 15 in total.

²⁶ See Table 15.7 of Volume 1 of the Environmental Statement.

²⁷ See paragraph 15.3.11 of Volume 1 of the Environmental Statement.

²⁸ See paragraphs 15.3.34 and 15.3.36 of Volume 1 of the Environmental Statement.

the existing derelict complex with high quality development would go some way to helping increase confidence in Harrow as a place to invest.

In accordance with Harrow's Planning Obligations SPD, the Council's Economic Development Unit has requested that the developer provide a Training and Recruitment Plan and use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development. Such provisions are considered necessary to optimise the local economic benefits of the construction phase of the development. It is therefore recommended that appropriate provisions be made as part of a Planning Obligation.

HOUSING AND RESIDENTIAL QUALITY CONSIDERATIONS

9. 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.

London Plan Policy 3.12 *Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes* states that the maximum reasonable amount of affordable housing should be sought from individual proposals and that negotiations should take account of the circumstances of the proposal including viability. The policy also establishes a clear expectation that the proposal's affordable housing should be provided on-site; cash in lieu contributions should only be accepted where this would demonstrably further the Plan's affordable housing and other policies.

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 need to promote housing choice;
- the provision of family housing;
- the size and type of affordable housing required;
- site circumstances and scheme requirements;
- development viability; and
- the need to meet the 40% Borough-wide target.

In terms of tenure split, the strategic part of London Plan Policy 3.11 *Affordable Housing Targets* calls for 60% of affordable housing provision to be for social and affordable rent and for 40% to be for intermediate sale or rent. Paragraph 4.104 of the AAP Local Plan document confirms that this tenure split will be applied to the Heart of Harrow.

In terms of dwelling mix, London Plan Policies 3.11 and 3.12 both make reference to the

priority that should be accorded to the provision of affordable family housing²⁹. A local target mix is published at Appendix 2 of Harrow's *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%

An affordable housing statement has been submitted with the application. This states that 51 of the proposed 318 homes would be provided as affordable homes and that this offer, which equates to a proportion of 16%, is notwithstanding the findings of a financial appraisal which shows that the scheme cannot technically support any affordable housing. The applicant's statement also provides details of the proposed affordable tenure split and dwelling mix, which are as follows:

Table 2: Affordable Housing Tenure Split and Dwelling Mix

	1 Bedroom	2 Bedroom	Totals
Affordable Rent	15	15	30 (59%)
Intermediate	12	9	21 (41%)
Totals	27 (53%)	24 (47%)	51 (100%)

Consideration of the Proposal's Affordable Housing Offer

The availability of public subsidy

The applicant has submitted a Viability Assessment in support of the proposal's affordable housing offer. The Assessment concludes that the development is not viable, the affordable housing offer being made on an *ex-gratia* basis, and that ways to improve the financial position of the development will be sought including public subsidy. In discussions the applicant has advised that agreement in principle has been obtained for the award of grant in respect of the 51 affordable homes proposed.

The need to promote housing choice

The development would deliver the proposal's affordable housing contribution on-site, in accordance with the expectations of the London Plan. The Council's Homes for Harrow and estate renewals projects, together with new developments elsewhere within the Borough, will add to the existing stock of more traditional homes in suburban areas. The proposed provision of contemporary town centre flats would make a welcome addition to affordable housing stock by extending choice to those seeking an affordable home within a more central, urban environment.

²⁹ homes comprising 3 or more bedrooms.

The provision of family housing

The provision of family housing, defined as homes of three or more bedrooms, was the subject of discussions between officers and Hyde Housing as part of the pre-application process during 2014. As noted below, the proposal does make provision for some three bedroom private market flats however, at the time of those discussions, officers felt that the provision of one and two bedroom flats would most closely reflect demand for those looking for an affordable home within Harrow town centre. The applicant's offer therefore reflects that position and officers are confident that there will remain a high demand for one and two bedroom town centre flats when the proposed affordable flats become available for occupation.

Notwithstanding the high demand for one and two bedroom flats, officers can report that the Council is now also experiencing an increase in demand for three bedroom affordable homes. Allied to this are the GLA's representations on the application, which call for further discussion of the potential suitability of the scheme to accommodate three bedroom affordable rented flats.

As noted under *development viability* below, officers consider that it is appropriate to seek to review the viability of the scheme at key points during the construction of the development and to seek additional contributions to affordable housing provision, where appropriate. It is considered that the first preference, in the event that viability review supports such additional contributions, should be for the provision of some three (or more) bedroom flats within the development.

The size and type of affordable housing required

As noted above, the London Plan and Harrow's Local Plan calls for a tenure split of 60% social/affordable rented homes and 40% to be made available as intermediate homes. The development would broadly accord with this target split.

In terms of dwelling mix, the affordable rent component of the proposed offer would equate to 50% as one bedroom and 50% as two bedroom flats. The intermediate component of the offer would equate to 57% as one bedroom flats and 43% as two bedroom flats. Such a mix would not comply with the target mix sought in Harrow's Planning Obligations SPD but, as noted above, the applicant's offer reflects that agreed with officers during pre-application discussions. Given the very central location of the site, the high demand for one and two bedroom flats and the potential to secure some three (or more) bedroom flats in the event of improved viability, the proposal is considered to be acceptable in this regard.

Site circumstances and scheme requirements

The proposal would deliver the key component of infrastructure sought by Local Plan site allocation AAP Site 17, namely a new central library. The proposal is also considered to meet, as it must, the Local Plan design requirements for high quality architecture and high quality public realm on the site. It is acknowledged that these Local Plan requirements will have a bearing upon overall development viability, albeit that the cost to the developer of providing the library would – as explained elsewhere in this report – be deducted from the cash amount that would otherwise be payable by the developer under the Harrow Community Infrastructure Levy.

Development viability

A Viability Assessment³⁰, prepared by Savills (UK) Limited and using the ‘Argus Developer’ industry-recognised software, has been submitted with the application. It concludes that the proposal, incorporating 51 affordable homes, would result in a significant financial deficit.

The applicant’s assessment has been the subject of independent appraisal by consultant BNP Paribas Real Estate on behalf of the Council (“the Council’s independent appraisal”). BNP Paribas has scrutinised the applicant’s Viability Assessment using both ‘Argus Developer’ and, at the Council’s request, the GLA ‘Three Dragons’ Toolkit model. Particular attention has been paid to construction costs, but all of the inputs and assumptions contained within the applicant’s appraisal have been tested.

The Council’s independent appraisal confirms that the proposal would result in a financial deficit. Accordingly, it is recommended that the offer of 51 affordable homes within the development be accepted.

London Plan Policy 3.12 makes reference to the re-appraisal of scheme viability during phased development and the Mayor’s SPG provides further amplification, referring to such provisions as contingent obligations. Harrow’s SPD also sets some expectations as to the use of such review mechanisms. In this report, phase one refers to the development the subject of this planning application and phase 2 the potential to redevelop all or part of the remainder of site allocation AAP Site 17. Due to the constraints of the application site and the scale of the proposed development, it is likely that phase one would be carried out not as a single building operation but, rather, as a series of sub-phases over a number of years. Given the potential for circumstances which could affect viability to change over the course of the development, it is considered necessary to require a review of scheme viability at an appropriate point in the development programme of phase one, and to seek additional contributions to affordable housing provision if appropriate in light of that review. Planning obligations to this effect are, therefore, recommended.

The need to meet the 40% Borough-wide target

The 40% Core Strategy target is a Borough-wide target for the plan period and is not a site specific target. Nevertheless, the target is a useful indicator of the performance of development in terms of delivering new affordable homes within the Borough. The following information is taken from Harrow’s Authority’s Monitoring Report (AMR)³¹:

Table 3: Annual Proportion of New Homes Completions that are Affordable

Year	Proportion of new homes completions that are affordable (net)
2009/10	41.5%
2010/11	29.8%
2011/12	46.8%
2012/13	42.8%
2013/14	5.3%
Total to date	33.2%

³⁰ The assessment includes commercially sensitive information. Therefore, in accordance with normal practice, the assessment is not publicly available.

³¹ See Table 16 *Affordable Housing Completions*, page 53 of the Harrow AMR for 2013/14.

Thus, whilst the threshold of 40% has been met for three out of the five years monitored since the beginning of the plan period, given the poor performance in two years (particularly 2013/14, which may in part be attributable to the impact of the office to residential 'prior approval' scheme) and continuing affordable housing need in the Borough, the importance of maximising the contribution of individual schemes to the supply of affordable homes remains.

10. 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. In this regard, it should be noted that, following the recently adopted further alterations to the London Plan, London's annual housing monitoring target has increased from 32,210 to 42,389 homes p.a. and this includes Harrow's target which has increased from 350 p.a. to 593 p.a. For Harrow, this translates into a new ten year target to deliver 5,927 homes³². As noted elsewhere in this report, the further alterations to the London Plan acknowledge the growth potential of Harrow and Wealdstone by upgrading its status from that of an intensification area to one of an opportunity area. The proposal's 318 new homes would make a contribution equivalent to just over 11% of the 2,800 homes target attributed to the area in the London Plan and Harrow's Core Strategy.

London Plan Policy 3.4 *Optimising Housing Potential* seeks to optimise housing output from development by applying the sustainable residential quality density matrix at Table 3.2 of the Plan. Local Plan Policy AAP 5 *Density and Use of Development* states that residential development proposals should achieve densities within the appropriate London Plan density range. The site occupies a central location with the highest possible public transport accessibility rating and, therefore, housing output at the upper end of the density matrix (650 to 1,100 habitable rooms per hectare) is to be expected.

The applicant's planning statement advises that the density of the proposed development would be 1,195 habitable rooms per hectare, and this figure is also referred to by the GLA in its stage one consultation response. Paragraph 3.28 of the reasoned justification to Policy 3.4 is 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 SPG and this indicates that whilst the maximum of the ranges set out in the density matrix should not be taken as a given, reasons for exceeding them should be clearly demonstrated. In this instance the positive attributes of the scheme, in terms of its delivery of the Local Plan's objectives for the site and its high quality design (as appraised elsewhere in this report), are considered to provide clear and robust justification for the development to the density proposed.

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

³² See Table 3.1 in the London Plan (2015).

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 family housing, is set out in the preceding section of this report.

The West London Strategic Housing Market Assessment (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, the Council has not prescribed a housing mix for market housing in the Local Plan, preferring instead to advocate flexibility to respond to circumstances including the location and nature of proposed developments.

The applicant's affordable housing statement includes details of the proposed market dwelling mix, which are as follows:

Table 4: Market Housing Dwelling Mix

Type	Number
Studio	13 (5%)
1 Bedroom	121 (45%)
2 Bedroom	113 (42%)
3 Bedroom	20 (8%)
Totals	267 (100%)

Given the central location and high density nature of the proposal, a substantial proportion of one and two bedroom flats is not surprising. Such homes would be suitable for young professionals and newly-formed households, whether as first-time buyers or in the private rented sector, looking for contemporary town centre accommodation in this highly accessible location. The provision of a component of three bedroom flats and a small number of studios would make a valuable further contribution to the overall mix of homes within the development by extending choice to those in the private residential market seeking larger or smaller accommodation. The provision of 7 of the three bedroom homes as duplex flats and, more generally, the opportunity for high-rise living with (in some cases) views towards central London, Harrow-on-the-Hill and Harrow Weald Ridge, would combine to add a rich variation to the private residential market in central Harrow.

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 site within the Harrow & Wealdstone opportunity area. The proposal would add to the supply of contemporary new-build 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. Taken together with the affordable housing component, it is concluded that the proposal would make a positive contribution to the creation of inclusive and mixed communities in Harrow town centre.

11. Residential Quality of Proposed Development

London Plan Policy 3.5 *Quality of Design and Housing Developments* sets out several criteria for achieving good quality residential development. The policy aims to ensure that developments enhance the quality of local places³³ and create homes that reflect the minimum space standards and are fit for purposes in other respects³⁴. The policy also provides a commitment that the Mayor will issue guidance on implementation of the policy, and this commitment is fulfilled by the publication of the Mayor's *Housing SPG* (2012). The SPG sets out detailed guidance on a range of matters relating to residential quality, incorporating the Secured by Design principles, and these form the basis for the assessment below³⁵.

Core Strategy Policy CS1 K requires a high standard of design and layout across all tenures within a development and consistent with the London Plan and its associated SPG. Local Plan Policy AAP 4 *Achieving a High Standard of Development throughout the Heart of Harrow* requires new homes within the heart of Harrow to achieve a high standard of residential quality, whilst Policy AAP 13 *Housing within the Heart of Harrow* sets out a range of criteria to ensure that mixed, sustainable communities are created. Policy DM 1 *Achieving a High Standard of Development* requires all development to achieve a high standard of privacy and amenity, and sets out a range of criteria for the consideration of the same. The Council's Residential Design Guide supplementary planning document is also relevant.

Defining good places

As part of the AAP strategy for the transformation of the Heart of Harrow it is considered that the proposed development, on its own and together with that approved and now underway on the site of the former Lyon House/Equitable House in Lyon Road, would make a positive contribution to the creation of high quality public realm, community facilities and a sense of place. The proposed mix of uses and layout of public space is informed by the complimentary role that the site would play within the primary shopping area of Harrow town centre, underpinned by the anchor role of the proposed new library and the relationship of the civic space with the neighbouring existing Baptist Church, and how it will add to the permeability the Central Harrow sub area.

As with the Lyon Road development, so too the subject proposal would provide new opportunities for those seeking to live within a contemporary environment within Harrow town centre, and to benefit from unbeatable access to Harrow's public transport hub. The public realm areas within the development would enjoy high levels of natural surveillance from the commercial, community and residential uses within the development itself, and the new civic square would also be overlooked by flats within the converted former First National House (currently underway). Taking all of this into account, and conclusions about the quality of the development elsewhere in this report, it is considered that the proposal would enhance the quality of Harrow town centre in accordance with the principles of London Plan Policy 3.5.

Outdoor spaces including gardens

Local Plan Policy AAP 11 *Provision of Open Space* requires major developments within town centres to secure the provision of appropriate civic space and sets out criteria for the local and layout of new open space. The adequacy of the proposed civic square and

³³ See London Plan Policy 3.5 C.

³⁴ See London Plan Policy 3.5 D.

³⁵ Except Lifetime and Wheelchair Home criteria, which are addressed in the Lifetime Neighbourhoods section of this report.

other public realm is appraised elsewhere in this report.

Local Plan Policy AAP 13 also calls for appropriate forms of useable, outdoor space. The proposal makes provision for rooftop gardens to serve each building (there would be two roof gardens atop building D, but one of these would serve building C) meaning that all of the flats within the development would have access to communal outdoor space. These are detailed in Table 5 below. In addition 14 of the flats would have access to their own, private rooftop terraces. These are detailed in Table 6 below.

Table 5: Schedule of Communal Rooftop Terraces

Location		Flats		Terrace	
Building	Module	Tenure*	No.	Area (m ²)**	Level
A	eastern	M	47	110	sixth
B	western	M	130	121	twelfth
D	middle	M	89	121	eleventh
	eastern	A	51	121	eighth

* M = Market, A = Affordable; ** Approximate areas, scaled from plans

Table 6: Schedule of Non-Communal Rooftop Terraces

Location		Flats		Terrace	
Building	Module	Tenure*	Beds	Area (m ²)**	Level
A	eastern	M	2	45	sixth
		M	2	60	sixth
	middle	M	2	76	seventh
		M	2	90	seventh
B	western	M	3	66	twelfth
		M	1	30	twelfth
	middle	M	3	120	sixteenth
		M	3	120	sixteenth
C	middle	M	1	156	fourteenth
		M	1	132	fourteenth
D	middle	M	2	25	eleventh
		M	1	50	eleventh
	eastern	A	2	25	eighth
		A	1	65	eighth

* M = Market, A = Affordable; ** Approximate areas, scaled from plans

An assessment of the wind microclimate of the proposed development is incorporated within the Environmental Statement, submitted with the planning application, and is explained in greater detail under the tall buildings section of this report. As noted in that section of this report, the elevated location of the rooftop gardens is such that mitigation is required to secure suitable levels of comfort to the rooftop gardens, and this is proposed in the form of 1.5 metre high balustrades together with soft landscaping and/or screens. Such mitigation can be secured as a condition of any planning permission.

Although the Environmental Statement includes an assessment of overshadowing of the

ground level amenity areas within the proposed development, there is no technical information about the performance of the rooftop gardens. However, it is self-evident that those located atop buildings B, C & D would perform well, as any overshadowing from adjoining modules of the host building would occur only during the morning or during the afternoon, depending on the relative position of the garden. The degree to which building B would overshadow the rooftop gardens of building A is less clear, however it is likely that the garden would receive some sunlight during the morning due to the relative position/height of the Baptist Church and the gap (St. Mary's Terrace) between buildings B and C.

The communal rooftop gardens would be accessible via the internal lifts and the corridor of the relevant floor, whilst the private gardens would be directly accessible from the flat that they would serve. Subject to level access at the threshold of the internal and external space, and the layout of the spaces (including any landscaping/screens etc.) to ensure adequate circulation for wheelchair users, which are details that could be secured by condition, it is considered that the rooftop gardens would be accessible to wheelchair users. The design of the proposal is such that the rooftop gardens would enjoy natural surveillance from adjoining flats within their host building (and more generally across the development) although arrangements to reasonable privacy between gardens, whether private-to-private or private-to-communal, should also be secured as a condition of planning permission. The management of the communal rooftop gardens would be a matter for Hyde Housing, as the leaseholder/managing company, or Hyde's successors in title.

Outdoor play space

Local Plan Policy AAP 11 requires all major development to provide sufficient play space on site to meet the needs of the development, whilst Policies AAP 13 and DM 28 *Children and Young People's Play Facilities* reiterate the need for children's play space. The Council's Planning Obligations SPD, informed by Harrow's PPG 17 Study, sets a quantitative standard of 4 square metres play space per child.

A revised play strategy is incorporated within the applicant's Design and Access Statement addendum and makes provision for a total of 508 square metres play space within the proposed development. As noted in the infrastructure section of this report, this level of provision is numerically acceptable relative to the child yield of the development, but no specific provision is made on the site for 11-15 year olds. To mitigate the requirement in respect of that age cohort, a contribution towards enhanced off-site provision (probably at Harrow Recreation Ground) is sought as part of the Planning Obligation.

The revised play strategy also details the form of the proposed play space. A gated space to the south side of buildings C & D would provide an area (200 square metres) and would be equipped for 0-5 year olds including balancing discs, timber benches, a sculpted mound, climbing facilities and an undulating slide. Play facilities for older children (but not teenagers) would be distributed throughout the rest of the development site and would comprise: an interactive art wall (47 square metres); sculptural seats; interactive elements within the library garden (159 square metres); and the mirror pool (102 square metres). Subject to approval of the details of the facilities to be provided, which can be secured as a condition of any planning permission, it is considered that this extensive and varied offer would meet the qualitative requirements for doorstep and local playable space, as set out in the Mayor of London's *Play and Informal Recreation* SPG.

The overshadowing and assessment submitted with the applicant's Environmental Statement shows that levels of sunlight to the art wall and those facilities located within the civic square would be below the relevant BRE standard³⁶. On the other hand, the mirror pool and the library garden would benefit from levels of sunlight that meet the BRE standard. The wind microclimate assessment shows that those facilities located within the civic square would be within the appropriate comfort criteria whilst the art wall, mirror pool and library garden would be one or two criteria removed from the appropriate level of comfort, and strong winds would be experienced at the entrance to the library garden.

Paragraph 4.48 of the Play SPG advises that play spaces should benefit from overlooking/passive surveillance and that if leftover, overshadowed or windy spaces are utilised they should be made worthy through innovative design. As noted in the tall buildings section of this report, mitigation of the wind microclimate levels that do not meet the appropriate comfort criteria is required and this can be achieved as a condition of any planning permission. The shadowing, however, is a function of the layout of the proposed buildings. All of the play spaces would receive some sunlight (even if below the BRE standard for at least 2 hours of sunlight to 50% of an area on 21st March). Given the extent and quality of the proposed play space and equipment that would be provided, and subject to the achievement of appropriate wind microclimate mitigation, the environmental conditions of the proposed play spaces are considered – on balance – to be acceptable.

The proposal would enjoy high levels of natural surveillance from the library and commercial uses at ground floor level, and from the flats, balconies and roof gardens at the upper levels, and as noted elsewhere in this report it is hoped to extend the Council's town centre CCTV scheme onto the site. In addition the play space to the south of buildings C & D would be gated, as would the library garden. Hyde would also have a concierge present on the site. In all of these circumstances it is concluded that the play space provision would be reasonably safe and secure.

As revised, all of the play space would be located at ground level and would therefore be accessible to the mobility impaired. In accordance with the inclusion principles set out in the Mayor's *Play* SPG, it is considered that the equipment provided should make provision for children with disabilities and special sensory needs. This can be secured as part of the agreement of details, by condition.

Entrances

The Mayor's *Housing* SPG calls for entrances to be visible from the public realm and clearly defined. The entrances to the residential lobbies of buildings A & B would be situated on the north and south sides of the civic square respectively whilst the entrances to buildings C & D would be located on the east side of St. Mary's Terrace. As such they would be visible from, and would help to activate, the new public realm within the proposed development. The submitted details show a coherent approach to the design/appearance of external entrances across the commercial and residential components at ground floor level, however it is considered that in practice subtle differences would convey sufficiently clearly to future users of the development those entrances that are residential and those that serve the library and commercial/other activities.

³⁶ The relevant standard is at least 2 hours of sunlight to at least 50% of an area on 21st March.

Shared circulation

The SPG sets out the following guidelines (as relevant to the proposed development) for shared circulation space:

- all flats should be provided with an entry-phone system to operate the release of the main (communal) entrance door and that, unless a 24 hour concierge is provided, audio-visual verification to the access control system should be provided;
- internal corridors should receive natural light and ventilation;
- all flats should be served by at least two lifts; and
- the number of flats accessed from a single core should not exceed 8 per floor.

The applicant has advised³⁷ that there will be a Hyde manager on site between 8.30am and 5.30pm weekdays but that the weekend presence has yet to be decided. In accordance with the SPG and to ensure that the required high standard with regards to functionality, as sought by Local Plan Policy DM 1, it is therefore considered that an audio-visual entry system should be installed or such other alternative access security measures as may be appropriate and which should be agreed by condition.

With some exceptions, typically at the upper levels, the internal corridors would not have exposure to the external walls of the proposed buildings, and so would be reliant on artificial light and ventilation. Although less than desirable, it is noted that the GLA has not raised this matter as an objection in its formal 'stage one' response and, on balance of the residential quality of the development as a whole (and in particular of the desirability of maximising natural light to the flats, rather than internal corridors), it is not considered that this very specific aspect of the proposal's design and layout would justify withholding planning permission.

Each building would be served by its own dual lift and stair core, meaning that the entrance level of all flats would be served by two lifts. The number of flats accessed from each of the cores serving building A, C & D would not exceed 8, however the first to eleventh floors of building B would have 9 flats per floor. Again it is noted that the GLA has not raised this marginal breach (of one flat per floor) as an objection in its formal 'stage one' response and on balance it is not considered that the proposal is unacceptable for this reason.

Space standards, flexibility and adaptability

The minimum space standards are set out at Table 3.3 of the London Plan and are reproduced within the SPG. The performance of the proposed development in relation to the space standards has been the subject of discussion between the applicant and the developer during the course of the application, as a result of which revised floorplans have been submitted clarifying the floor areas of the proposed studio flats and converting (i) some 2 bedroom 4 person flats to 2 bedroom 3 person flats³⁸ and (ii) some 3 bedroom 6 person flats to 3 bedroom 5 person flats³⁹. This has been achieved by providing one bedroom in each of the flats the subject of discussion to a single bedroom. The Mayor's SPG⁴⁰ states that a double bedroom should be counted as such if it has a floor area of 11.5m²; single bedrooms should be more than 7.5m². The revised drawings

³⁷ By email dated 27th April 2015.

³⁸ Flat types A2D, A2F, B2B and C2A.

³⁹ Flat type B3A.

⁴⁰ See paragraph 2.3.16 of the SPG.

have, of course, been checked and those flats that are now presented as having reduced occupancy levels do involve single bedroom floor areas in accordance with the Mayor's SPG.

As a consequence of the revised drawings, other than one flat type, all of the flats within the proposed development would meet or exceed the London Plan minimum space standards. The one flat type that would not comply is C2A; this is a 2 bedroom 3 person flat with a floor area 60m². The London Plan requirement for such a flat is 61m². There would be 14 x C2A type flats within proposed building C. Whilst it is regrettable that, as a new build development, all of the flats within the development would not fully comply, it is not considered that a shortfall of 1m² in 14 flats out of a development of 318 homes would justify withholding planning permission.

The SPG calls for flexibility within dwelling plans so that at least one bedroom is capable of use as either a twin or double room, according to occupier preferences. All of the bedrooms are proposed as double bedrooms (i.e. no single rooms are proposed) and it is considered that all would be capable of accommodating 2 x single beds instead of 1 x double bed, albeit leaving limited circulation space in some instances.

Storage and utility space, study and work

As a minimum for 1 & 2 person occupation, the SPG requires storage space to a minimum of 1.5 square metres for homes receiving a public subsidy and 2.3 square metres for private sector homes. In all cases the storage area should have a minimum height of 2 metres and a further 0.5 square metres is required for each additional occupant. All of the flats incorporate an element of storage space but, to ensure compliance with this standard, it is considered necessary to secure this as a condition of any planning permission.

The SPG also seeks adequate space and services to work from home. An indicative furniture layout is set out on the application drawings and this demonstrates that all of the flats, including the studios, would have space for a table. As such, each flat would have space flexible for dining and home study/work activities. It is envisaged that occupiers will make their own arrangements with regard to securing internet access.

Private open space

The SPG seeks a minimum of 5 square metres private outdoor space for 1 & 2 person dwellings, increasing by 1 square metre for each additional occupant. A minimum depth and width of 1.5 metres is sought for all balconies and other private open spaces.

Other than the 13 studios, all flats would be provided with at least one balcony. The occupiers of the studio flats would have access to a high quality communal roof garden and this is considered to be acceptable.

The performance of the proposed development in relation to the space standards has been the subject of discussion between the applicant and the developer during the course of the application, as a result of which revised schedules have been provided and these confirm that all but two flats⁴¹ would meet or exceed the SPG standard. Of the two that would not, both are provided with 6m² whereas the standard calls for 7m² for the proposed level of occupancy. It is not considered that a shortfall of 1m² in 2 flats out of a

⁴¹ Flat type B2D and B2E. There is only one occurrence of each of these types within the proposed development.

development of 318 homes would justify withholding planning permission. It is worth reiterating that all of the flats would also have access to a high quality communal roof garden.

As noted elsewhere in this report, some of the balconies would be exposed to high levels of external noise. The Mayor's SPG recommends enclosing balconies as glazed, ventilated winter gardens as an alternative to open balconies for flats exposed to high levels of noise⁴². It is therefore considered necessary to secure, as a condition of any planning permission, details of noise mitigation to the affected balconies which might involve winter gardens or such alternative measures as are considered appropriate.

Private Open Space

The SPG also seeks minimum dimensions for balconies of 1.5 metres depth and 1.5 metres width. All of the proposed balconies would comply with this standard.

Privacy

The SPG calls for habitable rooms within dwellings to be provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces. Paragraph 2.3.30 of the SPG refers to the acoustic as well as the visual privacy of homes within a development – see appraisal under heading *internal noise* below.

The starting point for the consideration of the subject proposal is its town centre location and high density character, making effective use of this previously-developed site. Future occupiers choosing to live at the development are likely to have different expectations about the level of privacy afforded from such a development than those choosing to live in more traditional, suburban environments.

In terms of building-to-building relationships, the separation distances between the north elevations of building B and the south elevation of building A would be 17, 19 and 21 metres respectively, whilst that between the facing flank elevations of buildings B and C would be 17 metres. These elevations would, of course, all contain habitable room windows and balconies, meaning that there would be a high level of visibility between homes on the same level (i.e. looking directly across) and perceptions of visibility to/from homes on other levels within the development. The proximity of the former First National House would, upon conversion of that building to residential use, also create some close-proximity inter-visibility between it and the east flank elevations of buildings A and B (11 metres and 6 metres respectively). Given the high density nature of the proposal (and, indeed, that which would result at First National House upon conversion), which is consistent with the need to make effective use of this highly accessible Metropolitan centre site, it is considered that these relationships between residential buildings would secure a standard of privacy that would be commensurately high for future occupiers of the development.

The stepped layout of the component modules of each block creates 'return' flank elevations that project perpendicular to the principal front or rear elevations of the adjacent module. The return flank elevations would contain windows/balcony openings and this is a deliberate attribute of the proposal's design, to achieve dual aspect to as many of the flats as possible. A consequence of this arrangement is that there would be close proximity between the window/balcony openings in the return flank elevations and those in the front/rear elevations of the adjacent module. In almost all such relationships

⁴² See paragraph 2.3.25 of the Mayor's SPG.

across the development, the flank window would be narrow and closely inset into the corner where the two modules meet, meaning that the relationship between windows would be at an extremely acute angle and insufficient to create significant inter-visibility or perceptions of overlooking. The relative position of balcony openings and, in respect of a small number of flats, additional windows in these return flank elevations would, however, create a greater degree of inter-visibility and therefore some actual/perceived overlooking impacts between flats within the development. Whilst such impacts could be mitigated by the use of obscure glazing and privacy screens, as a condition of any planning permission, it is considered that this would risk compromising the design quality of the proposal and the benefit to future occupiers of flats with a means of outlook on two aspects. On balance of these considerations, and again recognising that those choosing to live in a high density town centre development are likely to have different expectations about privacy, it is concluded that the aforementioned consequence of the proposal's stepped layout is acceptable.

As noted at Tables 5 & 6 above, all but three of the modules would provide outdoor spaces either as private terraces for adjacent flats or communal gardens. This would result in inter-visibility between the private and communal spaces where these occupy the same module rooftop as well as between different module rooftops, particularly where higher rooftop spaces would provide opportunities to look directly down to adjacent lower spaces. There would also be a degree of inter-visibility between the rooftop spaces and the elevations of adjacent modules/buildings within the development, particularly at the return flank elevations as described above.

The rooftop spaces would be enclosed by balustrading to a height of 2 metres and one of the advantages of these spaces would be the views that they would provide over the wider townscape and landscape, including central London. Whilst many of the inter-visibility issues described above could be mitigated by the use of solid or obscured balustrading, the resulting sense of enclosure to the spaces and, more particularly, the loss of opportunity to enjoy the views that would be achieved from those spaces would be to the detriment of the development. Again, therefore, it is considered that the levels of inter-visibility between the rooftop spaces and other spaces and flats within the development must be weighed against the likely privacy expectations that future occupiers will have of a high density, town centre development and the impact that mitigation measures might have upon other qualities that future occupiers may enjoy. On balance of these considerations, it is concluded that the overlooking relationships that would occur within the development from the rooftop spaces is acceptable.

Illustrations included at section 5.3 of the Design & Assess Statement suggest that it is intended to delineate the private terraces and the communal rooftop gardens through the use of hard and soft landscape elements. It is considered that these same elements could also be used to provide appropriate levels of privacy to the private terraces from the communal gardens, and such details may be controlled as part of the hard and soft landscaping details, by condition.

Overall, and on balance with other residential quality considerations, it is considered that the proposal would secure a standard of visual privacy for future occupiers that is commensurate with the intended high density, urban character of the proposed development and the location.

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. The definition of a dual aspect dwelling is one with openable windows on two external walls, which may be opposite (i.e. front & back) or around a corner (i.e. front and side) and the SPG calls for developments to maximise the provision of dual aspect dwellings⁴³.

One of the notable features of the design of the proposal is that the majority of the flats within the development would have dual and, in some cases, multiple aspects. The following 49 flats would be single aspect only:

- 5 'A1D' type one-bedroom flats in building A, all south facing;
- 5 'A2A' type two-bedroom flats in building A, all north facing;
- 15 'B1C' type one-bedroom flats in building B, all south facing;
- 7 'C0A' type studio flats in building C, all south facing;
- 10 'C1B' type one-bedroom flats in building C, all south facing; and
- 7 'D1B' type one-bedroom flats in building D, all south facing.

Other than the five 'A2A' type flats in building A, all of the single aspect flats would be south facing. The 'A2A' (and the 'A1D') type flats would have balconies with openings on two sides, meaning that whilst the flats themselves would have windows only on one truly external wall (i.e. excluding windows inset within the balcony), future occupiers of these flats would have access to private outdoor space with a secondary opening, for outlook purposes. In terms of the external noise environment, this is appraised elsewhere in this report and measures for mitigating otherwise harmful external noise levels/ensuring adequate alternative means of ventilation to flats on the north side of building A and the south side of buildings B, C & D are recommended to be secured as a condition of any planning permission. None of the single aspect flats would contain 3 or more bedrooms.

To conclude, every effort has been made in the design and layout of the proposal to maximise the number of dual aspect flats and, of the 49 single aspect flats, only 5 would be north facing. Whilst the SPG seeks to avoid north facing single aspect flats, in the context of the performance of the development as a whole (in terms of dual aspect flats) and as those 5 would have a secondary opening from their balconies it is concluded, on balance, that this attribute of the development would not justify withholding planning permission. Similarly, and subject to the mitigation described elsewhere in this report, it is not considered that those single aspect flats that would be exposed to an otherwise harmful external noise environment would be such as to give rise to unacceptable living conditions for their future occupiers.

Internal noise

The SPG seeks to limit the transmission of noise between flats, and from lifts/communal spaces to noise sensitive rooms, through careful attention to the layout of dwellings and the location of lifts. Local Plan Policy DM1 includes among its privacy and amenity considerations the adequacy of the internal layout in relation to the needs of future occupiers, and Harrow's Residential Design Guide SPD amplifies the point by advising that the vertical and horizontal arrangement of flats within a development should avoid conflicting room-use (i.e. bedroom vs. living/other room) relationships between flats.

In this regard the proposal performs as well as may be expected of a high density

⁴³ See paragraph 2.3.31 of the Mayor's SPG.

development. Generally, and with some inevitable exceptions, the proposal secures good horizontal arrangement by 'handing' the floorplans of individual flats across each floor, whilst the use of repeated layouts over several floors at a time ensures that conflicting vertical arrangements are minimised. The objective of the SPD in this regard is to supplement the sound insulation requirements of the Building Regulations which would, of course, still need to be achieved. It is therefore concluded that the 'in combination' benefit of the proposed layouts and the Building Regulations together would be one of optimum acoustic privacy/noise conflict limitation between flats across most of the development.

Similarly the design and layout of the proposal, which places stair cores, lifts and communal corridors centrally within each building and locates bedrooms towards the exterior, ensures separation in all but a handful of instances and so, again in conjunction with the Building Regulations, would provide optimum noise conflict limitation within the development.

The stepped arrangement of the modules and the layout of the flats ensures that there would generally be a degree of separation, albeit modest, between the secondary flank openings of balconies and the bedroom windows of adjacent flats. It is considered that this aspect of the proposal's design provides some level of safeguard against the potential for friction between neighbours arising from evening/late night use of a balconies. Ultimately, any unneighbourly use of private external spaces (or indeed the residents' internal and external communal spaces) would be a matter to be resolved by the management company of the development.

Floor to ceiling heights

The SPG seeks a minimum floor to ceiling height between finished floor level and finished ceiling height in habitable rooms of 2.5 metres. Cross sections shown on the application drawings⁴⁴ confirm that this would be achieved.

Daylight and sunlight

The SPG established no baseline standard for daylight or sunlight. Local Plan Policy DM1 includes among its amenity considerations the adequacy of light and outlook within buildings (habitable rooms and kitchens).

A Daylight, Sunlight and Overshadowing Assessment has been included in the Environmental Statement submitted with the application. 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.

For the purposes of measuring the performance of the proposed development, the assessment uses the Average Daylight Factor (ADF)⁴⁵ and Annual Probable Sunlight Hours (APSH)⁴⁶ methods for daylight and sunlight respectively.

⁴⁴ See drawings DPA-2-501 Rev. 1 and DPA-2-502 Rev. 1.

⁴⁵ This is a more complex method than the Vertical Sky Component (VSC) and Daylight Distribution (DD) methods, which takes into account a range of factors including net glazed area and the total area of room surfaces. The assessment notes that, where a room has more than one use such as an open plan living/kitchen/dining room, the highest relevant value is applied.

⁴⁶ This method measures how much sky can be seen from the window and converts the results into a percentage of annual probable sunlight hours received. The assessment notes that, for sunlight assessment, only the main window of each room within 90 degrees of due south need be tested.

A selection of rooms from floors 1 to 5 (representing the worst case scenario, as these are at the lower levels of the development) across the development have been tested for the purposes of the assessment. The reported⁴⁷ headline daylight (ADF) results are as follows:

- 255 (70%) of the 364 habitable rooms (other than bedrooms) tested would comply with the BRE guidelines; and
- 182 (90%) of the 209 bedrooms tested would comply with the BRE guideline.

The reported⁴⁸ headline sunlight (APSH) results are as follows:

- 126 (63%) of the 200 south facing windows tested would comply with the BRE guidelines for annual sunlight; and
- 164 (82%) of the 200 south facing windows tested would comply with the BRE guidelines for winter sunlight⁴⁹.

The assessment goes on to report on the performance of the component buildings within the development. The findings are summarised as follows:

- Building A: of 100 rooms tested for daylight purposes, 54 (54%) would comply with the BRE guidelines; of the 40 south-facing windows tested for sunlight purposes, none would comply with the BRE guidelines for annual sunlight and 4 (10%) would comply with the BRE guidelines for winter sunlight.
- Building B: of 116 rooms tested for daylight purposes, 86 (74%) would comply with the BRE guidelines; of the 57 south-facing windows tested for sunlight purposes, 45 (79%) would comply with the BRE guidelines for annual sunlight and all would comply with the BRE guidelines for winter sunlight.
- Building C: of 76 rooms tested for daylight purposes, 64 (84%) would comply with the BRE guidelines; of the 57 south-facing windows tested for sunlight purposes, 43 (75%) would comply with the BRE guidelines for annual sunlight and all would comply with the BRE guidelines for winter sunlight.
- Building D: of 72 rooms tested for daylight purposes, 62 (57%) would comply with the BRE guidelines; of the 46 south-facing windows tested for sunlight purposes, 38 (83%) would comply with the BRE guidelines for annual sunlight and all would comply with the BRE guidelines for winter sunlight.

The Council has engaged the services of a specialist consultant⁵⁰ to provide independent appraisal of the applicant's daylight and sunlight assessment and, in terms of daylight to the proposed development, the consultant advises that it is necessary to understand the actual ADF levels being produced. The BRE guidelines recommend that ADF values of 1% should be achieved in bedrooms, 1.5% in living rooms and 2% in kitchens. The Council's consultant observes of the assessment findings that: some living room/kitchen/dining rooms on the lowest residential level (i.e. first floor) would have ADF levels of 0.14 to 0.44%; some of the bedrooms [on the same level] would have similar levels of illuminance; and that this is repeated on other of the tested levels (i.e. above first floor) but particularly to rooms with windows on the south elevation of building A and on the north elevation of building B – i.e. those overlooking the new civic square at lower levels. The consultant notes that some rooms would be inadequately lit and, therefore, that: *“There are a number of apartments in this scheme that will have poor daylight*

⁴⁷ See paragraphs 10.5.101 to 10.5.113 of section 3 of Volume 2 of the applicant's Environmental Statement.

⁴⁸ See 10.5.114 to 10.5.112 of section 3 of Volume 2 of the applicant's Environmental Statement.

⁴⁹ APSH values of 25% should be achieved for the whole year including 5% during the winter months.

⁵⁰ The firm Delva, Patman Redler, who provided advice by letter dated 24th March 2015.

appearance with little sense of material direct light from the sky and [they will] need supplementary electric lighting particularly in the winter months”.

In terms of sunlight, the consultant similarly observes that assessment findings illustrate that many habitable rooms will be poorly lit but that, in many instances, this is the result of balcony recesses. The consultant concludes that *“On balance, however, poor levels of sunlight to the southern elevation of Block A and to the lower levels of external elevations is inevitable with a site of this density and the balconies do provide a trade-off between providing easily accessible external space and the inevitable shading of windows below. Therefore, the sunlight levels do seem appropriate for the development of this scale and massing”.*

Clearly it is desirable for a new development to achieve 100% compliance with the recommendations of the BRE guidelines. However for high density, urban development it is inevitable that some compromise may be required between daylight/sunlight, the provision of balconies (also a highly valued residential amenity) and other planning considerations that may influence the site layout and so, by implication, the orientation of buildings. It should also be emphasised here that the recommended BRE guidelines for daylight and sunlight – whilst a valuable tool for measuring the degree of daylight and sunlight that would be achieved – do not form a part of the adopted development plan. Rather, Local Plan Policy DM 1 requires a high standard of amenity and undertakes to have regard to a range of amenity considerations which includes, but is not limited to, the adequacy of light and outlook. Thus, while more than is desirable of the tested rooms/windows would not achieve the recommended BRE standards, across the development as a whole the majority would, the majority of flats would benefit from a dual aspect, and all but 8 flats would meet or exceed the London Plan minimum space standards, and all but 13 studios would have access to at least one private balcony and all would have access to communal roofspace. On balance, therefore, it is considered that the poor performance of some parts of the development in terms of the recommended BRE guidelines is not unacceptable.

12. 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.

Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 requires all development to achieve a high standard of privacy and amenity, and sets out a number of criteria for the consideration of the same. The Council’s Residential Design Guide supplementary planning document is also relevant.

Visual impact/outlook

As noted elsewhere in this report, the neighbouring building formerly known as First National House is currently undergoing refurbishment to convert all of the floors above ground level to residential use (78 flats) and to replace the space contained within the original mansard-type roof to create a further residential floor (9 flats). Above the ground floor level podium that spans most of the extent of the site, the building is configured broadly into a ‘C’ shape. Within the inner space of the ‘C’ is a lightwell area that will contain, above the ground floor podium, a small communal roof garden for future residents of the development. The residential conversion of the building will result in flats facing into the lightwell area and facing out from the principal north and south elevations

of the building. There will also be flats facing out from the east flank elevation to the northern part of the 'C', however these flats will be triple aspect with windows facing into the courtyard and out onto College Road. The east flank elevation of the southern part of the 'C' will contain windows to a communal stairway only.

The eight-storey west flank wall of proposed building A would be sited 11 metres distance from the east elevation/communal garden area of the former First National House. The twelve-storey west flank wall of proposed building B would be sited to the south-east of the former First National House forming a 'pinch point' of 6 metres separation between their north-western/south-eastern corners respectively.

The proposed development would have no visual impact upon future occupiers of flats facing out from the principal north (College Road) and west/south-west elevations of the former First National House. The siting of proposed building B would be such that it would project beyond a 45 degree line drawn, on plan, from the adjacent south-eastern corner⁵¹ of the former First National House and so the west flank wall of proposed building B would have a significant visual presence when viewed from the flats that will face out from the principal south elevation at that neighbouring development. However, relative to other parts of the Borough, Harrow town centre is a more urban environment and it is envisaged that those choosing to live so centrally would expect a visual environment that includes some large buildings.

The siting of proposed building A would be such that it would fall well within a 45 degree line drawn, on plan, from the adjacent south-eastern corner⁵² of the former First National House. Taken together with the 11 metres gap between these two elements, it is not considered that proposed building A would have a significant visual impact when viewed from the flats that will face out from the secondary (i.e. into the lightwell) south elevation of that neighbouring development. The north elevation of building B would be visible at an oblique angle from those flats and in this regard it is again noted that a more urban environment is to be expected here. Flats that will face out from the secondary east elevation would benefit from glimpses through to the proposed new civic square whilst those that will face out from the secondary north elevation would, at an oblique angle, see only the flank elevation of proposed building A and possibly some glimpsed views towards College Road via the aforementioned gap.

A lightwell projecting approximately 1 metre beyond the rear (principal south) elevation of the former First National House separates that neighbouring development from the site boundary, beyond which would be located the proposed Library Pavilion and garden. The pavilion building would have a height of 3.5 metres and, even accounting for the proposed change in level that would see ground level within the proposed development re-graded to 1 metre above that of the adjacent part of College Road, it is not envisaged that the pavilion would project significantly (if indeed at all) above the windows of the south facing first floor flats at the former First National House. For the avoidance of doubt, however, it is recommended that further details of the height and design of the proposed Library Pavilion be required, as a condition of planning permission, to ensure that the visual amenities of the future occupiers of the former First National House are properly safeguarded.

The eight-storey east flank wall of proposed building D would be sited 19 metres behind

⁵¹ i.e. the southern section of the 'C'.

⁵² i.e. the northern section of the 'C'.

the main rear elevation of Lynwood House (in Station Road) and between 9.5 & 11 metres respectively behind the rear-most projections of nos. 377 & 379 Station Road. Of these, it is believed that there is residential accommodation above ground level at no. 379 Station Road and that the remainder of the aforementioned premises are believed to be in commercial use⁵³. The relative position of no. 379 is such that its rear elevation would face only the south-eastern corner of proposed building D and its occupiers would view this in the context of the proposed pedestrian walkway along the southern edge of the adjacent part of the application site and the railway embankment trees beyond. In relation to the commercial occupiers of Lynwood House and nos. 377 & 379 Station Road, the visual presence of an eight storey building immediately to the rear should not be unexpected in the outlook from such premises located within a Metropolitan town centre.

Other premises in the adjacent part of Station Road comprise exclusively commercial uses at ground floor level and mixed commercial and residential occupation at upper levels. Occupiers of these premises would view the proposed development at a more oblique angle of view and also at relatively close proximity. Those to the north-west of the application site, in particular, would have a greater appreciation of the scale of the development due to the relative perceptibility of the north elevation of proposed buildings C & D, and would also see the basement car park entrance and amenity area over. Of these adjacent premises (i.e. those situated between the junction with College Road and Lynwood House) four are believed to contain residential uses⁵⁴. Nevertheless, when viewed from these premises, the proposal's visual presence would be a substantial and dominating one. The visual impact is considered to be justified, however, having regard to the evolving characteristics of Harrow town centre as a Metropolitan centre and, more particularly, the desirability of securing an appropriate density of development on this allocated, previously-developed and highly accessible site.

Although the development's loading bay would be located at ground floor level within proposed building D, the flank wall would (other than the cantilevered north-east corner) extend down to ground level so as to permanently enclose the side of the bay. Thus, the visual impact of servicing activity would be substantially contained within the building.

Adjoining the application site to the north-east are Harrow Baptist Church, Amba House offices and the shops/offices block numbered 17-33 College Road. Other than a narrow service passageway to its side and rear, the Baptist Church occupies virtually all of its site and the nature of its internal spaces (for worship and community activities) is such that any visual impact of the proposal, when viewed from within the building, is of limited consequence. The Church contains a top floor caretaker's flat and an extensive south facing roof terrace, both of which would experience a major change in visual setting. Again, however, this impact must be balanced against the evolving development characteristics of the site and the realisation of wider planning objectives for the application site.

The nearest part of proposed building D would be 29 metres to the south of Amba House. The six-storey east flank wall of proposed building A would at its closest point be sited 4 metres distance from the west elevation of no. 17-33 College Road and would

⁵³ Based on survey material provided as part of the applicant's Daylight, Sunlight and Overshadowing Assessment.

⁵⁴ Based on survey material provided as part of the applicant's Daylight, Sunlight and Overshadowing Assessment. Residential premises are reported as being present at 365, 367, 369 & 371 Station Road.

project beyond a 45 degree line drawn, on plan, from the adjacent south-western corner⁵⁵ of the that neighbouring building. The proposal would have a significant visual presence particularly when viewed from the nearest south facing office windows and the ground level rear car park/service area of no. 17-33 College Road. Given the commercial use of these neighbouring buildings and their Metropolitan centre location, the visual presence even at relatively close proximity of tall/taller buildings should not be unexpected in the outlook from/setting of such premises.

Immediately opposite the application site in College Road is Granville Parade, a traditional inter-war block comprising a range of commercial uses at ground level and flats/maisonettes above. To the east of Granville Parade are other premises in commercial or mixed commercial/residential use and to the west the St. Ann's Shopping Centre complex. College Road is one of the widest streets within Harrow town centre and proposed building A would maintain distances of 22, 23 and 24 metres between its module components and the facing part of Granville Parade. In view of this separation and the more moderate heights of building A it is not considered that there would be a substantial visual impact when viewed from premises on the opposite side of College Road. Clearly the much higher buildings B, C & D behind would also be visible, above building A and neighbouring buildings, and so would have a more significant visual impact. However given their even greater separation from the facing College Road buildings and in the context of this Metropolitan centre location, it is not considered that this impact would be detrimental to the residential occupiers or the users of the commercial premises.

To conclude on visual impact, Policy DM1 of the Local Plan undertakes to assess amenity having regard to, *inter alia*: the prevailing character of amenity and the need to make effective use of land; the relationship between buildings and site boundaries; and the visual impact when viewed from within buildings and outdoor spaces. The application site and its immediate surroundings are already highly urban in character and enjoy the highest level of public transport accessibility in the Borough. Whilst the relationship between the proposed development and the nearest neighbouring sites/buildings is such that some substantial visual impacts are inevitable, it is considered that these impacts would be consistent with the evolving characteristics of Harrow town centre as a Metropolitan centre within one of London's opportunity areas for growth. The proposal would make efficient use of this allocated, previously developed site and would replace the now derelict complex of former Post Office buildings. Having regard to all of these considerations, it is considered that the proposal would achieve an appropriately high standard of visual amenity.

The proposed development would, of course, be visible to residential occupiers and from commercial premises over a much wider area, not least within other parts of Harrow town centre and, to the south, from Lowlands Road and parts of Lansdowne Road/Whitehall Road, Grove Hill Road, Peterborough Road & etc. Given the conclusions about visual impact in relation to property much closer to the application site than those within the wider area, it follows that the visual impact upon occupiers of all other affected properties would be acceptable.

Privacy

The conversion of the former First National House to residential will introduce habitable room windows to all elevations of that building, including the chamfered corners but

⁵⁵ i.e. the southern section of the 'C'.

excepting the east flank elevation of the southern part of the 'C' which will contain windows to a communal stairway only. The works to convert the space contained within the original mansard-type roof will also involve the creation of balconies.

The north western corner of proposed building B would be at its closest point 6 metres from the chamfered south eastern corner of the former First National House. The balconies contained within the north western corner of proposed building B would overlook, at relatively direct and close proximity, the windows in the chamfered corner and new top floor balconies of the adjacent part of that neighbouring building. The communal roof garden atop the western module of proposed building B would also provide opportunities for future occupiers to overlook the neighbouring new top floor balconies.

The windows in the adjacent chamfered corner of the former First National House will be secondary windows to living rooms, the main windows being situated in the principal south elevation of that neighbouring building. Nevertheless, it is considered that the degree of inter-visibility between the balconies in the north western corner of proposed building B and the windows/new balconies in the adjacent part of the former First National House represents the most acute overlooking relationship of the proposed development and, even having regard to the likely privacy expectations of future occupiers of such high density town centre developments, requires mitigation. It is considered that adequate mitigation could be achieved by the installation of privacy screens to the flank openings of the said balconies and similarly by obscuring sections of the enclosure to the communal roof garden atop proposed building B. Such mitigation may be secured as a condition of any planning permission.

A direct overlooking relationship would also occur between the west flank elevation of proposed building A and the east flank elevation/chamfered corners of the northern part of the 'C' of the former First National House. Here, the balconies and flank habitable room windows of flats in the north-western corner of proposed building A and would directly face the habitable room windows of the adjacent part of that neighbouring building across a distance of 11 metres. In the context of high density, town centre development and the likely expectations of future occupiers, the high degree of inter-visibility across such a distance is not considered to be inappropriate. The rooftop of the western module of proposed building A would not contain any communal roof garden or private terrace.

The applicant's Design & Access Statement explains how angled window reveals would be employed, particularly as part of the façade articulation of the side walls, and so would attempt to direct views from within the proposed flats away from neighbouring buildings. Nevertheless, there would remain a high degree of inter-visibility between other parts of the development and the former First National House. For example, between the south western corner of proposed building A and the neighbouring lightwell area/communal garden area, and (at an oblique angle of view) between the west flank elevation of proposed building B and the principal south elevation of the former First National House. The resulting opportunities for overlooking, and the perception of overlooking that may be engendered amongst future occupiers of that neighbouring building, are not considered to be inappropriate in the context.

Turning to the relationship with property in Station Road, the east flank wall of proposed building D – containing habitable room windows and the open sides of balconies at the corners – would directly face the rear elevations of adjacent buildings at distances of

between 19 and 9.5 metres. The shortest distance between the proposed flank wall and no. 379 Station Road (where there is believed to be residential accommodation) would be 11 metres. A more oblique angle of overlooking would occur between the flank wall and other residential premises in Station Road and, additionally, there would be inter-visibility between the north elevation of proposed building C & D and those Station Road properties to the north west of the application site. It should also be noted that there would be communal roof gardens and private terraces atop the three middle/eastern modules of proposed building C & D. The resulting degree of actual and perceived overlooking is considered to be justified, however, having regard to the evolving characteristics of Harrow town centre as a Metropolitan centre and, more particularly, the desirability of securing an appropriate density of development on this allocated, previously-developed and highly accessible site.

The same conclusion is true of the impacts between the subject development and neighbouring residential premises in College Road. Relative to the high level of seclusion that it currently enjoys, the caretaker's flat at Harrow Baptist Church would suffer a substantial loss of privacy as a result of direct overlooking from flats situated in the north elevation of proposed building C & D. Distances of 22, 23 and 24 metres would be maintained between proposed building A and Granville Parade on the facing side of College Road, resulting in a more conventional overlooking relationship across the street, although there would be communal roof gardens and private terraces atop the middle and western modules. The upper levels of buildings B, C & D would also be visible and may add to a general perception of overlooking for occupiers of residential premises on the north side of College Road.

The proposal would also increase overlooking of the many surrounding commercial premises. Such overlooking is not, however, considered to be unacceptable. Indeed increased natural surveillance of hitherto secluded parts of neighbouring premises (such as William Carey Way and the rear of 17-33 College Road) may be regarded as advantageous.

As noted above in respect of visual amenity, the proposed development would, by reason of its height, be visible to occupiers of premises over a much wider area, including some more traditional residential areas (e.g. Lansdowne Road/Whitehall Road and Grove Hill Road) where occupiers may have greater sensitivity to perceptions of increased overlooking and a consequent experience of diminished privacy. Here again, however, it is considered that such impacts are justified by the desirability of securing an appropriate density of development on this allocated, previously-developed and highly accessible Metropolitan centre site.

To conclude on privacy, Policy DM1 of the Local Plan undertakes to assess amenity having regard to, *inter alia*: the prevailing character of privacy and the need to make effective use of land; the overlooking relationship between windows and outdoor spaces; and the distances between facing windows to habitable rooms and kitchens. Applying these considerations to the circumstances of the application site and the relationship of the proposed development to its immediate and wider surroundings, it is concluded that the proposal – subject to the specific mitigation recommended - would achieve an appropriately high standard of privacy for neighbouring occupiers.

Daylight and sunlight

A Daylight, Sunlight and Overshadowing Assessment has been included in the Environmental Statement 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.

For the purposes of measuring the impact of the proposed development upon daylight to neighbouring property, the assessment uses the widely recognised Vertical Sky Component (VSC)⁵⁶ and Daylight Distribution (DD)⁵⁷ methods and applies these to residential premises. The assessment goes on to report the number/proportion of tested windows that comply with the reported BRE recommended guidelines for performance as relevant to the VSC⁵⁸ and DD⁵⁹ methods before evaluating the magnitude of impacts⁶⁰ (whether adverse or beneficial) as follows:

- Major impact: the proposed development would cause a significant improvement or deterioration to the existing situation;
- Moderate impact: the proposed development would cause a noticeable improvement or deterioration to the existing situation;
- Minor impact: the proposed development would cause a small improvement or deterioration to the existing situation;
- Negligible: no discernible impact in relation to the existing situation.

For the purposes of measuring the impact upon sunlight received, the assessment uses the widely recognised Annual Probable Sunlight Hours (APSH)⁶¹ method and, again, reports performance relative to the BRE guidelines⁶² and evaluates the impacts in accordance with the above classifications.

The assessment notes that the BRE guidelines are concerned primarily with rooms where there is a reasonable expectation of daylight and sunlight, and that the majority of commercial properties, such as offices, are not treated as having such an expectation. Accordingly, only those windows/rooms to premises found to be in residential use (and, in the case of the former First National House, with forthcoming residential use) have been tested. For sunlight purposes, only those windows orientated within 90 degrees of due south have been tested. The existing levels of daylight/sunlight reaching the tested windows have been assessed to establish a baseline scenario.

⁵⁶ VSC: this measures how much sky can be seen from the window and converts the results into a percentage of daylight received.

⁵⁷ DD: this measures the area inside the room with a direct view of the sky.

⁵⁸ Loss of daylight to a window will be noticeable if the VSC is reduced to less than 27% or less than 0.8 times the former value (see Table 10.2 at section 10 of Volume 1 of the applicant's Environmental Statement).

⁵⁹ Loss of daylight to a window will be noticeable under the DD method if the area that can receive direct skylight will be reduced to less than 0.8 times the former value (see Table 10.2 at section 10 of Volume 1 of the applicant's Environmental Statement).

⁶⁰ The methodology for classifying impacts in relation to the VSC, DD and APSH methods is explained at Tables 10.3 and 10.4 at section 10 of Volume 1 of the applicant's Environmental Statement.

⁶¹ This method measures how much sky can be seen from the window and converts the results into a percentage of annual probable sunlight hours received. The assessment notes that, for sunlight assessment, only the main window of each room within 90 degrees of due south need be tested.

⁶² A window should achieve 25% APSH for the whole year including 5% during the winter months; less than this, or reductions greater than 20% of the former value/4% APSH, then the window may be adversely affected (see Table 10.2 at section 10 of Volume 1 of the applicant's Environmental Statement).

The Council has engaged the services of a specialist consultant⁶³ to provide independent appraisal of the applicant's daylight and sunlight assessment. He has endorsed the methodologies employed and has provided specific comments where necessary in relation to the assessment findings. These are noted, where relevant, below.

The assessment reports the following results in respect the development's impact upon the former First National House:

- VSC: 103 windows tested: 38% would satisfy BRE guidelines with negligible impacts, 25% would experience minor adverse impacts, 21% moderate adverse impacts and 16% major adverse impacts.
- DD: 61 rooms tested: 85% would satisfy BRE guidelines, 8% would experience minor adverse impacts and 7% moderate adverse impacts.
- APSH (annual sunlight): 43 windows tested: 47% would satisfy BRE guidelines with negligible impacts and 53% would experience major adverse impacts.
- APSH (winter sunlight): 43 windows tested: 30% would satisfy BRE guidelines with negligible impacts and 70% would experience major adverse impacts.

The assessment classifies the overall daylight and sunlight impacts upon the former First National House as being of minor adverse significance. The Council's consultant has advised that he considers that the impacts should be classified as being of minor-to-major adverse significance.

The aggregated results of the assessment's findings in respect of the development's impact upon residential premises in adjacent/nearby parts of Station Road⁶⁴ are as follows:

- VSC: 41 windows tested: 73% would satisfy BRE guidelines with negligible impacts, 22% would experience minor adverse impacts and 5% moderate adverse impacts.
- DD: 30 rooms tested: 90% would satisfy BRE guidelines and 10% would experience minor adverse impacts.
- APSH (annual sunlight): 19 windows tested: 74% would satisfy BRE guidelines with negligible impacts, 21% would experience minor adverse impacts and 5% moderate adverse impacts.
- APSH (winter sunlight): 19 windows tested: 69% would satisfy BRE guidelines with negligible impacts, 5% would experience moderate adverse impacts and 26% major adverse impacts.

It must be emphasised that the above is an aggregation of the reported results for the Station Road residential premises individually tested. The assessment classifies the overall daylight impacts upon all but one of the tested premises as being of negligible significance, and the remainder as of negligible/minor adverse significance. The classification of sunlight impacts range between negligible and moderate adverse significance. The Council's consultant broadly concurs with the findings save for one notable exception⁶⁵.

The assessment reports the following results in respect the development's impact upon

⁶³ The firm Delva, Patman Redler, who provided advice by letter dated 24th March 2015.

⁶⁴ 347-353, 365, 367 369, 371 and 379 Station Road.

⁶⁵ For sunlight purposes the applicant's assessment classifies the impact upon no. 367 Station Road as of moderate adverse impact, whereas the Council's consultant considers that this should be considered a major adverse impact.

the caretaker's flat at Harrow Baptist Church:

- VSC 6 windows tested: 17% would satisfy BRE guidelines with negligible impacts and 83% would experience major adverse impacts.
- DD: 4 rooms tested: 25% would satisfy BRE guidelines and 75% would experience moderate adverse impacts.
- APSH (annual sunlight): 5 windows tested: 100% would satisfy BRE guidelines with negligible impacts.
- APSH (winter sunlight): 5 windows tested: 40% would satisfy BRE guidelines with negligible impacts and 60% would experience major adverse impacts.

The assessment classifies the overall daylight impacts upon the caretaker's flat as being of moderate adverse significance and the sunlight impacts as being of minor significance. The Council's consultant has advised that he considers that the overall sunlight impact should be classified as being of minor-to-major adverse significance.

The applicant's assessment has not tested windows serving the large and small halls and kitchen at ground floor level, nor the first floor hall and activity rooms, at Harrow Baptist Church, on the basis that these are not sensitive receptors. The Council's consultant has advised that he considers that these rooms do have a reasonable expectation for daylight and should be assessed. Having discussed this with the applicant during the course of the application, officers have agreed that it is not necessary to provide this information. Self-evidently, the rooms referred to would suffer a reduction in daylight as a result of the development but, as a non-domestic neighbouring use and balanced against the need to secure efficient use of this previously-developed site, any such reduction is not considered to be unacceptable.

The aggregated results of the assessment's findings in respect of the development's impact upon residential premises in adjacent/facing parts of College Road⁶⁶ are as follows:

- VSC 63 windows tested: 30% would satisfy BRE guidelines with negligible impacts and 70% would experience minor adverse impacts.
- DD: 32 rooms tested: 78% would satisfy BRE guidelines, 19% would experience minor adverse impacts and 3% moderate adverse impacts.
- APSH (annual sunlight): 63 windows tested: 100% would satisfy BRE guidelines with negligible impacts.
- APSH (winter sunlight): 63 windows tested: 100% would satisfy BRE guidelines with negligible impacts.

Again, it must be emphasised that the above is an aggregation of the reported results for the College Road residential premises individually tested. The assessment classifies the overall daylight impacts upon all but one of the tested premises as being of negligible significance, and the remainder as of minor adverse significance. The Council's consultant has advised that he considers that the classification of daylight impacts to a number of properties⁶⁷ should be raised to minor adverse significance. The classification of sunlight impacts is negligible significance and the Council's consultant has raised no issue with this.

It is clear from the above analysis that the most severe daylight and sunlight impacts would occur in relation to the former First National House and the Harrow Baptist Church

⁶⁶ 4-10, 16, 18-22, 24, 26-28, 30, 32 and 36 College Road.

⁶⁷ 26-28, 30, 32, 34 and 36 College Road.

caretaker's flat. Whilst the impact that the proposal would have upon the amenity of future residential occupiers of the former First National House is regrettable, it is the consequence of a change of use to that neighbouring property which the Council had no material control over and one which post-dates the subject site's allocation for redevelopment (to include tall building development). Whilst there may be permutations of alternative building massing and site layout that might have a lesser daylight/sunlight impacts upon the former First National House, without time-consuming and costly detailed exploration of these it is not known whether these would achieve the range of planning objectives for the site to the same extent as the subject proposal. Similarly the impact of the proposal upon the caretaker's flat is regrettable, but a high degree of impact upon that flat is inevitable if the southern part of the application site is to be redeveloped in a manner that contributes to the outputs sought in the site allocation.

Acknowledging that some individual premises in Station Road and College Road may be more severely impacted than others, it is nevertheless observed from the above analysis that overall levels of BRE compliance are much higher and that, where adverse impacts occur, such impacts are more generally classified as being moderate/minor. Where even moderate/minor adverse impacts occur these are, of course, also regrettable. The overall levels of BRE compliance to Station Road and College Road premises do, however, demonstrate that the design of the proposal (i.e. with less-high buildings placed to the north and east edges of the site) responds to the constraints imposed by existing residential premises surrounding the allocated site.

Policy DM1 of the Local Plan undertakes to assess amenity having regard to, *inter alia*: the prevailing character of amenity and the need to make effective use of land; and the adequacy of light and outlook within buildings (habitable rooms and kitchens). Taking into account the extent and degree of daylight and sunlight losses that would, as demonstrated by the assessment, occur, and on balance of the need to make efficient use of this allocated, previously developed site, it is concluded that the proposal would maintain an appropriately high standard of amenity for neighbouring residential occupiers.

There are two other near-neighbouring buildings: 17-33 College Road and Amba House. These are commercial premises, the windows to which (as noted above) are not generally treated as having a reasonable expectation of daylight/sunlight under the BRE guidelines and are not the primary amenity concern of Local Plan Policy DM 1. Consequently, the assessment does not identify these premises as sensitive receptors that merit detailed testing of daylight/sunlight impacts. The Council's consultant has not objected to the non-testing of these premises and, whilst there would undoubtedly be a loss of daylight and sunlight to them, it is not considered that the likely impacts would justify withholding planning permission.

Overshadowing of amenity spaces

The applicant's assessment also includes an analysis of the sunlight and shadow impacts to the existing rooftop garden of the caretaker's flat at Harrow Baptist Church and the approved communal roof garden within the lightwell area of the former First National House, which will serve future residents of that neighbouring development.

The assessment includes the results of testing of existing conditions at these two amenity spaces. It finds that 68% of the amenity area of the caretaker's flat receives at least two hours of sunlight on 21st March, but that the approved communal roof garden space receives no sunlight on that date due to its location in relation to the configuration

and massing of the former First National House. The assessment goes on to show that, after the proposed development, 49% of the amenity area of the caretaker's flat would continue to receive at least two hours of sunlight on 21st March. The approved communal roof garden space at the former First National House would continue to receive no sunlight on that date.

At 49%, the performance of the amenity area of the caretaker's flat would be only just below the BRE target of 50% and, whilst the reduction would be likely to be noticeable⁶⁸, the assessment concludes that the impact may be classified as of negligible significance. The Council's consultant has advised that he considers that the classification could be regarded as of negligible-to-minor significance.

Since the proposal would not change the existing poor performance of the approved communal roof garden space at the former First National House on 21st March, the assessment concludes that the impact may also be classified as of negligible significance. The Council's consultant has raised no issue with this.

Policy DM1 of the Local Plan undertakes to assess amenity having regard to, *inter alia*: the prevailing character of amenity and the need to make effective use of land; and the adequacy of light and outlook to outdoor spaces. Having regard to the need to make efficient use of this allocated, previously developed site, it is considered that the impact of the proposal upon the rooftop garden of the caretaker's flat at Harrow Baptist Church is not unacceptable, whilst the poor existing performance of the approved communal roof garden within the lightwell area of the former First National House demonstrates that the character of amenity spaces within higher density/town centre areas can differ to those expected in more traditional residential environments. On balance, therefore, it is concluded that the proposal would maintain an appropriately high standard of amenity for neighbouring residential occupiers.

The overshadowing impact of the proposed development upon College Road has not been assessed. Clearly some overshadowing can be expected to occur, particularly to the space immediately fronting proposed building A. However, College Road is not *per se* an amenity area (although it is a well-used thoroughfare) and it is not considered that the likely impacts would justify withholding planning permission.

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

The application has been accompanied by detailed assessments of noise & vibration and of air quality impacts, including those temporary impacts likely to arise during the construction phase of the proposed development. These assessments are appraised elsewhere within this report. This section focuses on the potential amenity impacts following the completion of the proposed development.

Cars, delivery lorries and other service vehicles associated with the development would use William Carey Way. In combination with vehicles already using William Carey Way this aspect of the proposal would be likely to have some impact upon the amenities of occupiers of residential premises situated in the adjacent part of Station Road. However, the existing use and character of William Carey Way is more akin to that of a service road and consequently it is not considered that the proposal would fundamentally

⁶⁸ The assessment notes that, under the BRE guidelines, if the area which can receive at least two hours of sunlight on 21st March is reduced to less than 0.8 times its former value then the loss of sunlight is likely to be noticeable. The reduction here is reported as being 0.72 times the former value.

change the environment to the rear of residential premises in Station Road. Additional noise, vibration, exhaust fumes and light pollution from vehicles associated with the development would be unlikely, it is considered, to have any significant adverse impact upon the living conditions of the neighbouring occupiers within this existing town centre environment.

The development would be serviced from within an 'undercroft' loading bay that would be situated at ground level within part of proposed building D, adjacent to William Carey Way. The most significant serving activities would be likely to include twice weekly waste and recycling collections, library distributions and deliveries in connection with the proposed commercial uses. Potentially more frequent but less intrusive activities would be likely to include parcel deliveries, removal lorries & etc. and, again, these would be directed to use the loading bay. It is envisaged that noise and any vibration/dust/fumes/light pollution would be at least partially contained within the loading bay and, in any event, not beyond that which may be expected within such a town centre environment. It is also worthy of note that the delivery yard of the former postal sorting office is situated in the part of the site that would be occupied by the proposed loading bay. In all of these circumstances it is considered that servicing activity within the proposed loading bay would be unlikely, if carried out at reasonable hours, to materially harm the amenities of the neighbouring occupiers.

However, as a safeguard against the potential noise and disturbance that would be associated with night time deliveries to the proposed commercial uses, and which would be likely to affect both neighbouring residential occupiers and future occupiers of proposed development, it is considered necessary that such deliveries should be restricted to between 06:30 and 23:00 hours Mondays to Saturdays and to between 08:30 and 23:00 hours on Sundays as a condition of any planning permission.

The Transport Statement confirms that access to the basement car park would be controlled by means of a remote controlled roller-shutter and it is envisaged that access to the loading bay would be similarly controlled. As a safeguard against the potential noise and disturbance associated with such access controls which, again, would be likely to affect both neighbouring residential occupiers and future occupiers of proposed development, it is considered necessary that details of these should be agreed as a condition of any planning permission.

More generally, the proposal would see activity returned to this site after more than ten years out of use. Consequently, existing neighbouring occupiers would inevitably experience amenity changes associated with, for example, reopening of the Station Road access for pedestrian use, the re-introduction of active ground floor frontages to this part of College Road and use of the proposed on-site children's play facilities. In addition the library garden and pavilion would see activity introduced in quite close proximity to forthcoming flats within the lower levels of the adjacent part of the former First National House. Far from being harmful to amenity, it is considered that these and other attributes of the site's re-use would contribute positively to the creation of a perception that Harrow town centre is a vibrant and active place in which to live.

In terms of commercial activity, uses requiring a premises licence, such as public houses, are appropriately controlled under that regime. Any statutory nuisance arising from uses not requiring a premises licence can be controlled under the appropriate Environmental Health legislation. A general hours of use condition in respect of the commercial premises is proposed.

Details of possible advertisements for the proposed commercial uses 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 other areas within the development would cause any significant nuisance to neighbouring occupiers. It is proposed to control, as a condition of any 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.

TRANSPORT AND PARKING CONSIDERATIONS

13) Access and Highways

The NPPF⁶⁹ requires proposals that would generate significant amounts of movement to be supported by a Transport Assessment and to provide a Travel Plan. A Transport Assessment, together with detailed appendices, a framework Travel Plan and (during the course of the application) a safety audit have been submitted with the application.

London Plan Policy 6.3 *Assessing Effects of Development on Transport Capacity* requires the impact of proposals on transport capacity and the transport network to be assessed, and states that development should not adversely affect safety on the transport network. In addition to Transport Assessments and Travel Plans, the policy goes on to call for construction logistics plans and delivery & servicing plans to be secured. Policy 6.10 *Walking* seeks high quality pedestrian environments within development proposals. Local Plan Policy AAP 19 *Transport, Parking and Access within the Heart of Harrow* requires all major development to prioritise access by sustainable modes, with particular emphasis on the provision of safe and attractive walking routes to facilities and public transport.

The development site is located to the west of William Carey Way and to the south of College Road. As revised during the course of this application, it is proposed to take all vehicular access into and out of the site via William Carey Way from College Road. William Carey Way provides access to a number of premises and is between 4.1m and 4.3m wide with a narrow footway on the western side.

The Transport Assessment identifies that 90 additional car trips will be generated by the development across the course of a whole day. It is accepted that the overall traffic impact of the development will not have an adverse effect on the capacity of the highway network, especially when the previous use of the site is taken into account. There are, however, some physical aspects of the highway layout that need to be amended to facilitate the development.

William Carey Way runs along the rear of retail premises in Station Road and is currently used as a service road for deliveries and refuse collection. Some of the retail premises in this location are in the habit of leaving refuse storage bins on the carriageway in William Carey Way which is a potential obstruction to through traffic. To mitigate this it is proposed to provide a bin store in the footpath/landscape adjacent to the side of Amba House (in William Carey Way) to prevent obstruction occurring.

⁶⁹ See paragraphs 32 & 36 of the NPPF.

At the southern end and west side of William Carey Way (in front of the Harrow Baptist Church) there are several parking spaces that are currently controlled by lockable bollards. The Church may believe that this area is private. According to the Council's highway records this area is in fact public highway and therefore it will be necessary to remove the bollards and introduce parking controls in this area to regulate parking activity. This would potentially improve site lines at the entrance/exit to the proposed underground parking access and loading bay area of the development.

All vehicles will exit and enter the development via William Carey Way. In order to demonstrate that this is feasible vehicle tracking diagrams were produced for various delivery and refuse collection vehicles to show their manoeuvring characteristics within the proposed layout. The delivery vehicles are of a typical large articulated lorry, similar in size to those servicing the Wetherspoon's public house. The tracking simulations have shown that it is possible to access the site and turn around in the proposed loading area and then to subsequently exit the road. This arrangement would have the advantages of vehicles being able to enter and exit the site in a forward direction and avoid any awkward reversing manoeuvres along the road. This would enable drivers to judge when another vehicle was entering William Carey Way before moving off as there would not be space for two delivery vehicles to pass each other easily due to the limited road width.

Further track runs also illustrated the manoeuvring characteristics of smaller servicing and delivery vehicles. This was produced to demonstrate that in the very unlikely event that both delivery bays within the scheme are occupied by larger servicing/delivery vehicles, a smaller delivery van, such as a home delivery van, could be able to wait to the side of the delivery area without obstructing the ramp or the Wetherspoon's public house servicing area.

In order to facilitate safe exit from William Carey Way some amendments to the existing public highway will be required as follows:

- vehicular traffic movements at the junction from William Carey Way into College Road to be restricted to a left turn out. This is because there is insufficient room for a large vehicle to turn right and position itself within the traffic lane correctly and stop behind the traffic signals stop line.
- the construction of a median strip in College Road opposite the entrance to William Carey Way to enforce a left turn only restriction on the exit from William Carey Way,
- a realignment of the southern kerb line of College Road between Station Road and William Carey Way in order to widen the carriageway and facilitate the proposed median strip and turning manoeuvres of larger vehicles. This will require the traffic signals in this area to be amended,
- changes to the College Road/William Carey Way junction kerb radii to create an overrun area for larger vehicles. Some care will need to be taken with tactile paving arrangements for visually impaired people at the junction and this will need to be reviewed in detail as a part of a highway safety audit. It is anticipated that the tactile paving arrangement would need to be positioned at the back of footway to avoid the overrun areas.

These works would need to be facilitated through a section 278 agreement.

If any further phases of the development come forward subsequently the highway authority will seek the widening of William Carey Way to be considered in order to improve two way movements in the road and to provide at least one full width continuous footway along the length of the road to facilitate pedestrian movement.

With regard to the original Post Office access in Station Road this will be restricted to access by pedestrians and cycles only. This route will form an attractive cycle/pedestrian link from Station Road via the development and through into College Road. No vehicular access will be permitted as this entrance is considered too narrow to accommodate both large vehicles and pedestrian and cycles safely.

This route would pass through the central area of the development which is a large open community space. It would not be appropriate to permit cycling in the central area as there could be potentially be pedestrian/cyclist conflict and so cyclists would need to dismount in this area. The other parts of the link named Art Walk and Garden Walk could facilitate both cycling and walking in a shared surface arrangement.

Thereafter there would be an on-going liability on the Council for maintenance of this area with the Council's own maintenance budgets.

The pedestrian link commencing from Station Road would continue through the area named Garden Walk and would pass under sections of the buildings which are overhanging the route. If this were adopted as public highway the buildings would require an over sailing licence as a consequence of this.

14) Parking

London Plan Policies 6.9 *Cycling* and 6.13 *Parking* give effect to the London Plan cycle and vehicle parking standards, including requirements for electric vehicle charging points (ECPs), parking for 'blue badge' holders and for cycle parking in particular to be secure, integrated and accessible. Local Plan Policy AAP 19 includes the following criteria relevant to parking considerations:

- additional transport stress on the public highway to be avoided through restriction of parking permits in respect of town centre developments;
- car parking provision not to exceed London Plan maximum standards and, in any event, at the minimum level consistent with the needs of disabled people, servicing and the provision of ECPs;
- general public use of underground car parks supported in connection with retail, leisure and office development;
- scooter and motorcycle parking to be provided;
- spaces for car club vehicles sought within major development sites; and
- cycle parking to be provided in accordance with London Plan minimum standards.

The location of the development centrally within the town centre means that there is good access to public transport, both rail and bus services, and sustainable transport modes will be the main modes of travel. Car parking provision will be significantly reduced.

The development proposes 50 car parking spaces at basement level. Of these, 2 are disabled person's parking spaces for the public library, 16 standard parking bays for select private residential units, 32 disabled bays at a 1:1 ratio for wheelchair accessible homes and 3 motorcycle parking spaces. It is proposed that 6 of the total parking

spaces provided would have electric vehicle charging points, however as this only equates to 10% of the total parking allocation, compliance with the London Plan standards would be secured by condition to provide 20% of spaces with electric charging points and a further 20% passive.

The low overall provision of parking spaces is considered acceptable given the high public transport accessibility at this location. The controlled parking zone surrounding this development does not currently include the issue of resident parking permits, furthermore, the development would be restricted from eligibility for resident parking permits should the nature of the operation of the existing zone change.

A total of 521 cycle parking spaces are proposed facilitating both long and short stay parking for the different types of use of the entire development. This level of provision is a positive approach to encourage cycling for residents, employees and visitors alike.

Policy AAP 19 encourages the implementation of car club schemes within the Heart of Harrow. It seeks provision for car club vehicles within major development proposals and states that such provision should be prioritised alongside the provision of disabled persons' parking. It is therefore recommended that provision be included as part of a Planning Obligation to this end.

TOWNSCAPE AND DESIGN QUALITY CONSIDERATIONS

15) Tall Buildings

Background: Harrow Unitary Development Plan (2004), Harrow-on-the-Hill Station Planning Brief (2005) and the 'Dandara' proposal (2008)

In 2004 the Council adopted the replacement Harrow Unitary Development Plan (UDP). The UDP included as Proposal Site 6 (PS6)⁷⁰ an area of land 5.8 hectares in extent covering Harrow-on-the-Hill Station, land in College Road⁷¹ and land in Lowlands Road⁷². The UDP's proposal was for public transport improvements and mixed use development for office, education, civic, residential, leisure and retail use and open space. The commentary in the plan included a commitment to prepare an urban design framework for the site.

In 2005 the Council adopted a planning brief for Harrow-on-the-Hill Station. The brief established a vision which included a call for a signature development to raise the profile of the town centre through high quality and distinctive design. In amplification of this component of the vision, the brief went on to explain that what was required would be a development that 'adds a new dimension to Harrow' and 'creates a new landmark and focal point within the town centre', stating that buildings would need to be of outstanding architectural quality and not detract from the views of St. Mary's Church.

Also during 2005 the Council received the first planning application (P/2416/05) by developer Dandara for redevelopment of the former Post Office site in buildings ranging from 6 to 19 storeys in height. Following the withdrawal of that first application, Dandara

⁷⁰ The proposal site had been carried forward into the 2004 UDP and expanded in extent from the predecessor Proposal Site 29 in the Harrow Unitary Development Plan (1994).

⁷¹ Principally the application site.

⁷² Principally the Harrow College site.

submitted a second application (P/1620/08) in 2008 for redevelopment in buildings 3 to 19 storeys in height. The second application proceeded to a determination by the Council in 2009, and was refused. For the full description of both applications and for the reason for refusal of the second application, please see the 'relevant history' section above.

Following the Council's decision to refuse the second application an appeal was lodged and a Public Inquiry was held. The appeal was dismissed by the Secretary of State in 2010.

Although the appeal was dismissed, meaning that planning permission was refused, the Secretary of State's decision⁷³ established two key principles. Specifically:

- that there is nothing inherently wrong in being able to see a piece of high quality architecture, even a tall one, within a densely urban scene, and consequently that there is no objection in principle to tall buildings on the site; and
- whilst there would in that case have been a significant change in views, it is important not to conflate visibility and harm.

Thus, the Inspector found that a tall building of up to 19 storeys on the site need not be unacceptable in principle but considered that the architectural quality of the scheme before him did not meet the requirements of policies and guidance in force at the time, including the bar set by Policy 4B.2 of the 2004 London Plan which sought to promote world-class high quality design.

Current Development Plan Policy for Tall Buildings

The 2004 London Plan, 2004 Harrow UDP and the 2005 Planning Brief, which collectively provided the framework within which the height and architectural quality of the 2008 'Dandara' proposal were considered, have all been superseded. The framework for the consideration of these aspects of the subject proposal is the London Plan (2015), the Harrow Core Strategy (2012) and the Harrow & Wealdstone Area Action Plan (AAP). Specifically:

- London Plan Policies 7.6 *Architecture* and 7.7 *Location and Design of Tall and Large Buildings*
- Core Strategy Policy CS 2 *Harrow & Wealdstone J*
- Local Plan Policy AAP 6 *Development Height* and the design considerations for AAP Site 17: 19-51 College Road

The London Plan defines tall and large buildings as "...those that are substantially taller than their surroundings, cause a significant change to the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor"⁷⁴. The Core Strategy defines tall buildings as any building at or over 30 metres⁷⁵ and this definition is reproduced at the glossary of the AAP. The AAP makes a further distinction as to 'taller' buildings, these being defined as buildings that are two or three storeys higher than the surrounding building heights.

⁷³ See paragraph 13 of the Secretary of State's decision letter dated 22nd July 2010.

⁷⁴ See paragraph 7.25 of the reasoned justification to London Plan Policy 7.7. Under the provisions of The Town and Country Planning (Mayor of London) Order 2008, referral category 1 (Large Scale Development) includes sub-category 1C: Development which includes the erection of a building of the following description: the building is more than 30 metres high and is outside the City of London.

⁷⁵ See footnote 23 to paragraph 5.15 of the Core Strategy.

All components of proposed buildings B & C and part of building D would be in excess of 30 metres in height and are clearly taller than their surroundings/cause a significant change to the skyline. Accordingly, these buildings constitute 'tall' buildings for policy purposes.

Proposed building A ranges from 23-29 metres in height⁷⁶ and, in terms of storeys, this equates to a range of between 6 and 8 storeys⁷⁷. By comparison, the former First National House is currently 8 storeys/30 metres high approx. and Avanta, 79 College Road, is 6 storeys/26 metres high approx. Amba House, 15 College Road is 6 storeys/21 metres high approx. whilst St. Ann's Shopping Centre on the opposite side of College Road comprises two retail storeys and multiple car parking levels over to a height of 26 metres approx. By contrast, neighbouring 17-33 College Road and facing Granville Parade are only three storeys in height and other low-rise buildings are also present in the vicinity (Harrow Baptist Church, Harrow Post Office and Pizza Express). Taking this very varied context in the round, it is considered proportionate to assess proposed building A as a 'taller' rather than a 'tall' building for policy purposes.

Core Strategy Policy CS 2 commits the Council to using the AAP to establish a policy framework for tall, landmark buildings within the Heart of Harrow. That commitment has been fulfilled by the provisions of Policy AAP 6. Paragraph 5.15 of the reasoned justification to Policy CS 2 records the fact that the principle of a taller, landmark building has been established at 51 College Road. Accordingly, AAP Site 17 includes site specific design considerations relating to the provision of a tall, landmark building which amplifies the policy framework in respect of this site.

London Plan Policy 7.7 states that applications for tall or large buildings should include an urban design analysis. Such an analysis has been provided with the subject application, in the form of the Design & Access Statement (D&A) and the Heritage, Townscape and Visual Impact Assessment (HTVIA). Subsequent criteria in Policy 7.7 and in Local Plan Policy AAP 6, together with the site specific design considerations listed at AAP Site 17, generate multiple and occasionally overlapping considerations to be applied to the assessment of the proposed tall buildings. These are addressed below.

Location and Landmark

The London Plan provides a clear direction for tall buildings to be located in certain designated areas, including town centres with good public transport accessibility and intensification/opportunity areas⁷⁸, and states that – either individually or as a group – they should improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate⁷⁹. The Local Plan states that proposals will only be considered acceptable if they represent 'landmark' buildings⁸⁰ and that they should be located to draw attention to locations of civic importance, major public transport

⁷⁶ Measured from the elevation fronting College Road and including the balustrading.

⁷⁷ Including ground floor level and noting that the ground floor level's floor to ceiling height is greater than that of each of the residential storeys.

⁷⁸ London Plan Policy 7.7 C(a).

⁷⁹ London Plan Policy 7.7 C(d).

⁸⁰ Local Plan Policy AAP 6 D. The AAP defines 'landmark building' as: A tall building that helps to orientate and identify locations of public importance such as strategic community and civic uses, major public transport interchanges or areas of important public urban realm that provide relief from the street environment and opportunity to pause and relax.

interchanges and areas of important public realm⁸¹. The site allocation calls for a 'quality landmark' to make a positive contribution to the skyline and to be a highly visible asset within and across the Heart of Harrow.

The site's suitability, in terms of its location, for tall building development has been established through the 'Dandara' appeal decision and subsequently reaffirmed through the Local Plan preparation process. Nevertheless, it is worth reiterating that the site is within a town centre and has very high levels of public transport accessibility, as well as being within the Harrow & Wealdstone opportunity area.

The transformation of Greenhill from semi-rural lowlands into a bustling commercial centre at the heart of a growing suburban district is largely attributable to the extension of the Metropolitan Railway to Harrow in 1880⁸². Harrow-on-the-Hill Station's presence continues to drive growth and development in Harrow and it will remain a central part of daily life for many residents for the foreseeable future. From public realm vantage points throughout the town centre and in glimpses from surrounding suburban areas, the proposed tall buildings would provide a visual identifier of the approximate location of the Station. Moreover, the buildings' stepped heights and staggered arrangement, being an architectural response to the configuration and constraints of the site, would give the tall buildings a unique and interesting appearance that would contribute positively to the creation of a distinctive 'sense of place' not only in those town vantage points/suburban glimpses but also, perhaps just as importantly, to those passing through or arriving at Harrow-on-the-Hill Station.

The development would create a new civic square and new central library which, it is hoped, would become a much-valued extension of the economic and civic life of Harrow town centre and indeed the wider Borough. The square, as a traffic-free environment combining possible retail/leisure/community uses with a new view of Harrow Hill/St. Mary's, would provide a space that compliments those of other parts of Harrow town centre where people may pause and relax. The library will be a flagship community facility serving central Harrow and the wider Borough. The proposed tall buildings would, in addition to identifying the approximate location of Harrow-on-the-Hill Station, also be a marker for the development itself, drawing attention to the location of the new civic square and library.

It is concluded that the proposed tall buildings are locationally appropriate and that, collectively, they would result in the introduction of a 'quality landmark' into the skyline of Harrow. They would be a highly visible asset within the Heart of Harrow that would contribute positively to the legibility and identity of the area.

Height, Form and Setting

The London Plan states that tall and large buildings should only be considered in areas whose character would not be adversely affected by the scale, mass or bulk of the proposal⁸³, and that they should relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm, particularly at street level⁸⁴. The Local Plan provides specific direction as to the height, form and setting sought in respect of tall building proposals. Namely, that they should:

⁸¹ Local Plan Policy AAP 6 D(a).

⁸² See Chapter 6 of the Harrow Characterisation Study (2011).

⁸³ London Plan Policy 7.7 C(b).

⁸⁴ London Plan Policy 7.7 C(c).

- be slender and elegant in design, tiered and stepped where necessary to further reduce bulk, and not slab-like when viewed from any direction⁸⁵;
- create a simple and legible building profile that enhances and adds visual interest to the skyline⁸⁶;
- contribute to the overall townscape, both during the day and night, and achieve a positive relationship with surrounding topographical features and buildings at all sides⁸⁷;
- incorporate a high quality urban realm fronting the tall landmark⁸⁸; and
- secure a complete and well-designed setting at street level, including active ground floor uses, and positively define the character of the public realm⁸⁹.

Furthermore, in terms of height, Local Plan policy refers to the parameters set out for each allocated site in the Plan⁹⁰ and requires that, where a proposal for a tall landmark building includes the development of other buildings on the site, the height of all other buildings shall be significantly subordinate to the tall landmark building⁹¹. It goes on to state that proposals for or resulting in clusters of tall, landmark buildings are inappropriate within the Heart of Harrow and will be resisted⁹².

The site allocation's design considerations amplify many of the above Local Plan policy criteria. Depending on the height of the tall landmark building on the site, building heights of 4 to 5 storeys fronting College Road and up to 10 storeys along the railway frontage are sought. The considerations go on to advise that "The tall building element should be confidently expressed and distinct from other buildings on the site, which should be lower elements and significantly subordinate" and call for active ground floor uses and public space that engages with College Road.

Once again, it must be emphasised that the principle of tall building development on the site has been established. The question of area's ability to accommodate such development, in broad character terms, has already been answered. This assessment must focus on the merit of the height, form and setting of the tall buildings now proposed.

The Harrow Town Centre Central sub area is characterised by a pattern of predominantly east-west⁹³ and north-south aligned streets⁹⁴, these being the surviving components of the original layout of Harrow town centre. With inevitable exceptions, development within the Central sub area is frequently composed of building modules that have vertical emphasis (i.e. of tall/narrow proportions) to the street frontage and of greater depth (than their width) within their plot. Historic examples within the sub area include 2-24 (even) St. Ann's Road, 307-353 and 361-369 (evens) Station Road. Many 1930s parades (such as Granville Parade, opposite) incorporate design features that express the internal subdivision of – and so give vertical emphasis to – an otherwise horizontal building shape. Within College Road itself, Amba House, former First National

⁸⁵ Local Plan Policy AAP 6 D(d).

⁸⁶ Local Plan Policy AAP 6 D(e).

⁸⁷ Local Plan Policy AAP 6 D(f).

⁸⁸ Local Plan Policy AAP 6 D(j).

⁸⁹ Local Plan Policy AAP 6 D(k).

⁹⁰ Local Plan Policy AAP 6 A.

⁹¹ Local Plan Policy AAP 6 E.

⁹² Local Plan Policy AAP 6 F.

⁹³ College Road, St. Ann's Road, Kimberley Road and Junction Road.

⁹⁴ Station Road, Havelock Place, Clarendon Road and Headstone Road.

House and Kings House are more modern examples that broadly follow this form: i.e. relatively tall/narrow proportions to the street frontage but utilising plot depth to create buildings or modules of vertical emphasis in elevation.

The proposed two tall buildings and the site layout appear to take their cue from these characteristics of development within the sub area. Specifically, the new civic square and St. Mary's Terrace would replicate the pattern of east-west and north-south street spaces within the sub area, but with the arrangement of the buildings on the site would reflect the east-west axis of development in College Road. The buildings themselves would be stepped in plan form and tiered in elevation to give the impression of a terrace of component modules, each with vertical emphasis to the 'street' frontage and of greater depth than their width.. Thus, whilst clearly involving a significant uplift in terms of scale and height, it is considered that the proposed tall buildings would relate well to the form, proportions and grain of development that is characteristic of the Harrow Town Centre Central sub area.

As noted above, the Local Plan sets out design criteria and considerations on various matters including those affecting mass, bulk and height, the combination of which points to a single, slender and elegant landmark tall building of an anticipated height of up to 19 storeys, made distinct from other subordinate buildings on the site which would be lower (4/5 storeys fronting College Road and 10 storeys along the railway). By contrast, the subject proposal would result in two tall buildings with heights of 13/16/20 storeys (building B) and 8/11/14/17 storeys (building C & D) and the other building on the site – fronting College Road - would have heights of 6/7/8 storeys (building A). Furthermore, the visual effect of the vertical emphasis component modules as described above would be the perception of a 'cluster' of tall buildings from some vantage points. In these regards, it is considered that the height and form of the proposal is not fully in accordance with the Local Plan.

The evolution of the subject proposal is documented in the Design & Access Statement. Alternative development forms are briefly explored but discounted on scale or residential amenity grounds⁹⁵, whilst the options considered for refining the massing of the subject proposal are also shown⁹⁶.

Whilst not fully in accordance with the Local Plan, the subject proposal is not without considerable merit in other respects of the Plan's design criteria. The tiered profile and stepped arrangement of the buildings would provide a high degree of visual articulation and relief, this being particularly important from vantage points south of the railway where near-views of the development are relatively unimpeded by foreground buildings and structures. Although storey heights would be higher than envisaged in the Plan, the proposed placing of the highest buildings towards the rear (along the railway) and having a much smaller building (with lower/narrower modules) to the College Road frontage would be in accordance with the general arrangement principles established in the Plan. The tallest module of each of the tall buildings would be broadly equidistant from the eastern and western extremities of the site and they would be either side of a 16 metres wide gap that would separate them. This aspect of the proposal's arrangement would provide a spatial setting for the two tallest modules, and allowing the remaining modules to tier-down towards the eastern and western site boundaries in a way which would acknowledge the scale and height context of surrounding existing development. The

⁹⁵ See section 3.2 of the Design & Access Statement.

⁹⁶ See section 3.4 of the Design & Access Statement.

tiered arrangement of the modules would introduce a legible, confidently expressed and visually interesting profile to the skyline that pays tribute to the topographical profile of Harrow Hill, when viewed from the north, and would introduce a distinctive new feature into the night-time townscape, particularly when viewed from The Grove open space to the south. And whilst the proposal would create the perception of a 'cluster' of tall buildings on the site, it would be obvious to the viewer, from the elevations and materials, that each module forms a component part of a single, coherent piece of development. It is considered that the form and heights of the modules have been arranged so as to have a relationship with the immediate context that could be clearly interpreted and understood, and that the visual impact of the form and height over the wider area would be a positive one.

The ultimate objective of the Local Plan is to ensure that all developments, and particularly those involving tall buildings, are of a high standard of design and layout. Although in some very specific respects the proposal represents a departure from the Local Plan's policy criteria and site design considerations for tall building development, in other respects it is considered that the requirements of the Local Plan would be met and that the proposal would achieve high standard of design and layout. Combined with the other plan-led benefits of the proposal – most notably the delivery of a new civic square and new central library – it is considered that the departure from the plan is minor and not one that goes to the heart of how the development of the site is intended to contribute to the broader objectives and vision for the Heart of Harrow.

Finally, turning to the question of setting, building B would be surrounded by the new civic square and St. Mary's Terrace on its northern and eastern sides and by the more intimate space of the library garden and pavilion on its western side. The tallest module of the building would be located on the inside of the 'L' formed by the square and St. Mary's Terrace and, as such, would appropriately enjoy the most spacious setting. Building C & D would occupy perhaps the most difficult part of the site, between the Baptist Church and the railway embankment, constrained by the site boundaries on three sides. Here again, however, the tallest module would be located adjacent to St. Mary's Terrace and at the south-eastern corner of the square, and so would enjoy the best available spatial setting for that part of the building.

Subject to the finish of the square and St. Mary's Terrace, building A and the tallest module of building B & C would, therefore, enjoy high quality and well-designed public realm that would be activated by the proposed ground floor uses within the development, future uses of the square itself and, should the church community so choose, by the opening-up the Harrow Baptist Church façade to the square. Undoubtedly the setting of the tall buildings at street level would be made more complete by the extension of the north-south axis of St. Mary's Terrace through to College Road as part of any phase 2 development, as this would engage and connect the tallest modules with the public realm of College Road. Whilst this cannot be guaranteed every effort should be made to secure this in the event of a phase 2 proposal coming forward. Nevertheless the subject proposal, on its own, is considered to provide an acceptable setting for the tall, landmark buildings proposed.

Architectural Quality

The London Plan expects tall and large buildings to incorporate the highest standards of architecture and materials⁹⁷ and these principles are reiterated and amplified by Policy

⁹⁷ London Plan Policy 7.7 C(e).

7.6 *Architecture*. The Local Plan similarly calls for tall buildings to be of the highest architectural quality⁹⁸. The Local Plan also states that tall buildings should:

- ensure that façade, treatment and material articulation of the building is well proportioned, visually interesting and well designed with high quality materials, maintaining its attractiveness over the lifetime of the building, and contributes to its overall elegance and legibility⁹⁹; and
- ensure that fenestration is generous, well proportioned and contributes to a sense of coherence and simplicity of form¹⁰⁰.

The tiered heights and stepped form of the buildings, creating modules that give the appearance of a terrace of towers, is perhaps the single most important component of the architecture of the proposal. The stepped form reflects the internal residential function of the upper levels, the width of each module fully containing the flats accommodated within that module, thus demonstrating that form has followed function in the formulation of the design of the buildings.

Although buildings B and C & D would be wide, the modules would break-up the mass so that the resulting appearance of a terrace of towers would have a strong vertical rather than a horizontal emphasis. Turning to the detail of the elevations, the north and south elevations would be clearly and simply articulated as the principal elevations by the use of 'floor to ceiling' glazing, referred to in the applicant's Design & Access Statement as the screenwall design. The screenwall would be set-in from the outer edges of each module and so would provide a reveal to the principle north and south elevations of each module, and a further sense of depth would be created by the deployment of inset balconies within and at the corners of the modules.

The north and south screenwalls would be the subject of horizontal subdivision every two to three storeys, and within every such horizontal subdivision vertical fins would be used between the inset glazing and the outer edge of the elevations to provide a degree of screening and privacy to the flats within. Crucially, the horizontal subdivisions and the vertical fins would be so arranged as to prevent the appearance of continuous horizontal lines across the modules (thus further emphasising the perception of a terrace of component towers) whilst the vertical fins would be arranged in response to internal layout/function but would not result in continuous vertical lines across the horizontal subdivisions. The proportions of the horizontal subdivisions would be replicated by the 'double height' of the library storey at ground floor level within building B, and would give prominence to the library both as the anchor use at ground floor level but also as an appropriate visual 'podium' (particularly where it projects out from the modules at the rear) for this, the tallest of the buildings within the development. A more-than one storey height would also be used to give proportion to the ground floor spaces of buildings A, C & D.

The east and west elevations would read as the flank elevations of the component modules, reflected by the description in the applicant's Design & Access Statement as the sidewall design. By contrast to the north and south screenwalls, the sidewalls would be deliberately more massive in appearance – a solid wall punctuated by window openings and balcony returns rather than the dominance of inset glazing of the principal elevations. However, the continuity of the horizontal subdivisions and vertical 'floor to

⁹⁸ Local Plan Policy AAP 6 D(b).

⁹⁹ Local Plan Policy AAP 6 D(h).

¹⁰⁰ Local Plan Policy AAP 6 D(i).

ceiling' narrow window openings would ensure coherence between the north/south and east/west elevations.

Turning to the materials, insulated glass would be the primary component to the north/south elevations and to the vertical window openings on the east/west elevations, backpainted where the glass spans internal floor subdivisions, and with linear grilles to the tops of windows where required. The balconies would also be enclosed by clear glass balustrades. The solid (concrete) horizontal subdivisions and the fins to the north and south elevations would be finished in a light colour, although the Design & Access Statement indicates that the access angle of the fins would be finished in an accent colour (terracotta is depicted for illustrative purposes only). The solid (concrete) parts of the east and west elevations would also have a smooth, light coloured finish but with a rough texture to the angled edges of the window reveals that would add interest by variation.

It is considered that the form and architecture of the proposal has been carefully and well thought-out in response to the context of the Harrow Town Centre Central sub area, the requirement for a truly landmark development, the constraints of the site (particularly its configuration) and the recognition that it almost certainly represents a 'one-off' development for Harrow in terms of height and scale. The treatment of the elevations is such that there would be a clearly perceptible orientation to the component modules of the buildings, and the buildings would be well articulated in terms of vertical emphasis, horizontal subdivisions and depth. The 'floor to ceiling' height windows and the height of the ground floor storey of the buildings would communicate the generosity and vertical proportions of the fenestration in a simple and coherent manner across the development. The buildings would be visually interesting, comprising legible and elegant component modules. Taken as a whole, it is concluded that all of the described architectural attributes of the proposal point to a development that achieves the bar established in policy for tall buildings of the highest quality of architecture.

Whilst it is emphatically necessary to assess the architectural merit of the subject proposal against the requirements of the current development plan for Harrow, it may nevertheless be helpful to revisit the Planning Inspector's criticisms of the architecture of the 'Dandara' proposal. A recurring theme of the Inspector's criticisms was that the design of the proposal did not result in the form of the buildings following their function, indicating that he thought the applied 'art deco' style not particularly relevant to Harrow and that the style had not been combined with a logical plan layout. He singled out the observation that breaks and changes in the plan layout of the buildings often bore no relationship to the internal arrangement of the flats. He also noted that the proposal was visually unclear whether it was intended to be one building or three linked buildings and concluded, as a result, that the development would have an 'uncomfortable width' and not be slender. For the reasons set out in this report, it is considered that the development addresses the criticisms of the former proposal and is of considerable architectural merit in its own right.

Given the importance of the quality of the architecture and finished appearance of the proposal in making the principle of tall building development acceptable on this site, it is considered necessary to ensure that the development is carried out to the standard promised in the application and that, as required by Local Plan policy, it maintains its attractiveness over the lifetime of the development. For this reason the following controls are recommended, as conditions of planning permission: (i) agreement of the materials to be used and any colours to be applied to the external finishes of the proposed

buildings; and (ii) agreement of a strategy for maintaining (cleaning, repainting and repairing/replacing) the external surfaces of the building. More significantly, perhaps, the Committee is requested to convey to the applicant an unequivocal expectation that the development will be carried out to the high standard proposed in the application. As a safeguard, it is proposed to include in the section106 Planning Obligation a provision requiring the applicant to undertake to set out a strategy for ensuring that the quality of the architecture and finish are preserved through all phases of development including delivery on site.

Finally, the London Plan requires as part of the consideration of architectural quality that the proposal includes sustainable design and construction practices. These are appraised in a separate section of this report (below).

Impact on Views and Heritage Assets

The London Plan requires tall buildings not to adversely affect local views and that tall buildings proposed in sensitive locations (such as the setting of conservation areas or listed buildings) should be given particular consideration¹⁰¹. The need for consideration of the impacts of tall building proposals upon views and heritage assets is reiterated in the Local Plan¹⁰².

Given the complexity of these issues and the particular sensitivity of Harrow-on-the-Hill and St. Mary's Church, they are appraised in a separate section of this report (below).

Impact on Surroundings

The London Plan states that tall buildings should not adversely affect their surroundings in terms of microclimate/wind turbulence, overshadowing, noise, reflected glare, and interference to aviation and telecommunications¹⁰³. These are considered in turn below.

(a) Microclimate - Wind Turbulence

An assessment of the wind microclimate is incorporated within the Environmental Statement, submitted with the planning application.

The assessment uses the Lawson Comfort Criteria which provides categories of suitable activity that can be carried-on at different wind speeds. Starting with activities more tolerant to higher wind speeds and graduating down to activities that require calmer conditions, the criteria are as follows:

- roads and car parks (where pedestrians are not expected to linger);
- business walking (purposeful rather than leisure walking);
- leisure walking (comfortable strolling);
- pedestrian standing (waiting at bus stops, window shopping, etc.);
- entrance doors (entering/leaving buildings); and
- sitting (requiring conditions calm enough for comfortable outdoor sitting).

Modelled wind levels are then classified on the degree to which they are calmer ('beneficial') or windier ('adverse') than desired for the type of activity that might be anticipated within different parts of the development. It should be noted that, other than for roof terraces (which would not be expected to be used for sitting out during the winter

¹⁰¹ London Plan Policy 7.7 D(b) and E.

¹⁰² Local Plan Policy AAP 6 D(c) and D(g).

¹⁰³ London Plan Policy 7.7 D(a).

months), the assessment is based on conditions during the winter months and without any allowance for landscaping, so as to give a worst-case scenario for modelling purposes.

The findings of the assessment are as follows:

- Most of the ground level outdoor areas within/immediately surrounding the site would have comfort levels at the 'sitting' and 'entrance doors' criteria and much of the area between buildings B and C (i.e. St. Mary's Terrace) would have a comfort level at 'leisure walking'. However, a small area to the north of building B (where there would be steps up to a residents' amenity space) and a pinch point between building A and the adjacent corner of the former First National House (forming the opening to the proposed library garden/pavilion area) would suffer localised wind levels equivalent to the business walking/roads & car parks comfort criteria, where 'strong winds' may be expected in the windiest season. This represents adverse conditions at ground level requiring mitigation.
- The entrances to buildings C & D and some of the library/retail unit entrances would be located in the aforementioned zones where it is anticipated that localised wind levels would be at the upper levels of the comfort criteria, once again representing adverse conditions that require mitigation.
- With the exception of parts of building A which would perform better, the roof terraces would have comfort levels ranging from the 'entrance doors' to 'pedestrian standing' criteria, as modelled for the summer season. These represent adverse (though not surprising, given the heights of the roof terraces) conditions requiring mitigation.

As noted above, the assessment is based on a worst-case scenario and it envisages that the general landscaping and proposed entrance canopies would contribute to localised wind speed reduction. However, proposed specific mitigation recommended in the assessment comprises:

- Use of substantial landscaping (semi-mature or mature evergreen trees), screens, public art or other obstacles to reduce in the ground level areas that are predicted to otherwise suffer wind levels equivalent to the business walking/roads & car parks comfort criteria. These mitigations would also contribute positively to the conditions of the ground level outdoor areas for amenity use during the summertime.
- Use of canopies, side screens and recessed openings, in addition to the general landscaping, to bring wind speeds down to the appropriate comfort criteria at the buildings' entrances.
- Use of 1.5 metre high balustrades (already shown on the proposed elevations) to enclose the roof terraces, together with soft landscaping and/or screens within the terraces, and solid balustrades to the private balconies (including side screens to corner balconies).

Subject to a condition to secure mitigations that would achieve appropriate reductions in wind speeds to those parts of the site and surroundings that would be adversely affected, it is considered that the proposal's impact upon local wind turbulence would be acceptable.

Finally, the assessment notes that the platforms at Harrow-on-the-Hill Station are anticipated as suitable for 'pedestrian standing' or 'leisure walking', representing negligible to minor-adverse effects. The assessment advises that wind tunnel testing could be carried out at the Station to determine the need for mitigation and that, if mitigation is required, this could involve additional hard and soft landscaping to the

southern boundary of the site. This may also be secured as a condition of any planning permission.

(b) Overshadowing

An assessment of the daylight, sunlight and overshadowing is incorporated within the Environmental Statement, submitted with the planning application. The daylight and sunlight components of the assessment are appraised in relation to residential amenity elsewhere in this report.

The assessment finds that only 24% of the amenity area within the development would receive at least two hours of sunlight on 24th March. The BRE recommends that, for an amenity area to be adequately lit, at least half of the area should receive at least two hours of sunlight on the 21st March. Based on the assessment's criteria for classification of impact, this would be equivalent to a major adverse effect¹⁰⁴. The Council's consultant, Delva, Patman Redler has commented on this aspect of the proposal's performance as follows:

"The overshadowing assessment indicates that 24% of the proposed amenity area within the scheme itself will receive at least two hours direct sunlight on March 21st. This is less than half the 50% target set by the BRE Guidance. This is of little surprise given the height, orientation and density of the blocks B, C & D to the south of the site that create a major obstruction to the direct access of light throughout the day to the central area located courtyard space. There will be many areas within this space which do not receive any direct sunlight at all throughout the year. Careful consideration of the landscaping of this space and sitting out areas will be required to ensure its suitability for purpose".¹⁰⁵

Further analysis of the applicant's assessment shows that large parts of St. Mary's Terrace and the library garden would meet the target set out in the BRE guidance. Most of the area to the north of building C & D would receive very no sunlight on 21st March and the applicant has responded to this issue by revising the proposal to relocate the dedicated children's play area to the south side of building C& D. The applicant's assessment shows that 30% of the new civic square would receive at least two hours of sunlight on 21st March; whilst still not reaching the 50% BRE target, this would represent only a moderate adverse impact based on the assessment's criteria for classification of impact¹⁰⁶.

It is clear that the civic square could not be described as a 'sun trap' and the residents' amenity area to the north of building C & D would be a particularly shady place. However, these areas would be complimented by lighter areas in particular, within the public realm, St. Mary's Terrace, the southern pedestrian link and the library garden, and for residents by the communal rooftop gardens. Taken as a whole, the proposal would provide a mix of brighter and shadier areas and is considered to be acceptable in this regard.

(c) Noise

¹⁰⁴ i.e. less than 25% of the area would receive at least two hours of sunlight.

¹⁰⁵ Extract from Delva, Patman Redler's letter dated 24th March 2015.

¹⁰⁶ i.e. between 25% and 39% of the area would receive at least two hours of sunlight.

The noise environment and the noise impacts of the proposed development are appraised elsewhere in this report.

(d) Glare

No information on glare has been submitted with the application and none was sought by officers as part of the scoping exercise for the Environmental Statement. Given the arrangement of the buildings on the site and the presence of the former First National House, it is considered that the risk of glare occurring from the north elevations of the proposed buildings or the south-facing elevation of building A is insignificant. The side (east and west) facing elevations would not be substantially glazed so the principle risk of glare occurs from the south facing elevations of buildings B, C & D. Even here, retained deciduous trees along parts of the railway embankment would be likely to mitigate the risk of glare from lower levels of the south elevation of buildings C & D.

To quantify more precisely the extent of the risk of glare and to allow for appropriate mitigation (such as installation of glare-reducing glazing) should that be found to be necessary, it is considered that this matter be reserved as a condition.

(e) Aviation

On 5th February 2015 the Department for Communities and Local Government notified the Council of a new safeguarding direction in respect of RAF Northolt. In accordance with the direction, the Ministry of Defence (MoD) has been consulted on the planning application the subject of this report.

The MoD responded on 5th June and has raised an objection to the height of the proposed development on the basis that it would disrupt the effective operation of a precision approach radar (PAR) in use at RAF Northolt. It has also requested that a construction management strategy be required, as a condition of any planning permission, to enable the height of cranes and other tall construction infrastructure to be managed in relation to the PAR.

Given the implications of this late and unexpected objection from the MoD, Council officers have arranged to meet with offices of the MoD on Tuesday 23rd June. The applicant has appointed a consultant to provide advice in relation to this issue and the initial advice received as reproduced in a preceding section of this report. The outcome of the meeting, which will doubtless include discussion of the aforementioned consultant's advice, will be reported to the Planning Committee as addendum information.

(f) Telecommunications

The applicant has supplied, as additional information, a report by a broadcasting consultant and the impact of the proposed development upon the receipt of broadcast signals. The report advises that:

- due to the lower frequencies use, there is considered to be no significant risk to radio reception;
- there would be a short satellite TV reception 'shadow' falling to the north-west of the development and therefore affecting St. Ann's Shopping Centre, 17-29 (odds) and 24-36 (evens) College Road; and

- there would be a longer terrestrial TV reception 'shadow' falling to the north-west of the development and affecting St. Ann's Shopping Centre, Queens House and St. George's Shopping Centre.

The Ofcom publication *Tall Structures and their impact on broadcast and other wireless services* (2009) identifies the following remedial measures for TV reception: the installation of better quality, high-mounted aerials; re-orientation to alternative transmitters; subscription to cable services where available; and (subject to licence requirements) installation of private low-power relay transmitters. It should be noted that neither Ofcom nor the BBC comment on individual development proposals and so have not been consulted.

The applicant's report states that the impact on satellite TV reception may be rectified by the re-siting of the satellite dishes serving flats in College Road (to more elevated positions, out of shadow) and that the impact on terrestrial TV reception would not affect any residential dwellings. However, no proposals for securing the relocation of the satellite dishes is suggested, and in relation to Kings & Queens House it is noted that 'prior approval' has been granted for office to residential conversion. It is therefore considered necessary to require the investigation and implementation of any reasonable mitigation, as a condition of any planning permission, of the impact of the development on broadcast signal reception. Investigation should explore the methods identified in the aforementioned Ofcom publication and such others as may be considered appropriate by a suitably qualified person in this field.

Local Plan Policy DM 49 *Telecommunications* requires proposals for major development to make provision for communal satellite and digital television receiving equipment. The policy is considered particularly important in respect of the proposal, where multiple satellite dishes or other such apparatus could seriously harm the appearance of what would otherwise be a landmark development. It is therefore considered necessary to control the future installation of telecommunications equipment as a condition of any planning permission.

Other Tall Building Considerations

The London Plan states that tall and large buildings should: have ground floor activities that provide a positive relationship to the surrounding streets; contribute to improving the permeability of the site and wider area, where possible; incorporate publicly accessible areas on upper floors, where appropriate; and make a significant contribution to local regeneration¹⁰⁷. The Local Plan similarly calls for tall buildings to contribute to the overall townscape during the day and night; incorporate a high quality urban realm fronting the tall landmark building, and secure a complete and well-designed setting at street level and positively define the character of the public realm¹⁰⁸. Many of these requirements are also reflected in the design considerations of the site allocation.

The proposed civic square and St. Mary's View would provide both a setting for the tall buildings at ground level and, together with the proposed linking components of public realm to the west of building A and to the south of buildings C & D, would provide a legible, comfortable and attractive route through the site that would increase pedestrian and cyclist permeability between Station Road and College Road. The submitted Design

¹⁰⁷ London Plan Policy 7.7 (f), (g), (h) & (i).

¹⁰⁸ Local Plan Policy AAP 6 D (f), (j) and (k).

& Access Statement advises¹⁰⁹ that a new crossing point has been proposed on College Road which would further improve pedestrian connectivity between the site and other parts of the town centre.

The presence of the proposed new library as the anchor non-residential use within the development together with the other active ground floor uses proposed would appropriately define the character of the public realm as being part of the town centre. The ground floor uses within building A would re-introduce activity to the south side of this part of College Road and, if provided as double-frontage units, would help to connect the proposed square and College Road at ground floor level. The public realm would enjoy very high levels of natural surveillance that would contribute positively to perceptions of security and any extension of the town centre's CCTV network into the site would further enhance perceptions of security that would, it is envisaged, encourage active use of the public realm.

The Design & Access Statement addendum provides details of the materials to be used in the finish of the public realm. These include granite paving and kerb stones, interspersed by semi-mature tree planting, to the adjacent part of College Road, selected for continuity with the recently refurbished parts of Station Road and St. Ann's Road. Within the development site itself, linear granite paving would be used with feature natural stone paving bands, planting, sculptural seating, catenary lighting and a 'mirror pool' to define the civic square and St. Mary's Terrace, whilst granite paving would be used to connect the route along the south side of the site back to Station Road. It is considered that the specific details of the hard and soft landscaping and agreement of the final selection of the materials to be used (to ensure durability and practical maintenance) should be secured as a condition of planning permission, but that the proposals set out in the Design & Access Statement are indicative of the high quality of public realm sought in the development plan.

Paragraph 4.33 of the Harrow & Wealdstone AAP Local Plan document notes the potential for tall landmark buildings within the Heart of Harrow to offer the opportunity for the public to enjoy views towards central London and of the local/surrounding counties' landscape. It is considered that the proposed tall buildings on the subject site offer a particularly valuable opportunity to enjoy, from the upper floors, views towards central London landmarks, Harrow-on-the-Hill, the Harrow Weald Ridge and (more distantly) parts of Buckinghamshire/ Berkshire. As noted in the *Infrastructure* section of this report, the question of public access was raised with the developer during pre-application discussions, following which officers accepted that a dedicated public viewing area or viable non-residential use – in either case requiring access arrangements to be permanently independent of those for the residential parts of the buildings – would be unlikely to be feasible. However, the idea of an agreement to allow for limited public access onto the communal roof terraces of each block for one weekend of each year was tabled by the applicant team and accepted by officers as a workable and desirable solution. Subject to the inclusion of such arrangements in the Planning Obligation it is considered that the proposal would comply with the London Plan in this regard.

The proposal would secure the redevelopment of a site that has been disused for over ten years and is now in some state of dereliction. It is anticipated that the mere fact of redevelopment would improve perceptions of Harrow town centre and confidence in the strength of the local economy. In terms of the specific proposal, the delivery of a

¹⁰⁹ See section 4.2 of the Design & Access Statement.

substantial number of new homes would create the potential for a share of the household incomes of those new homes to be expended locally, helping to support shops & services (and therefore existing jobs) within the Borough and within Harrow town centre in particular. The inclusion of new commercial floorspace within the proposed development would also contribute to the creation of a number of new jobs within the town centre and, again, it is considered that local spending by employers/employees associated with that floorspace would be a likely positive economic effect of the development. In its consultation response the Council's Economic Development team has requested a financial contribution towards the Xcite construction training programme and a Training & Recruitment Plan to optimise the potential for local residents to benefit from jobs created as a result of the development, both of which can be secured as part of the Planning Obligation. Taking all of these benefits together, it is concluded that the development would make a significant contribution to the regeneration of Harrow.

16) Taller Buildings

Current Development Plan Policy for Taller Buildings

As noted above, proposed building A ranges from 23-29 metres in height and, in terms of storeys, this equates to a range of between 6 and 8 storeys. In its context, building A is considered to be a 'taller' rather than a tall building for the purposes of the Local Plan definition. Policy AAP 6 requires proposals for taller buildings to be justified in community benefit and urban design terms, and to:

- be of a high standard of architectural quality and design¹¹⁰;
- protect & preserve views and conserve & enhance the significance of heritage assets¹¹¹;
- be sensitive to, and engage with, the street environment, and encourage use of the street by pedestrians¹¹²;
- provide for an articulation of the prevailing parapet height of adjacent buildings¹¹³; and
- avoid a canyon effect¹¹⁴.

The urban design and architectural quality of building A would be consistent with that of the other proposed buildings and would be a part of the development delivering a new central library, wider regeneration and other community benefits as set out in the appraisal of 'tall' buildings above. Consideration of the impact of the development upon views and heritage are dealt with separately below.

As with buildings B, C & D, building A would be stepped and tiered. The stepped arrangement in plan form would reflect that of the rest of the development and would articulate managed transition in the building line fronting College Road between the adjacent former First National House and 17-33 College Road. In elevation, the stepped arrangement would create the perception of three component modules that would have a visual relationship (albeit narrower) visually related to but smaller than the three component modules of building B directly behind. Also in elevation, the tiered heights of each of the three component modules would step down from west to east (the converse

¹¹⁰ Local Plan Policy AAP 6 C(a).

¹¹¹ Local Plan Policy AAP 6 C(b).

¹¹² Local Plan Policy AAP 6 C(c).

¹¹³ Local Plan Policy AAP 6 C(d).

¹¹⁴ Local Plan Policy AAP 6 C(e).

of building B behind) and with less pronounced height differentials than other buildings in the development (reflecting the smaller scale of building A), and would articulate a managed transition in the height fronting College Road between the adjacent former First National House and 17-33 College Road. Taken together, it is considered that building A would give the development as a whole a clear architectural coherence whilst simultaneously being sensitive to, and engaging with, the street environment of College Road. The reintroduction of active uses to the ground floor of this part of College Road together with the new residential use of the site and the proposed public realm would be likely to draw pedestrians to this part of the town again.

Given the width of College Road, the height of Granville Parade (opposite) and the stepped and tiered arrangement of proposed building A, it is not considered that the proposal would give rise to a canyon effect in this part of College Road.

17) Locally Protected Views

Background: Harrow Unitary Development Plan (2004) and the 'Dandara' proposal (2008)

In 2004 the Council adopted the replacement Harrow Unitary Development Plan (UDP). Schedule 4 of the UDP set out a list of important local views and landmarks, and these were identified on a map accompanying Policy D31 of the UDP.

Many of the affected UDP protected views and landmarks, together with a number of views that were not protected in the UDP, were examined at Public Inquiry as part of Dandara's appeal. As noted elsewhere in this report, one of the key principles established by the Secretary of State's decision on the Dandara proposal is that visibility should not be conflated with harm. The Inspector's Report amplifies the point: there is nothing wrong with being able to see a building within a view and that, in fact, being able to see a well-designed building within an existing view may enhance rather than diminish the value of that view¹¹⁵. In appraising the specific scheme before him, the Planning Inspector repeatedly found that the prominence of St. Mary's Church spire on the Hill would not be adversely affected¹¹⁶ and in coming to his conclusion on the acceptability in principle of a tall building on the site noted that:

“...I have assumed a building no taller than proposed in the appeal scheme; taller than that and St. Mary's spire might become obscure in some views...”¹¹⁷.

One of the consequences of the Public Inquiry's scrutiny into local views was that some of those identified in the UDP were found to be unworthy of the protection afforded to them, whilst others that were considered as part of the appeal but not identified in the UDP were found to be of value (albeit not harmed by the appeal proposal). A comprehensive local Views Assessment was commissioned and carried out, in consultation with residents, and formed the evidence base upon which views were included (and others not included) for protection in the current Local Plan. The Views Assessment also supported the principle, now a requirement of the Local Plan, of exploiting opportunities to open-up new views towards Harrow-on-the-Hill and St. Mary's from within Harrow town centre.

¹¹⁵ See for example paragraphs 168 and 169 of the Planning Inspector's report dated 1st June 2010.

¹¹⁶ See for example paragraphs 162, 163 and 170 of the Planning Inspector's report dated 1st June 2010.

¹¹⁷ See paragraph 171 of the Planning Inspector's report dated 1st June 2010.

Current Development Plan Policy for Locally Protected Views

London Plan Policy 7.12 *Implementing the London View Management Framework* (LVMF) sets out the planning decisions criteria for the consideration of proposals affecting views designated in that Plan. None of the London Plan designated views relate to Harrow, however it is worthy of note here that the policy enables boroughs to apply the LVMF principles to the designation and management of local views¹¹⁸. In 2012 the Mayor of London supplemented Policy 7.12 with the replacement *London View Management Framework* SPG. Harrow's Views Assessment was carried out in accordance with the methodology set out in the SPG and followed the principles of the parent London Plan Policy 7.12.

The importance attributed to Borough's local views is reflected by the inclusion in the Core Strategy spatial vision of a desire that views of St. Mary's Church and Harrow Weald Ridge will be a distinctive local feature cherished by residents and visitors alike. To that end Policy CS1 C undertakes to resist proposals that would harm identified views. Turning to the Core Strategy sub-area provisions, Policy CS2 *Harrow & Wealdstone* refers to the opportunity to open-up new views and vistas, Policy CS3 *Harrow-on-the-Hill and Sudbury Hill* calls for St Mary's Church to continue to be recognised as an important landmark whilst Policy CS7 *Stanmore & Harrow Weald* requires development to be managed to maintain identified views of Harrow Weald Ridge.

Following the completion of the Harrow Views Assessment in 2012, 11 local views are identified for protection in the Local Plan and fall into three broad categories: protected views within an urban setting; protected medium range views from open space; and protected long range reviews from open space. A description of and visual management guidance for each view is given is provided at Schedule 3 of the Development Management Policies Local Plan document.

Those views selected for assessment of the subject proposal's potential impact are:

- Harrow View
- Roxborough Road Bridge
- Gayton Road
- Capital Ring, Harrow School Playing Fields
- The Grove
- Old Redding
- Stanmore Country Park Extension ('Wood Farm')

Other than The Grove, they are all protected views of the landmark that is St. Mary's Church atop Harrow-on-the-Hill. Therefore, in accordance with LVMF methodology, each of these views has a narrow 'landmark viewing corridor' (shown in red in the Local Plan) and most also have a 'wider setting consultation area' (shown in yellow in the Local Plan). The Grove is a protected view towards Harrow Weald Ridge and so, with no specific single point on the ridge forming a landmark focal point, this view has no 'landmark viewing corridor' but is instead protected by an expansive 'wider setting consultation area'. The extent of each corridor/consultation area is shown on plan and each landmark viewing corridor has a 'threshold' height in elevation.

¹¹⁸ See London Plan Policy 7.12 J.

The Harrow Views Assessment incorporated policy recommendations and these have been written into the Local Plan. With cross references from various other parts of the Local Plan, Policy DM 3 *Protected Views and Vistas* states that:

- Development within a landmark viewing corridor (shown in red) should not exceed the specified threshold height unless it would comprise world class architecture or display outstanding qualities either of which would result in the enhancement of the protected view¹¹⁹.
- Development in the wider setting consultation area (shown in yellow) should form an attractive element in its own right and preserve or enhance the viewer's ability to recognise and appreciate the landmark.¹²⁰

In respect of development within landmark viewing corridors, paragraph 2.26 of the reasoned justification to the policy provides further insight into the intended operation of the policy with specific reference to the application site:

“Part B(a) of the policy gives effect to the reasoning set out in an appeal decision relating to 51 College Road. Poorly located and designed buildings, and those of inappropriate height, could significantly detract from these views which are an important characteristic of the Borough. However, visibility should not be conflated with harm. A truly outstanding design that is well located and designed to inspire, excite and delight the viewer may enhance a protected view even if it would exceed the threshold height of one or more landmark viewing corridors...”

The Policy also requires that development should:

- not harm and, where possible, should make a positive contribution to the characteristics and composition of views and their landmark elements; and preserve and enhance the viewer's ability to recognise and appreciate the landmark¹²¹;
- not be overly intrusive or unsightly in the foreground and middle ground to the detriment of the view or detract from the prominence of the landmark¹²²; and
- give context to landmarks and not harm the composition of the view as a whole in the background¹²³.

The application has been accompanied by an Environmental Statement which includes an entire volume entitled Heritage, Townscape and Visual Impact Assessment (HTVIA). The impact of the proposal (both individually and cumulatively with other schemes¹²⁴) on the locally protected views has been assessed and the findings set out in the HTVIA. For each of the assessed views photo montages have been produced to show the predicted impact of the proposed development.

The HTVIA assessment and its findings has been the subject of independent appraisal for the Council by SLR Consulting Ltd (“the Council's consultant”). During the course of the application the Council's consultant sought clarification on a number of matters, which the applicant has responded to¹²⁵, and he carried out his own site visits on 27th

¹¹⁹ Local Plan Policy DM 3 (B)(a).

¹²⁰ Local Plan Policy DM 3 (B)(b).

¹²¹ Local Plan Policy DM 3(C).

¹²² Local Plan Policy DM 3(D).

¹²³ Local Plan Policy DM 3(E).

¹²⁴ The other schemes considered for cumulative impact purposes are Harrow College extension (P/3889/13) and the redevelopment of Equitable House/Lyon House (P/3118/11). Both schemes are now underway.

¹²⁵ By email dated 20th April 2015.

May. The Council's consultant has advised that the HTVIA and subsequent clarification supplied by the applicant provides a suitable and appropriate approach to the assessment of the visual effects of the proposed development. The HTVIA findings reported below take into account the applicant's clarification. The conclusions of the Council's consultant are also provided.

Protected Views within an Urban Setting

Harrow View

The Harrow View viewing location is situated to the south of the junction of Harrow View with Buckingham Road/Radnor Road and is categorised as a protected view within an urban setting. It provides a view towards St. Mary's Church and Harrow-on-the-Hill. The view is deemed valuable because of the prominence of St. Mary's and the Hill together with the visual link that it provides with this nearby part of residential Harrow. As the view is a comparatively narrow one, framed by buildings either side of this part of Harrow View, it defined by a landmark viewing corridor only (i.e. no wider setting consultation area is shown).

The applicant's HTVIA finds that the proposal would have no significant effect on this protected view and indeed the photo montages suggest that the development would not be visible from the assessment point used in the Local Plan (which is situated on the eastern side of Harrow View) because of the presence of domestic buildings and vegetation in the foreground. There would be no intrusion into the landmark viewing corridor of this view. The Council's consultant has indicated that he concurs with the HTVIA findings in respect of this view.

Roxborough Road Bridge

The Roxborough Road Bridge viewing location comprises the segregated pedestrian bridge over the Metropolitan and Chiltern railway lines to the south-east of the Morrison's/Trident Point development and is categorised as a protected view within an urban setting. It provides a view towards St. Mary's Church and Harrow-on-the-Hill. The view is deemed valuable because of the prominence of St. Mary's and the Hill together with the unique opportunity to also view Harrow Weald Ridge from this pedestrian location. The view is defined by a landmark viewing corridor in the south-east direction towards the Hill and by a wider setting consultation area in a more easterly direction (over the adjacent part of Harrow town centre, including the application site).

The applicant's HTVIA finds that the proposal would have a moderate beneficial effect on this view, because of the increased visual interest that the development would introduce into the wider setting consultation area of the view, and this finding is consistent for the development on its own and cumulatively with other schemes. There would be no intrusion into the landmark viewing corridor of this view.

The Council's consultant has advised that he considers the effect to be moderate neutral because the proposal stepped and overlapping blocks would be less evident from this angle.

The Local Plan notes of this view that it "*...provides a rare opportunity to view St Mary's and Harrow-on-the-Hill in the context of Harrow Town Centre; in particular it demonstrates clearly how prominent the Hill is even when compared with the mid-rise buildings within the centre....*" and seeks to maintain or enhance that prominence by

guiding that development does not exceed the maximum height levels shown¹²⁶. However, the HTVIA photo montages indicate that the proposed buildings B, C & D would project above the yellow line (in elevation) of the wider setting consultation area of this view.

Although above the yellow line (in elevation) and therefore at odds with the visual management guidance for this view, the proposal would be clearly perceptible to the viewer as a part of the dense urban built environment of the adjacent part of Harrow town centre which forms a part of the context for this view, albeit significantly taller than other buildings which form this part of the view's wider setting consultation area. The photo montage shows that the stepped and tiered arrangement of the buildings would be perceptible (obliquely) in this view. Given the separation between the proposal and St. Mary's in this view, the viewer's ability to recognise and appreciate the landmark the subject of the protected view would be preserved.

It is concluded that, notwithstanding the projection of the development above the yellow line wider setting consultation area of this view, the policy objectives for the view would not be compromised. In accordance with the evidence of the Council's consultant, there would be a moderate neutral effect upon this view.

Gayton Road

The Gayton Road viewing location is situated to the west of the junction of Lyon Road with Gayton Road and is categorised as a protected view within an urban setting. It provides a view towards St. Mary's Church and Harrow-on-the-Hill. The view is deemed valuable because the prominence of St. Mary's and the Hill is surprising and impressive at this location, and a stark contrast to the townscape in the foreground and middle ground. The view is defined by a landmark viewing corridor in the south-west direction towards the Hill and by a narrow wider setting consultation area in a more southerly direction (over properties in Grove Hill Road).

The applicant's HTVIA finds that the proposal would have a moderate beneficial effect on this view, because of the increased visual interest that the development would introduce into the broader townscape context of the view, and this finding is consistent for the development on its own and cumulatively with other schemes. It should be noted that the development would not intrude into either the landmark viewing corridor or the wider setting consultation area of this view. The Council's consultant concurs that there would be a moderate beneficial effect on this view.

The HTVIA photo montage for this view shows that the proposed development would introduce a substantial new feature into the broader townscape context of the view. As with the Roxborough Road Bridge view, however, the effect of this would be to reinforce one of the principal characteristics of the view i.e. that of the contrasting relationship between Harrow town centre and the Hill. As with existing buildings in the foreground and middle ground of this view, the proposal would appear in perspective to be larger/taller than St. Mary's and the Hill, but the viewer's ability to recognise and appreciate the landmark the subject of this protected view would nevertheless be preserved and it is not considered that the development would be overly intrusive or unsightly to the view, given the context.

¹²⁶ See Schedule 3 (2. *Roxborough Road Bridge*) of the Development Management Policies Local Plan document.

It is concluded that the policy objectives for the view would not be compromised. Indeed, in accordance with the evidence and as validated by the Council's consultant, there would be a moderate beneficial effect upon this view.

Protected Medium-Range Views from Open Space

Capital Ring, Harrow School Playing Fields

This viewing location is situated on that part of the Capital Ring orbital walking route that passes through Harrow School playing fields to the west of Watford Road and is categorised as a protected medium-range view from open space. It provides a view towards St. Mary's Church and Harrow-on-the-Hill. The view is deemed valuable because the open foreground accentuates the prominence of the Hill and the absence of background development means that St. Mary's Church remains the focal point. The view is defined by a landmark viewing corridor in the west direction towards the Hill and by a wider setting consultation area in a more north-westerly direction (towards Harrow town centre).

The applicant's HTVIA, as clarified during the course of the application, finds that the proposal would have a moderate beneficial effect on this view, because the development would introduce a landmark orientating the location of Harrow town centre/Harrow-on-the-Hill Station into the wider setting consultation area of the view, and this finding is consistent for the development on its own and cumulatively with other schemes. There would be no intrusion into the landmark viewing corridor of this view. The Council's consultant concurs that there would be a moderate beneficial effect on this view.

The Local Plan notes of this view that "*...Importantly, buildings within the Town Centre are not particularly visible and consequently the relative elevation of Harrow-on-the-Hill is emphasised, and the buildings on the Hill, including St. Mary's, remain the focal point...*" and seeks to maintain that prominence by guiding that buildings of significant mass within Harrow town centre should not exceed the maximum height levels shown¹²⁷. However, the HTVIA photo montages indicate that the proposed buildings B, C & D would project above the yellow line (in elevation) of the wider setting consultation area of this view.

Although the proposal clearly comprises buildings of significant mass within Harrow town centre and would be above the yellow line (in elevation), and is therefore at odds with the visual management guidance for this view, it would appear separate and subordinate to St. Mary's and Harrow Hill, and as a background feature within the wider setting consultation area of this view. The photo montage shows that the stepped and tiered arrangement of the buildings would be perceptible (distantly) in this view, meaning that some of the positive architectural qualities of the proposed development would be visible to the viewer and so forming an attractive element in its own right. Given the separation between the proposal and St. Mary's/the Hill in this view, the viewer's ability to recognise and appreciate the landmark the subject of the protected view would be preserved and their prominence would not be successfully challenged. As a visible but nevertheless subservient background feature, the proposal would give context to the view by identifying the relative location of Harrow town centre but without harming the composition of the view as a whole.

¹²⁷ See Schedule 3 (5. *Capital Ring, Harrow School Playing Fields*) of the Development Management Policies Local Plan document.

It is concluded that, notwithstanding the projection of the development above the yellow line wider setting consultation area of this view, the policy objectives for the view would not be compromised. Indeed, in accordance with the evidence and as validated by the Council's consultant, there would be a moderate beneficial effect upon this view.

Harrow Recreation Ground

The Harrow Recreation Ground viewing location is situated to the north of the open space, at its entrance from Cunningham Park, and is categorised as a protected medium-range view from open space. It provides a view towards St. Mary's Church and Harrow-on-the-Hill. The view is deemed valuable because of the prominence of the St. Mary's and the Hill on the skyline and the attractive setting provided by the parkland in the foreground of the view. The view is defined by a landmark viewing corridor in the south-east direction towards the Hill and by a narrow wider setting consultation area either side of the landmark viewing corridor.

The applicant's HTVIA finds that the proposal would have a minor beneficial effect on this view, noting that glimpses of the upper floors of the development would be visible in the background of the view behind the existing tree line at the edge of the open space, and this finding is consistent for the development on its own and cumulatively with other schemes. It should be noted that the development would not intrude into either the landmark viewing corridor or the wider setting consultation area of this view.

The Council's consultant has advised that he considers the effect to be minor neutral because the development would appear to be similar in character and scale to other town centre buildings that are visible above the tree line in this view.

The HTVIA photo montage for this view shows that the proposed development would be largely obscured by trees (including evergreens) at the edge of the open space and by existing town centre development. Those parts of the upper floors of the development that would be visible, as part of the visually recessive element of Harrow town centre in the middle ground of the view's broader context, would not be overly intrusive or unsightly as to be detrimental to the view or detract from the prominence of St. Mary's and the Hill on the skyline. It is considered that any positive contribution to the characteristics and broader composition of this view would be minimal, but the viewer's ability to recognise and appreciate the landmark the subject of this protected view would be preserved.

It is concluded that the policy objectives for the view would not be compromised. In accordance with the evidence of the Council's consultant, there would be a minor neutral effect upon this view.

West Harrow Recreation Ground

The Harrow Recreation Ground viewing location is situated centrally within the park, along the main footpath between Wilson Gardens and The Ridgeway, and is categorised as a protected medium-range view from open space. It provides a view towards St. Mary's Church and Harrow-on-the-Hill. The view is deemed valuable because of the prominence of St. Mary's and the Hill on the skyline and the relationship with the residential townscape of West Harrow in the middle ground and the parkland in the foreground of the view. The view is defined by a landmark viewing corridor in the east direction towards the Hill and by a narrow wider setting consultation area either side of the landmark viewing corridor.

The applicant's HTVIA finds that the proposal would have a minor beneficial effect on this view, noting that glimpses of the upper floors of the development would be visible in the background of the view behind the residential townscape in the middle ground, and this finding is consistent for the development on its own and cumulatively with other schemes. It should be noted that the development would not intrude into either the landmark viewing corridor or the wider setting consultation area of this view.

The Council's consultant has advised that he considers the effect to be minor neutral because it would form a very small built element viewed in the context of other built forms in this view.

The HTVIA photo montage for this view shows that the proposed development would be largely obscured by the existing terrace of houses in Drury Road and that the existing deciduous park trees in the foreground would further obscure the development when in full leaf. Insofar as those parts of the upper floors of the development that would become visible, for example when the foreground trees are not in leaf or should they be removed, the proposal would give context to the view by identifying the relative location of Harrow town centre but without harming the composition of the view as a whole. The viewer's ability to recognise and appreciate the landmark the subject of this protected view would be preserved.

It is concluded that the policy objectives for the view would not be compromised. In accordance with the evidence of the Council's consultant, there would be a minor neutral effect upon this view.

Protected Long-Range Views from Open Space

The Grove

The Grove viewing location is situated on the upper reaches of this north facing side of Harrow Hill, along the footpath that runs between Lowlands Road and Roxborough Park, and is categorised as a protected long-range view from open space. It provides a panorama towards Harrow Weald Ridge. The view is deemed valuable because, from the attractive setting of the open space in the foreground, it provides a strong visual link between Harrow-on-the-Hill, and Harrow town centre and Wealdstone in the middle ground, towards the elevated and visually continuous ridgeline of Harrow Weald Ridge in the background. The view is defined by a broad wider setting consultation area in a north direction (towards Harrow town centre), but as there isn't a specific focal point upon the Ridge no landmark viewing corridor has been defined.

The applicant's HTVIA finds that the proposal would have a major to moderate beneficial effect on this view, because the development would introduce a distinct silhouette and so add interest by providing a varied skyline composition, and this finding is consistent for the development on its own and cumulatively with other schemes. The Council's consultant has advised that he considers the effect to be major beneficial. Acknowledging the sensitivity of the view from The Grove, he offers the following detailed justification for his finding:

"In this view the proposed structure outcrops very significantly above the threshold for the WSCA [wider setting consultation area] and partially screens some of the Weald Ridge. However, the proposed blocks step up towards a significant gap in the built mass, through which the Weald Ridge is clearly visible. The effect of this device is actually to emphasise the presence of the distant ridge, and to assimilate

it within the development. Given that the roofline of existing buildings in the town centre is characterised by a fine texture of various forms and textures, the proposed development provides a strong identity, as well as clearly marking the town centre. For these reasons I would agree that the nature of effect would be beneficial, although the sheer scale of change within the view, and its skyline position, means that the magnitude would be major (and thus the significance of effect would also be major)".

The Local Plan notes of this view that "...*Harrow town centre, in the middle ground of the view, is mid-rise but, importantly, buildings do not breach the Harrow Weald Ridge from this perspective...*" and seeks to maintain Harrow Weald Ridge as the prominent feature within this view by guiding that development of significant mass within Harrow town centre should not exceed the maximum height level shown¹²⁸. However, the HTVIA photo montages indicate that all but one module of the proposed buildings B, C & D would project above the yellow line (in elevation) of the wider setting consultation area of this view and that part of one of the other schemes¹²⁹ considered for cumulative impact will also breach the yellow line. The replacement of the former lift overrun/plant room to provide 9 flats at First National House (P/1883/14) is not shown on the photo montage, but this is of limited consequence as that scheme would not materially increase the existing height of First National House which currently meets (but does not breach) the yellow line.

Given the conclusions elsewhere in this report on the architectural quality of the development, not least the visually interesting stepped and tiered modulated design of the buildings, it follows that the proposal would be an attractive element in its own right within the wider setting consultation area of this view. And by acknowledging the principal of tall building development on the site, there is an inherent acceptance built into the Local Plan that a breach of the yellow line will occur here.

However, again as noted elsewhere in this report, the application proposal does represent a departure from the Local Plan's design criteria and considerations which, cumulatively, point to a single, slender and elegant landmark tall building, distinct from other subordinate buildings on the site which would be lower (10 storeys along the railway). The consequence of this departure, in terms of the visual management guidance for this view, is that the development would be of one significant mass in the middle ground of the view and would exceed the maximum height level shown, resulting in rather more of the Harrow Weald Ridge being obscured by tall buildings than is inherently accepted in the Local Plan.

Ultimately, the proposal must comply with the requirements of Policy DM 3 (unless material considerations indicate otherwise), even if there is a breach of the visual management guidance. In these regards, it is considered that the viewer's ability to recognise and appreciate the continuity of Harrow Weald Ridge in the background would be reasonably preserved across the middle ground by the separation between the development and the Equitable House/Lyon House redevelopment, the gap between the proposed buildings B and C & D, and the uninterrupted view of the rest of the Ridge to the north-east (right) of the Equitable House/Lyon House redevelopment and to the north-west (left) of the proposed development/First National House. The proposal would emphasise the presence of Harrow town centre in the composition of the view and, in so

¹²⁸ See Schedule 3 (8. *The Grove*) of the Development Management Policies Local Plan document.

¹²⁹ The redevelopment of Equitable House/Lyon House (P/3118/11).

doing, contribute to the visual link (which is a characteristic of the view) between the town centre and the Ridge. As part of the middle ground of the view, the proposal would not be unsightly and whilst it may be considered to be intrusive, by reason of its considerable mass in this view, it is not considered to be overly intrusive to the detriment of the view, nor significantly detract from the overall prominence of the panorama of Harrow Weald Ride in the view.

Although the Local Plan provides a new planning policy context, it is germane to revisit the Planning Inspector's remarks, when considering the Dandara proposal, about the view from The Grove open space:

"From higher viewpoints on The Grove, the extent of obstruction of views of the Harrow Weald Ridge skyline by tall buildings on the appeal site would not be great. It would be self-evident that the Ridge ran continuously behind the buildings. I consider that well designed buildings, marking the town centre rather better than any of the existing buildings, could enhance rather than diminish the value of the views from the higher parts of The Grove Open Space"¹³⁰.

It is concluded that, notwithstanding the projection of the development above the yellow line wider setting consultation area of this view, the policy objectives for the view would not be compromised. Indeed, in accordance with the evidence and as validated and strengthened by the Council's consultant, there would be a major beneficial effect upon this view.

Old Redding

The Old Redding viewing location is situated at the Old Redding public car park/picnic area and is categorised as a protected long-range view from open space. It provides a view towards St. Mary's Church and Harrow-on-the-Hill. The view is deemed valuable because of the clear visibility that it provides of St. Mary's and the Hill within a broader panorama that takes in long views of central London and north Surrey. The view is defined by a landmark viewing corridor in the south direction towards the Hill and by a narrow wider setting consultation area either side of the landmark viewing corridor.

The applicant's HTVIA finds that the proposal would have a minor beneficial effect on this view, because the development would introduce a high quality building that would not dominate the view or break the ridgeline [of the Hill] behind it, and this finding is consistent for the development on its own and cumulatively with other schemes. Based on accurate visual representation (AVR), the HTVIA states that part of the development would fall within the landmark viewing corridor and that the remainder would be within the wider setting consultation area (WSCA) of this view. This has been corroborated by the Council's consultant who has advised that the proposed development would outcrop above the landmark viewing corridor (LVC) of this view, but he has concluded that the effect would be a minor neutral one because the development would appear similar in character to other large structures seen within this view.

The Local Plan notes of this view that "...Harrow town centre can be clearly seen in the middle ground..." and seeks to maintain Harrow-on-the-Hill as a prominent feature in the view by guiding that buildings in Harrow town centre should not exceed the maximum height levels shown. The HTVIA photo montages show that the development would sit to the east of St. Mary's Church in this view. During the course of the application, the

¹³⁰ Paragraph 169 of the Planning Inspector's report.

applicant has clarified that "...the majority of the western arm [i.e. building B] of the Proposed Development does fall within the LVC, with elements of the western arm and the whole of the eastern arm [i.e. building C & D] falling within the WSCA..."

The proposal must ultimately comply with the requirements of Policy DM 3 (unless material considerations indicate otherwise), even if there is a breach of the visual management guidance. In this regard the policy allows for the threshold height of a landmark viewing corridor to be exceeded only where the proposed development would comprise world class architecture or display outstanding qualities, either of which would result in an enhancement of the protected view. Paragraph 2.26 of the reasoned justification makes specific reference to 51 College Road in respect of this part of the policy.

Given the conclusions elsewhere in this report on the architectural quality of the development, not least the visually interesting stepped and tiered modulated design of the buildings which would be the principal perceptible feature of the development in this long-range view, it follows that the proposal would display outstanding architectural qualities which would add visual interest to the overall composition of the view. In this regard, therefore, it is considered that the proposal would result in an enhancement to this view.

The policy also requires development not to harm the view, to give context to the landmark the subject of the view and to preserve or enhance the viewer's ability to recognise and appreciate the landmark. The HTVIA photo montages indicate that the development would appear to the east (left) of St. Mary's in this view and that the highest component (i.e. the 20 storey component of building B) would not appear higher than St. Mary's Spire nor breach the silhouette of Harrow-on-the-Hill on the skyline. This is corroborated by the Council's consultant has observed that:

"...the proposed structures would occupy a very small proportion of a panoramic view, and the stepped profile does slope away from St. Mary's: critically, they would also be below the skyline formed by Harrow on the Hill".

Although the proposal would appear (albeit very distantly) as a substantial urban feature in front of the Hill, its architectural quality would make a positive contribution to the characteristics and composition of the view, and its visibility within the view would give context to the landmark by articulating the relationship between Harrow town centre and Harrow-on-the-Hill. The proposal would not harm the view and would enhance the viewer's ability to recognise and appreciate Harrow-on-the-Hill and St. Mary's.

It is concluded that, notwithstanding the projection of the development above the threshold height of the landmark viewing corridor and the yellow line of the wider setting consultation area of this view, the policy objectives for the view would not be compromised. Indeed, as required by Policy DM3 in respect of development exceeding the specified threshold height within a landmark viewing corridor, it is considered that the proposal would display outstanding architectural qualities which would result in an enhancement to the protected view.

Stanmore Country Park Extension, Wood Farm

The Wood Farm viewing location is situated at the north end of Stanmore Country Park extension, which it is anticipated will open to the public later this year, and is categorised as a protected long-range view from open space. It provides views towards central

London, Wembley Stadium and Harrow-on-the-Hill/St. Mary's Church. The view is deemed valuable because of the excellent opportunity that it provides to view Harrow-on-the-Hill (and indeed the Borough more generally) within the context of London as a whole. The view is defined by a narrow landmark viewing corridor in the south-west direction towards the Hill and by a wider setting consultation area either side (but predominantly to the east) of the landmark viewing corridor.

The applicant's HTVIA finds that the proposal would have a minor beneficial effect on this view, because the proposal would be viewed in the context of the mixed townscape of Harrow town centre and interposing development, atmospheric effects and distance, and would not affect the viewer's ability to appreciate the spire of St. Mary's. As originally submitted, the HTVIA stated (erroneously) that the development would not fall within the landmark viewing corridor (LVC) but would be within the wider setting consultation area (WSCA) of this view. During the course of the application, the applicant has clarified that: "By reviewing the AVR [accurate visual representation] for viewpoint 9 (Wood Farm) with the Schedule 3 imagery, it is considered that the whole of the eastern arm [i.e. building C & D] of the Proposed Development is likely to fall within the LVC, with the remaining western arm [i.e. building B] within the WSCA".

The Local Plan notes of this view that "...*Harrow-on-the-Hill and St. Mary's are clearly visible on the skyline to the right of the view, Wembley Stadium at the centre and landmarks within central London to the left...*" and seeks to maintain the skyline formed by St. Mary's and Harrow-on-the-Hill by guiding that buildings in Harrow town centre should not exceed the maximum height levels shown. However, the HTVIA photo montages indicate that the proposed buildings B, C & D would project above the red line (in elevation) of the landmark viewing corridor of this view.

The proposal must ultimately comply with the requirements of Policy DM 3 (unless material considerations indicate otherwise), even if there is a breach of the visual management guidance. In this regard the policy allows for the threshold height of a landmark viewing corridor to be exceeded only where the proposed development would comprise world class architecture or display outstanding qualities, either of which would result in an enhancement of the protected view. Paragraph 2.26 of the reasoned justification makes specific reference to 51 College Road in respect of this part of the policy.

Given the conclusions elsewhere in this report on the architectural quality of the development, not least the visually interesting stepped and tiered modulated design of the buildings which would be the principal perceptible feature of the development in this long-range view, it follows that the proposal would display outstanding architectural qualities which would add visual interest to the overall composition of the view. In this regard, therefore, it is considered that the proposal would result in an enhancement to this view.

The policy also requires development not to harm the view, to give context to the landmark the subject of the view and to preserve or enhance the viewer's ability to recognise and appreciate the landmark. The HTVIA photo montages indicate that the development would appear to the west (right) of St. Mary's in this view and that the highest component (i.e. the 20 storey component of building B) would not appear higher than St. Mary's Spire, although parts of buildings B & C would marginally breach the silhouette of Harrow-on-the-Hill on the skyline. This Council's consultant has observed that:

“Again, the proposed structures would occupy a very small proportion of a panoramic view, and once more the stepped profile does slope away from St. Mary’s: however, in this case the buildings outcrop above the skyline formed by Harrow on the Hill”.

Although the proposal would appear (albeit very distantly) as a substantial urban feature in front of the Hill, but its architectural quality would make a positive contribution to the characteristics and composition of the view, and its visibility within the view would give context to the landmark by articulating the relationship between Harrow town centre and Harrow-on-the-Hill, and more broadly between Harrow town centre and central London. The proposal would not harm the view and would enhance the viewer’s ability to recognise and appreciate Harrow-on-the-Hill and St. Mary’s.

It is concluded that, notwithstanding the projection of the development above the threshold height of the landmark viewing corridor of this view, the policy objectives for the view would not be compromised. Indeed, as required by Policy DM3 in respect of development exceeding the specified threshold height within a landmark viewing corridor, it is considered that the proposal would display outstanding architectural qualities which would result in an enhancement to the protected view.

18) Opportunities to Create New Local Views

Proposed New Views

In addition to identifying and appraising the quality of various existing views, the Harrow Views Assessment concluded that there is potential to open-up new views towards Harrow-on-the-Hill and St. Mary’s Church from within the Heart of Harrow. This is reflected in Local Plan Policy DM 3 which states that opportunities to create new local views and vistas should be exploited through the design and layout of new development¹³¹. Core Strategy Policy CS 2 J calls for the AAP to establish a policy framework for tall buildings that pays particular attention *inter alia* to the opportunity to open up new views and vistas, and this is reflected in the text of the AAP site allocation for 51 College Road.

The applicant has responded to the policy context by providing-for a view through to Harrow Hill and St. Mary’s via the gap between, and framed by, buildings B & C. A view via a glazed wall to the south elevation of the library’s mezzanine level is also provided-for within the application proposal.

On 13th April a site visit was carried out specifically to observe the view that would be achieved from the southern tip of the proposed St. Mary’s Terrace public space. This revealed that, from the approximate ground level of the Terrace, the view would be partially obscured by the retaining/parapet wall that exists to the north side of Harrow-on-the-Hill Station and that it would be fully obscured by the new four/five storey teaching block currently under construction at Harrow College’s Lowlands Road site¹³².

The partial obscuring effect of the station wall could be resolved by modifications to the wall to reduce its height, assuming that LUL Infrastructure would sanction such an

¹³¹ See Local Plan Policy DM3 G.

¹³² Planning permission P/3889/13 dated 12th March 2014 for Demolition of Existing Temporary Classrooms and Part Demolition of Teaching Block and Construction of 4 Storey and 5th Storey Building for Plant and Teaching Accommodation with External Landscaping Works.

alteration and subject to reasonable cost/operational feasibility. However, the impediment to the view created by the new Harrow College building clearly cannot be mitigated.

It should be emphasised that the 13th April site visit was carried out at the southern tip of the site. With the effect of perspective it may be possible to see the spire of St. Mary's (above the new Harrow College building) from the eastern end of the proposed civic square and/or, in the event of a phase 2 development opening-up part of the rest of the allocated site, from College Road. Given the presence of the existing derelict buildings on the subject site it is not possible to say definitively whether or not this would be the case. However it is considered likely that the view would be achieved from the eastern end of the mezzanine level of the proposed library, based on the projected view angles shown at section 3.5 of the submitted Design & Access Statement and taking into account the elevated position of the mezzanine level. The Design and Access Statement addendum includes additional material that demonstrates that this would be the case.

There is an existing briefly glimpsed view of St. Mary's from the north side pavement of College Road, via the gap between the existing buildings on the site and the former First National House. The west elevation of proposed building B would slightly narrow this gap although the removal of the existing building at this part of the site may better reveal this glimpsed view. Overall however this briefly-glimpsed view from the north side of College Road is considered to be of limited value, and so whilst its potential retention is welcome it should be given limited weight in terms of delivering the policy objectives of the Local Plan.

The consequence of the new Harrow College building upon the delivery of new views from within the public realm of the proposed development is disappointing but is self-evidently beyond the control of the applicant who, it is readily acknowledged, has responded positively to the opportunity that hitherto existed. Given the projected view angles shown at section 3.5 of the submitted Design & Access Statement it is considered that there is no minor modification to the design and layout of the proposal that would overcome the obscuring effect of the new Harrow College building from proposed ground level at the southern edge of the site although, as noted above, a public view would be likely from within part of the proposed library. It is also worth reiterating that the potential to see St. Mary's spire from vantage points deeper within the site or (in the event of an appropriate phase 2 development) to create a better quality view from College Road is unknown.

Taking all of the above circumstances into account, it is concluded that reasonable efforts have been taken in the design and layout of the proposal to exploit the opportunity to deliver a new view of Harrow-on-the-Hill and St. Mary's Church. It is, of course, regrettable that development on the other side of the railway has adversely affected the opportunity that hitherto existed but this is beyond the control of the applicant and cannot now be rectified. More significantly for the purposes of the Local Plan's policy objectives, it is apparent that no minor modification to the subject proposal would achieve the desired outcome.

Given the above findings the value of annual public access to the communal roof terraces, as proposed in the Planning Obligation heads of terms, increases in significance. It is also proposed to ensure that the likely view that would be achieved from within the mezzanine level of the proposed library would remain permanently publicly accessible during opening hours and not be obscured or blocked at any time

(other than curtains/blinds as may be required).

19) Townscape Character

London Plan Policy 7.4 *Local Character* requires buildings, streets and open spaces to be of high quality design and to respond to the pattern/grain of existing spaces, contribute to a positive relationship between urban structure and natural landscape, ensure buildings create a positive relationship at street level, allow existing buildings to make a positive contribution to character, and be informed by the surrounding historic environment. Local Plan Policy AAP 1 *Development within Harrow town centre* requires development to strengthen the character, legibility and role of the Metropolitan centre.

Many of the issues raised in these policies overlap with other policies that are appraised elsewhere in this report. This section will focus on the findings of a townscape character assessment included in the HTVIA as part of the applicant's Environmental Statement.

The character assessment considered the impact of the proposal in relation to various townscape elements (landform, land use, access & movement, urban structure & grain, height and massing and vegetation) found within a 1km radius of the application site. In relation to Harrow town centre, the assessment finds there to be a moderate/moderate-to-minor beneficial effect due to the relatively close proximity of the site to these character areas, their existing townscape value and the contribution that the proposal would make in terms of introducing high quality architecture, materials and public realm to the site. In relation to other areas, including surrounding Metroland character areas, the assessment notes that in glimpses from these areas the proposal would increase visibility and aid orientation in relation to the town centre, but concludes that these effects would be of minor to negligible significance.

In reaching the above findings the assessment has regard to the impact on a number of non-protected views¹³³ considered as part of the HTVIA. As with the protected views, so too the assessed impact upon these general townscape views has been the subject of independent verification by the Council's consultant. In many instances the Council's consultant concludes that the effects upon these views would be neutral rather than beneficial, as reported in the applicant's assessment. In some instances the Council's consultant concurs with the applicant's assessment that the development would not be visible (due to interposing buildings and/or landscaping). However, no adverse impact is found to occur in respect of any of the non-protected, general townscape views.

In view of the above evidence and the conclusions reached in respect of a range of related matters elsewhere in this report, it is not considered that the proposal would be detrimental to townscape character.

20) Lifetime Neighbourhoods

London Plan Policy 7.1 *Lifetime Neighbourhoods* requires development to: improve people's access to social and community infrastructure, shops, services, employment opportunities and public transport; contribute to healthy, active lives, social inclusion and cohesion, and people's sense of place, safety and security; and reinforce the character, legibility, permeability and accessibility of the neighbourhood. Local Plan Policy DM2

¹³³ These views were assessed from: High Road, Harrow Weald; junction of Station Road and Bonnersfield Lane; Havelock Place/St. Ann's Road; Peterborough Road within Harrow town centre; Kenton Road nr. Northwick Park roundabout; Peterborough Road Harrow-on-the-Hill; Lansdowne Road/Whitehall Road; and junction of Kimberley Road and College Road. At the request of the London Borough of Barnet, viewpoints outside of Harrow were also assessed.

Achieving Lifetime Neighbourhoods 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.

Location & Accessibility of Non-Residential Development

As noted elsewhere in this report, the application site is located within the primary shopping area of Harrow town centre. The relocation of Gayton Library onto the site would secure an 'anchor' non-residential use within the development and, together with the proposed commercial non-residential uses fronting College Road and the new civic square, would be likely to encourage linked trips between the site and the range of other shops, services and offices available throughout Harrow town centre. In so doing, the proposal would help to sustain this Metropolitan centre within London and, in particular, would help to enhance the vibrancy of the adjacent part of College Road.

Both through linked trips associated with the proposed commercial uses 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 Harrow town centre. More directly, the applicant has indicated that the proposed commercial uses would generate in the region of 45¹³⁴ full time equivalent jobs.

The submitted elevation drawings indicate that the proposal would achieve level access at all of the entrance thresholds between the non-residential uses and the 'street level' of College Road/the new public realm within the proposed development. The commercial uses applied-for include restaurants, cafes and public houses, and it is now commonplace, within vibrant town centres, for such premises to make adjacent external areas available for outdoor eating, drinking and smoking. The Council's Access for All SPD (2006) sets out guidelines for the detailed design and layout of entrances, entrance lobbies and 'café culture' spaces. To ensure that the specifications of these components complies with the SPD or such other guidelines as are up-to-date at the time of development, it is considered necessary to reserve such detail for consideration as part of an inclusive access strategy which may be required as a condition of planning permission.

As noted below, there would be a change in external levels between College Road and the civic square/other public realm within the development. For building A, and assuming thru-units are provided at ground floor level, this means that the difference in levels

¹³⁴ See Table 15.7 of Volume 1 of the Environmental Statement. Of the estimated 85 jobs, 45 yield from the proposed 862 square metres A1-A5/B1/D1 floorspace.

between College Road and the civic square need to be reconciled internally. This detail and other aspects of the internal arrangements, including subsequent alterations and fit-out required by future occupiers of the commercial premises, would be subject to the relevant requirements of the Building Regulations and the Equality Act (2010), and so do not need to be controlled as part of any planning permission.

The submitted floorplan drawings show the general internal configuration of the proposed library, including the extent of the mezzanine level and the provision of stair and lift access between the ground floor and mezzanine level. Again the detail of the internal arrangements would be subject to the relevant requirements of the aforementioned non-planning legislation, whilst the Council's library service will be in a better position than the local planning authority to ensure that specifics of the fit-out such as reception desks, shelving, aisle widths & etc. are consistent with best practice for contemporary, inclusive library space.

Two 'blue badge' car parking spaces for disabled library users would be provided within the basement car park, entry into which would be controlled by an audio-link. Access from the basement car park into the library would be via the dedicated library lift. In the event that the two basement spaces are already occupied, disabled library users would be directed to on-street 'blue badge' car parking spaces in College Road.¹³⁵ These arrangements are considered to be acceptable.

Location & Accessibility of Residential Development

Occupiers of the proposed flats would enjoy good access to the services and facilities available within Harrow town centre, including those to be provided on the site, and those elsewhere via public transport routes serving nearby Harrow-on-the-Hill Station and Harrow bus station. The wider area surrounding Harrow town centre includes a number of places of worship, schools and health care facilities.

The proposal would include a resident's amenity space to the north of building C & D. This space would utilise the area over the access ramp to the basement car park and so would be elevated above ground level. Principal access would be via steps up from St. Mary's Terrace. Details of the arrangements for disabled residents' access to this space have not been provided. Such details may, however, be secured as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

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. Both the London Plan¹³⁶ and Harrow's Local Plan¹³⁷ 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).

The Lifetime Home (LH) standards comprise 16 design criteria that are reproduced in Harrow's Accessible Homes SPD (2010). The proposal is assessed in relation to each of these below:

Where there is car parking adjacent to the home, it should be capable of enlargement to

¹³⁵ See paragraph 6.6.14 of the applicant's Transport Assessment.

¹³⁶ London Plan Policy 3.8 *Housing Choice*.

¹³⁷ Core Strategy Policy CS1 K.

attain a width of 3.3 metres (LH1)

The proposal makes provision for 48 residential parking spaces, which is less than one space per dwelling. Parking provision for every home is not a requirement under the LH criteria but there is a requirement relating to enlargement capability (where provided adjacent to the home).

This criterion envisages a more traditional arrangement where parking spaces are provided within the curtilage of a dwelling. The proposed parking spaces would be provided communally within a basement and so would not be 'adjacent' to the home. Consequently, it is not considered that LH1 is applicable. However it is notable that 32 of the 48 spaces would, in any event, be provided as 'blue badge' spaces i.e. wider than a standard car parking space.

The distance between the parking space and the home should be kept to a minimum and should be level or gently sloping (LH2)

The lift and stair core of each building within the proposed development would go down to the basement car park level, meaning that for each building there would direct and level access between the parking area and the basement entrance level of that building.

The configuration of the basement car park is such that the distance between parking spaces and the lift/stair cores serving buildings A and B would be minimal. Occupiers of buildings C & D would need to walk approximately 30 metres and 50 metres respectively to reach the lift/stair cores of their building, but given the context of a level, secure and weather-protected environment provided by the basement this is not considered to be at odds with this LH criterion.

The approach to all entrances should be level or gently sloping (LH3)

The residential entrance lobbies of each building would be accessed from the new civic square/St. Mary's Terrace and so would have a level approach.

All entrances should be illuminated, have a level access over the threshold and have a covered main entrance (LH4)

To comply with this LH criterion all communal entrances to the flatted blocks must have level access across the threshold (with an appropriate external landing area) and, in addition, the entrances should be illuminated and covered.

The submitted elevation drawings indicatively show canopies over the communal residential entrances. It is considered that more detailed drawings to demonstrate level access across the thresholds and suitable illumination are required. Such details can be secured as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

Communal stairs should provide easy access and, where homes are reached by a lift, the lift should be wheelchair accessible (LH5)

The entrance level of every flat within the development would be served by two lifts and a communal stair core. Details of the communal stairs in all blocks (to ensure that they are 'easy going') and the lifts (to ensure that they are wheelchair accessible¹³⁸) can be secured as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

¹³⁸ Minimum internal dimensions 1100mm x 1400mm.

Width of internal doorways and hallways (LH6)

This criterion cross refers to the requirements of the Building Regulations, excepting that a 900mm clear door opening is required where the corridor width is only 900mm (and the approach is not head-on), and that there should be 300mm to side of the leading edge of doors. To ensure that these specifications are met in respect of each flat within the development, it is recommended that this be confirmed as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

There should be space for turning a wheelchair in dining areas and living rooms and adequate circulation space for wheelchair users elsewhere (LH7)

Although detailed floorplans for the proposed wheelchair accessible flats have been provided within the applicant's Design & Access Statement, the submitted floorplan drawings for the other flat types throughout the development do not include indicative turning wheelchair circles. Given the long/narrow configuration of some of the flats (e.g. some of the studio flats) it is considered that this level of detail should also be provided as part of an inclusive access strategy for the site, which may be required as a condition of planning permission. This would allow adjustments to be made to the internal layouts of flats, where necessary, at an appropriate stage prior to the construction of the residential floors of the development.

The living room should be at entrance level (LH8) and, in dwellings of two or more levels, there should be space on the entrance level that can be used as a convenient bed space (LH9)

Since the majority of the homes within the proposed development would be single-level flats, these would automatically comply with these LH criteria. However, the proposal would also contain 7 duplex flats, meaning that their accommodation would be spread over more than one level. In the case of each duplex flat the living room would be on the flat's entrance level and, although informal subdivision (e.g. with furniture) or more formal partitioning of the living space would be required, they would also have sufficient space at entrance level to provide a convenient bed space.

There should be a wheelchair accessible entrance level toilet with drainage provision enabling a shower to be fitted in the future (LH10)

Again, by definition, the majority of the proposed flats would have toilet facilities at their entrance level, and each of the duplex flats has been designed to incorporate entrance-level toilet & showering facilities.

Walls in bathrooms and toilets should be capable of taking adaptations such as handrails (LH11)

This criterion is particularly important where stud/partition walls are used to create the internal layout of a flat; such walls should have sufficient strength built-in so that future occupiers can easily make necessary adaptations to meet their changing needs. It is considered that this level of detail should be provided as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

The design should incorporate provision for a future stair lift and a suitably identified space for a potential installation of a through-the-floor lift (LH12)

This criterion is only applicable to the 7 duplex flats and simply requires a 'knock-out' panel and sufficient stair width between the entrance level and the upper level of each duplex flat, so that future occupiers can install either of these lift facilities as they may require to move between the two levels within the home. Again, such detail should be

provided as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

The design should provide a reasonable route for a potential hoist between a main bedroom and a bathroom (LH13) and the bathroom should be designed to incorporate ease of access to the bath, w.c. and wash basin (LH14)

The layout of the proposed flats is such that in most cases at least one bedroom in each home would have a short-distance and fairly straightforward route to either an en-suite or the main bathroom, although the open-plan layout of the proposed flats means that a hoist would often have to pass through a living area. The applicant's Design & Access Statement acknowledges that potential hoist routes need to be identified and in a small number of instances (e.g. flat type D1A) there is a greater distance between the bedroom and the bathroom.

Indicative bathroom layouts have been shown on the submitted floor plan drawings but these do not detail the availability of space, for example between the toilet and wash basin, which would enhance usability by less agile future occupiers. There is also a requirement to demonstrate that an entrance level bathroom has a wheelchair accessible toilet (see LH10 above).

To address these issues, it is considered that further details should be provided as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

Living room window glazing should begin at 800mm or lower and windows should be easily operable (LH15) and switches, sockets and other service controls should be at a height usable by all (LH16)

The design of the proposal, incorporating floor to ceiling glazing to the main north and south screenwalls, means that all future occupiers would enjoy a generous level of outlook from within living rooms (and frequently from within bedrooms too). The height of window and other controls is, once again, a level of detail that should be provided as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

As revised during the course of the application, the proposal would make provision for 5 wheelchair homes within building A, 20 within building B and 7 (affordable) within building D, giving a total of 32 wheelchair homes across the development. This equates to a proportion of 10%. Details of the layout of the flat types that are proposed as wheelchair homes are shown in the applicant's Design & Access Statement.

The Wheelchair Home (WH) standards comprise multiple, detailed design criteria that are reproduced under 14 general headings in Harrow's Accessible Homes SPD (2010). The proposal is assessed in relation to each of these headings below:

Moving around outside

The outside areas within the development would be level, other than the areas to the east and west flanks of building A that would reconcile a 1 metre level fall towards College Road with a gradient in the region of 1 in 20, which is considered to be acceptable. To ensure adequate, clear width for pedestrians, cyclists and wheelchair users, the proposal has been modified to increase the external circulation space within the colonnade to the south side of buildings C & D. Detailed control of the external ground surfaces, to ensure that they are suitable for wheelchair users, can be secured

as part of a landscaping by condition of planning permission.

Using outdoor spaces

Similarly, details of the landscaping can be controlled by condition of planning permission to ensure that any gates have an appropriate clear opening and that the communal roof gardens are laid out with wheelchair access in mind. Refuse and recycling containers would be accommodated within the basement and taken up to the loading bay on collection days by the on-site concierge. The lift core of each building would go down to basement level where occupiers would be able to access the bin stores via level routes.

Approach to the home

The proposal makes provision for 32 'blue badge' holder spaces within the basement car park and the applicant's Transport Assessment confirms that these would serve the wheelchair homes at a ratio of 1:1. By definition, the spaces would be of sufficient width to enable a wheelchair user from the vehicle to a wheelchair, and to access the residential floors via the lift core of each building. Subject to appropriate door opening widths along the route between the parking spaces and the lift cores, and (for those wheelchair users not arriving by car) between the public realm and the lift cores, it is considered that there would be ease of approach to the home for wheelchair users. As with other details, door opening widths can be controlled as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

The submitted elevation drawings indicatively show canopies over the communal residential entrances of each building. To comply with the WH standards such canopies should be 1.2 metres x 1.5 metres and (to ensure adequate weather protection) should be no more than 2.3 metres above ground level. To ensure that the canopies meet these requirements in full and, in so doing, provide adequate weather protection for those wheelchair users not arriving by car, it is considered that more detailed drawings are required. Such details can be secured as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

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. The proposed lifts would exceed the minimum internal dimensions and each building would be served by a dual lift core.

Negotiating the entrance door

The applicant's Design & Access Statement confirms that the entrance to each wheelchair flat would have a clear opening width of 0.9 metres. The submitted drawings show that there would be 300mm space beside the leading edge of the entrance doors and that this would extend 1.8 metres behind the face of the door for each of the WH flat types, except flat type B2A which would be only 1.65 metres. It is considered that this is a minor shortfall that could be rectified with simple adjustments to the layout which could be secured as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

Entering and leaving; dealing with callers

The applicant's Design & Access Statement demonstrates that there would be sufficient turning space (1.8 x 1.5 metres) behind the entrance door of each wheelchair flat and that there would be a space within each home, clear of circulation routes, to transfer from an outdoor to an indoor wheelchair (and to store/charge the wheelchair).

Negotiating the secondary door (i.e. to gardens, balconies, etc.)

The balconies to the WH flats would have minimum depths/widths of 1.5 metres and each would be accessed from the living space via a sliding door, thus providing satisfactory approach space. To ensure adequate door opening width (min. 800mm) and a watertight level access onto the balconies of the proposed wheelchair flats and onto the communal roof terraces, it is considered that threshold details should be provided as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

Moving around inside; storing things; internal doors

The layout of the proposed WH flats provides passages with minimum widths of 1.2 metres and satisfactory wheelchair turning space. Space beside internal doors of a minimum of 300mm (pull side) and 200mm (push side) would be provided. To ensure adequate clear door opening width (min. 775mm required) and a minimum of 300mm adjacent to the latch side of the sliding balcony doors, it is considered that such details should be provided as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

Storage space would be provided within each WH flat and, with the exception of flat type B3A, this would be approached head-on. In the case of B3A, the storage area would be accessed from a passageway and so, to ensure adequate space for a wheelchair user to access that storage space, it is considered that sliding rather than outward opening doors should be provided. It is considered that this detail should be provided as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

Moving between levels within the dwelling

All of the proposed WH flats would be single level (i.e. not duplex flats).

Using living spaces

Indicative furniture layouts have been shown for the WH flats in the applicant's Design & Access Statement. These show that, whilst the living spaces of some of the proposed WH flats would be modest, they all appear to have sufficient space for a wheelchair user to circulate around and approach furniture.

Using the kitchen

Again, indicative kitchen layouts are shown in the applicant's Design & Access Statement, and those layouts include a clear manoeuvring space of 1.5 x 1.8 metres.

Using the bathroom

As noted in the SPD, the design and layout of the bathroom is critical to the independence and dignity of disabled people within the home. It is considered that the bathroom layouts of the proposed wheelchair homes require some refinement to fully comply with the SPD and the specifications set out in the Mayor of London's Best Practice Guidance (BPG). It is considered that appropriate modifications could be secured as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

Using bedrooms

Again, although the layout of the proposed wheelchair home flats is broadly acceptable it is considered that the bedroom layouts require some refinement to fully comply with the

SPD and BPG. It is considered that appropriate modifications could be secured as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

Windows

The design of the proposal, incorporating floor to ceiling glazing to the main north and south screenwalls, means that all future occupiers would enjoy a generous level of outlook from within living rooms (and frequently from within bedrooms too). The indicative layouts shown in the applicant's Design & Access Statement demonstrate that a wheelchair user would be able to approach the windows. The height of window and other controls is a level of detail that should be provided as part of an inclusive access strategy for the site, which may be required as a condition of planning permission.

Compliance with the wheelchair home standards, as set out above and subject to such additional information and modification as is considered to be required as part of an inclusive access strategy for the site, would ensure that a policy compliant 10% proportion of the homes on the site would be provided ready for adaptation by wheelchair occupiers. To avoid the wasteful potential situation of parts of new wheelchair homes having to be immediately adapted to accommodate the needs of the first occupants, an informative is recommended to encourage the developer to work with the Council during the course of construction so as to identify potential occupiers for the wheelchair homes and, so far as possible, tailor the fit out each flat to meet the requirements its first occupier(s) during the construction phase.

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 nature of the proposed development is such that the new public realm areas and adjacent parts of College Road would be overlooked by the new flats and would be activated at ground floor level by the proposed new library and commercial uses, providing high levels of natural surveillance. Ground level activation is considered to be particularly important along the flank elevations of building A and along the southern edge of buildings C & D, to ensure that the access from College Road and the approach from Station Road enjoy the best possible levels of natural surveillance and are inviting. For this reason it is considered necessary to control, as a condition of any planning permission, the window treatment at these locations within the development so that there remains at all times an appropriate level of inter-visibility between the internal and external spaces.

It is envisaged that the library and ground floor commercial uses would generate a high level of daytime/evening activity within the development and that, together with possible events that could be held within the new civic square and the potential for pedestrian through-traffic from the Station Road access, the public realm would be well used. Access to the proposed library garden would be managed by library staff whilst the dedicated playspace to the south of buildings C & D would be gated and would enjoy natural surveillance from the larger of the two ground floor commercial units in building C & D. This is considered to be acceptable.

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

Although the Station Road access is relatively narrow, there would be a clear line of sight along it from the adjacent part of Station Road and flats within the eastern module of building D would provide a high level of natural surveillance at the point where the access opens-up into the site.

The eastern module of building D would also introduce a high level of natural surveillance to William Carey Way and additional vehicular traffic movements would, it is considered, go some way to address the existing perception of William Carey Way as a rather isolated/poorly used service road. Further improvements to the security environment of William Carey Way may be achieved in the event of a phase 2 redevelopment of adjacent land.

Details of streetlighting & etc. would be a matter to be controlled as part of the landscaping details.

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

There would be no flats at ground floor level. Careful attention to the arrangement of the play equipment in that location and, where necessary, The use of planting as a buffer between the amenity space to the north of building C & D and adjacent flats may be controlled as part of the hard and soft landscaping details required as a condition of any planning permission.

The applicant's Design & Access Statement indicates that seating, in the form of sculptural benches, are proposed for the new civic square/St. Mary's terrace. This is considered acceptable in Secured by Design terms and, again, final details of the form and siting of such provision may be reserved for approval at a later stage.

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)

Most of the flats within the development would benefit from a private balcony, in addition some would also benefit from a private roof terrace and all would have access to a communal roof garden. All balconies would be located above ground level and so would be separated from the ground level public realm areas. It is considered that the hard and soft landscaping details may be used to secure an appropriately delineated relationship between the private terraces and residents' communal gardens at roof level.

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

Car parking for the development would be provided within the proposed basement area. The applicant's Transport Statement confirms that there would be a fob-controlled barrier at the top of the ramp and this would also activate a basement roller shutter door¹³⁹. Once parked within the basement, residents would be able to access the relevant part of the development via the lift and stair cores which extend down from the residential floors to serve the basement. Lighting within the car park can be controlled via a Car Park Management Plan which may be required as a condition of any planning permission.

¹³⁹ See paragraph 6.6.13 of the applicant's Transport Statement.

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 and staff cycle storage and bin storage would also be provided within the basement. Cyclists would enter the basement via the controlled arrangements described above¹⁴⁰ meaning that (other than 'blue badge' holders using the disabled persons' library car parking spaces) the cycle parking provision would not be exposed to any element of general public access. Similarly there would be no general public access to the bin storage areas; on-site management would ensure that bins are transported up to the loading area and returned to storage thereafter on collection days¹⁴¹.

Short-stay cycle storage for visitors & etc. would be made via the provision of stands within the new civic square. Details of the siting of these stands, to ensure that they enjoy the best possible natural surveillance and are within the line of sight of any CCTV coverage, may be controlled as part of the hard and soft landscaping details which would be required as a condition of any planning permission.

Safety, Security and Emergency

London Plan Policy 7.13 *Safety, Security and Resilience to Emergency* states that proposals should minimise potential physical risks of fire, flood and related hazards.

The risk of flooding is dealt with elsewhere in this report. A framework for a fire strategy is outlined at section 6.4 of the applicant's Design & Access Statement and involves consideration of: travel distances and escape capacity from each area of the development; compartmentation and fire resistance; smoke control measures; the installation of fire suppression systems; fire spread control; detection and alarm systems; access for firefighters; and ensuring the development is fitted with emergency power supplies, lighting & etc. Ultimately the fire strategy is a matter to be considered under the Building Regulations, but it demonstrates that consideration has been given in the design and conception of the development to this potential physical risk.

In terms of terrorism, Policy 7.13 requires proposals to include measures to deter terrorism and assist in the detection of terrorist activity. In November 2014¹⁴² the applicant had a meeting with officers of the Metropolitan Police's Designing Out Crime Group. The proposal was identified as needing consideration of the risk of terrorism due to the provision of a civic square that would enable large numbers of people to congregate and, more particularly, the location of the site adjacent to Harrow-on-the-Hill Station. In terms of the key issues discussed, the risk associated with hostile vehicles would be managed by restricted access (residents and disabled library users only) into the basement car park and by the general restriction on vehicular access into the new civic square. The revised access arrangements submitted during the course of the application, to limit the southern link/Station Road access to pedestrians only, would also help to limit terrorism opportunities in this regard. The hoped-for extension of the town centre CCTV into the site would contribute to aiding the detection of any terrorism activity.

Contribution to Wider Creation of a Lifetime Neighbourhood

As noted above and elsewhere in this report, the development would be inclusive and

¹⁴⁰ See paragraphs 6.8.2 & 6.8.3 of the applicant's Transport Statement.

¹⁴¹ See paragraph 6.9.4 of the applicant's Transport Statement.

¹⁴² The meeting was held on 17th November 2014. Council officers were not in attendance but were supplied with the meeting minutes. The meeting minutes and accompanying e-mail from the Metropolitan Police is marked as restricted – not for the public domain.

accessible to future residents and visitors alike, and would create opportunities for employment and community activity that would contribute positively to the vibrancy of Harrow town 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 a new physical connection between Station Road and College Road, the development would contribute to the creation of a settled, integrated community. Future occupiers would enjoy access to public open space (the new civic square and nearby Lowlands Recreation Ground) and to community facilities (not least the proposed new library), public transport and economic opportunities within Harrow town centre.

To the east of the proposed new civic square, beyond the application site boundary, is the Harrow Baptist Church. Given its relationship with the existing building complex on the site, the west-facing flank elevation of the Church is not currently active. However the submitted ground floor plan indicates provision within the civic square for steps and a ramp to link the square to the west elevation of the Church, in the event that the Baptist Church community were to decide to make alterations to open-up the west elevation so as to engage with the square. It is considered that details of the proposed ramp and steps could be secured as a condition of any planning permission, to ensure that the specifications meet the requirements of the Council's Access for All SPD and to allow the Council to liaise between the applicant and the Baptist Church in connection with this matter. In the event that the Baptist Church community decide not to make alterations to the west elevation of the Church, or that the Church becomes part of any 'phase 2' redevelopment proposals, then it would be open to the Council as the local planning authority to discharge this condition with such modifications to the submitted ground floor plan (for example, not to provide a ramp and steps) as may be appropriate.

Improvements to the Public Realm

The proposal would exploit the opportunity presented by the site's redevelopment to open-up a new link between Station Road and College Road for pedestrians. The submitted ground floor plan shows that new civic square, St. Mary's terrace and the access to Station Road along the southern boundary of the site would all be level, but that there would be a levels difference of 1 metre between these areas within the site and College Road. The change in levels would be reconciled by a gradient of between approximately 1:20 and 1:25 either side of the flank elevations of building A. To ensure that the change in levels is appropriately treated to achieve inclusive access, in accordance with the Access for All SPD, it is considered that further details of the gradient and any necessary landing areas, handrails and surface treatment should be sought as part of an inclusive access strategy which may be required as a condition of planning permission.

Disabled Persons' Parking

The proposal makes provision for 'blue badge' holder parking on the site and is considered acceptable in this regard.

Comfort and Convenience Amenities

Paragraph 2.22 of the reasoned justification to Policy DM 2 recognises that the availability of basic amenities such as publicly accessible toilets benefit everyone, but particularly those with mobility or other health impairments. The proposed new library would make provision for publicly accessible toilets within the development and other ground floor premises may include toilet facilities for their customers, depending upon final use. The provision of accessible standard toilets is a requirement of Part M of the Building Regulations. It is considered that the proposal would make appropriate

provision for the comfort and convenience of all users of the development.

HERITAGE, LANDSCAPE AND ECOLOGICAL CONSIDERATIONS

21) Listed Buildings and Conservation Areas

Paragraph 128 of the NPPF states that the local planning authority should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting. This requirement has been fulfilled within the Heritage, Townscape and Visual Impact Assessment (HTVIA) forming Volume 2 of the applicant's Environmental Statement.

Paragraph 129 of the NPPF states that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal”.

Legislation and Policy

The NPPF definition of designated heritage assets includes statutory listed buildings, registered parks & gardens and conservation areas.

When considering whether to grant planning permission for a development affecting a listed building (including developments affecting its setting), the local planning authority has a statutory duty to have special regard to the desirability of the preservation of the listed building¹⁴³. Similarly, when exercising its functions, the local planning authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas¹⁴⁴.

Paragraph 132 of the NPPF emphasises the great weight that should be given to a designated heritage asset's conservation when considering the impact of a proposal upon its significance, and this paragraph together with paragraphs 133 & 134 go on to provide a 'sequential' framework for the consideration of significance and harm impacts. However, as highlighted in recent court judgements¹⁴⁵, planning decisions must be reached in the context of the 'special' regard/attention to the preservation of listed buildings and the preservation or enhancement of conservation areas.

London Plan Policy 7.8 *Heritage Assets and Archaeology* states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate, and that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Local Plan Policy DM7 *Heritage Assets* states that the conservation of heritage assets will be afforded priority over other policies when assessing proposals affecting heritage assets, and sets out detailed criteria for the consideration such

¹⁴³ Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

¹⁴⁴ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

¹⁴⁵ Most notably the 'Barnwell Manor' decision (East Northamptonshire DC v Secretary of State for Communities and Local Government, Barnwell Manor Wind Energy Ltd. v East Northamptonshire DC (Court of Appeal – civic decision 18/2/2014).

proposals. Also relevant is the Harrow-on-the-Hill Conservation Areas SPD (2008).

Identification of designated heritage assets and their significance

The application site does not contain or adjoin any listed buildings and is not within a conservation area.

The applicant's HTVIA identifies a total of 20 listed buildings within the vicinity¹⁴⁶ of the site. All but five are grade II listed buildings; those five are:

- St. Mary's Church, Church Hill (grade I)
- The Old Schools, Harrow School, Church Hill (grade I)
- Speech Room, Harrow School, Grove Hill (grade II*)
- Harrow School Chapel, High Street (grade II*)
- Vaughan Library, Harrow School, High Street (grade II*)

Of the 15 grade II listed buildings, the nearest is the Victorian villa at Harrow College in Lowlands Road, four are located in Grove Hill¹⁴⁷, four in Peterborough Road¹⁴⁸, two in Roxborough Park¹⁴⁹, three in Station Road¹⁵⁰ and one in Sheepecote Road¹⁵¹.

In terms of other designated heritage assets, the HTVIA identifies two conservation areas – Harrow School and Roxborough Park & The Grove – and part of the Harrow Park (formerly Flambards) grade II registered park and garden as falling within a 1km radius of the site.

The HTVIA goes on to provide an assessment of the significance of the identified heritage assets. The assessment indicates that, for virtually all of the listed buildings, significance derives from attributes other than wider setting. Such attributes include: interior and/or exterior architectural interest only; group value with other buildings by the same architect or where there is a historic or functional relationship; and more immediate context/setting. The notable exception to this is St. Mary's Church, of which the HTVIA remarks:

“...Setting makes an important contribution to the significance of the listed building. The position of the church atop Harrow Hill with the spire rising through the surrounding tree canopy is a defining image of the historic settlement and in this regard, setting can be considered to be extensive...”

Although geographically the nearest listed building, the HTVIA notes that the immediate setting of the Victorian villa at Harrow College has altered substantially, the building now a minor element within the College campus, and indicates that it is the building's relationship with The Grove open space and wooded slopes beyond that is important to its wider historic setting.

In terms of the conservation areas (CAs), the HTVIA finds that the Harrow School CA derives its significance from a range of attributes including: the large, dramatic school buildings; topography; landscaping; and the relationship with the historic settlement of

¹⁴⁶ A 500 metre search radius was used for all listed buildings and a 1km search radius was used for grade I and II* listed buildings.

¹⁴⁷ Harrow-on-the-Hill War Memorial; The Haven; The Gables; and White Tops.

¹⁴⁸ Charlgrove; Farthings; Heathfield; and Garlands.

¹⁴⁹ Church of Our Lady and St. Thomas of Canterbury; and The Presbytery.

¹⁵⁰ World War II Memorial; Church of St. John the Baptist; and no. 315 Station Road (Natwest Bank).

¹⁵¹ The former Granada Cinema (Gold's Gym).

Harrow-on-the-Hill. Of the Roxborough Park & The Grove CA, the HTVIA cites attributes including: its predominantly domestic Victorian, Edwardian and Arts & Crafts built form; topography; street pattern; open spaces; views into and out of the area; and some (but limited) group value associated with its proximity to Harrow School and the historic setting of Harrow-on-the-Hill. For both conservation areas, the HTVIA notes that the contrasting urban character, scale and uses of development to the north of Harrow Hill, together with the separation provided by the heavily trafficked Lowlands Road and the railway, means that this aspect of setting does not contribute positively to the significance of the conservation areas.

The Harrow-on-the-Hill Conservation Areas SPD is supported by character appraisals for each of the Hill's conservation areas. The appraisals identify topography, townscape, views (within and out of the CAs) and the open/landscaped setting and green spaces among the important characteristics of these areas. Of particular note, the Harrow School CA appraisal characterises Grove Hill and Peterborough Road as a transitional zone with a more spacious/green character than parts of the CA atop Harrow Hill. The Roxborough Park & The Grove CA appraisal acknowledges the more noisy, urban atmosphere of Lowlands Road/the railway and characterises Lowlands Recreation Ground as feeling more like an urban park, in some respects visually disparate from the rest of the CA, but an important transitional space between the commerce of Harrow town centre and the residential feel of the lower slopes of Harrow Hill.

Evidence and expertise opinion of impacts upon designated heritage assets and their significance

As noted above, the HTVIA acknowledges the important contribution of the wider setting of St. Mary's Church to its significance. In considering the impact of the proposed development upon the St. Mary's, the HTVIA notes that there would be no impact on views out from the Church and that it is not possible or appropriate to consider each and every view in which the asset might be visible. With reference to the range of protected and non-protected views tested as part of the HTVIA it concludes that, where the proposed development would be visible in conjunction with St. Mary's Church, the spire rising above the treed slopes of Harrow-on-the-Hill would remain the prominent, important landmark, and that the contrasting materiality, form and massing of the proposal would reinforce the clear separation between it and the development, such that there would be no diminution in the legibility of the spire as the landmark element.

Of The Old Schools, Speech Room, Harrow School Chapel and Vaughan Library, the HTVIA observes that these form a coherent group at the core of Harrow School and that their disposition relative to the application site, together with interposing soft landscaping and townscape, means that the proposal would have no significant presence in their setting. A similar conclusion is reached in respect of Garlands in Peterborough Road (grade II). The HTVIA also notes that this group of buildings are visible in the protected view from the Capital Ring walking route (Harrow School playing fields) but concludes that, given the proposal's situation on lower ground and the distance between them, the development would not compete with or distract from significance of these buildings in the protected view.

Of The Haven, The Gables and White Tops in Grove Hill and of Chalgrove, Farthings and Heathfield in Peterborough Road (all grade II), the HTVIA acknowledges that the proposal would be visible in some instances. However, it concludes that there would be sufficient separation between the development and these buildings as to ensure that distinction between it and the more suburban character of [this part of] Harrow-on-the-

Hill would be evident. Similarly the separation between the proposed development and the Harrow-on-the-Hill War Memorial in Grove Hill (grade II), together within interposing townscape and transport infrastructure, leads the HTVIA to conclude that there would be no diminution in the legibility of the asset's heritage interest.

The HTVIA notes that it is unlikely that there would be a significant degree of inter-visibility between the development and the Church of Our Lady and St. Thomas of Canterbury and The Presbytery in Roxborough Park (grade II) and that there would be no impact on the significance of these heritage assets. In relation to the Victorian villa at Harrow College (grade II), the HTVI concludes that the development would integrate successfully with existing context of this listed building and would not affect its relationship with The Grove open space.

Of the remaining grade II listed buildings within Harrow town centre, the HTVIA finds that the proposal would have no impact upon the significance of the former Granada Cinema. Given the very varied nature of the townscape surrounding the Church of St. John the Baptist, its churchyard World War II Memorial and Natwest Bank (all in Station Road), the development would be visible within the wider context of these buildings, but in a manner consistent with the existing and emerging townscape character of the town centre.

The HTVIA observes that the presence of soft landscaping and interposing development would limit the impact of the proposed development when viewed from within the Harrow School CA, and in terms of wider setting impacts draws parallel conclusions to those in respect of St. Mary's Church and the view from the Capital Ring walking route (Harrow School playing fields) above. In relation to the Roxborough Park & The Grove CA, the HTVIA again notes the contrasting relationship between the character of Harrow town centre and that of the CA, and that views out of the CA demonstrate that its setting is already variable including buildings of significantly larger scale, massing and form. It concludes that the development would appear clearly distinct and separate from the CA in these views, consistent with the existing character of its setting, and that from higher vantage points Harrow Weald Ridge (running behind the buildings) would remain legible and distinct.

Although it is not clear from Historic England's (HE) consultation response the extent to which it has considered in detail the HTVIA analysis and findings, it is evident from the response that there is conflict of opinion about the impact of the development upon designated heritage assets. In its response, HE observes that the development would appear prominent in many local views, affecting the setting of several CAs and listed buildings, and that it would be prominent in views out from within the Harrow School CA. HE goes on to opine that the development would draw the eye from an extremely significant complex of buildings in the view from Harrow School playing fields and that, from Roxborough Park & The Grove CA, it would introduce a much taller element into the skyline. In subsequent conversation with the Council's conservation officer, Historic England has clarified that it is the impact of the development upon the wider setting (rather than its impact within specific views) of listed buildings and conservation areas which is of concern, and that the harm is considered to be 'less than substantial'.

The Council's Conservation Officer has also commented that the proposal would have adverse impacts upon the significance of designated heritage assets. The officer advises that the massing and layout of the proposal, combined with its height, would be distracting and competing in views to and from Harrow Hill, in particular noting the

potential to obscure and visually compete with views of St. Mary's Church – a grade I listed building and *the* landmark of Harrow. The officer considers that it would resemble a tall, wide slab and so have a greater impact than a single tower. HE concerns about the prominence of the development in views from the north-west of the Harrow School CA and Harrow School playing fields, and about the introduction of a much taller, uncharacteristic element to the skyline of the Roxborough Park & The Grove CA and of Harrow town centre (in relation to the town centre's listed buildings), are reiterated.

Consideration of impacts upon designated heritage assets and their significance

As noted above, paragraph 129 of the NPPF states that local planning authorities should assess the significance of heritage assets that may be affected by proposed development, taking into account the available evidence and any necessary expertise. In this regard the available evidence includes the applicant's HTVIA but is somewhat contradicted by the advice of Historic England and the Council's own conservation officer.

The applicant's HTVIA has shown that the proposal would not have an adverse impact on various protected views of St. Mary's Church and a protected view of Harrow Weald Ridge from The Grove open space. In addition, the HTVIA has shown that various non-protected views¹⁵² would also not be adversely affected, including some general townscape views from within the conservation areas. Noting that Historic England has clarified that it is not so much the protected views that are of concern than the wider setting, and further noting that the general findings of the HTVIA visual impact assessment have been independently corroborated on the Council's behalf, the impact of the development upon the setting of St. Mary's Church and the conservation areas (including views out) in the protected and HTVIA-assessed non-protected views is considered to be acceptable¹⁵³.

The character appraisals for the two CAs identify other key views. None of those identified within the Harrow School CA character appraisal would be affected by the proposed development and, of those identified within the Roxborough Park & The Grove CA character appraisal, only one other¹⁵⁴ key view would be directly affected: that looking north-east out from Lowlands Recreation Ground. It is acknowledged that views are inherently dynamic and that the closer proximity of Lowlands Recreation Ground to the application site means that the proposed development would have a greater visual impact from this vantage point within the CA. However, given the independently corroborated findings of the HTVIA about the acceptability of the impact of the proposed development on other non-protected views from within the CA, and the acknowledged disparate/transitional character of Lowlands Recreation Ground in relation to the rest of the CA, it is not considered that the impact of the development upon this key view out of the CA would be harmful.

Consideration of the wider setting of heritage assets must, however, go beyond specific protected/key views. As noted above, Historic England has advised that the development would draw the eye from a significant cluster of historic Harrow School

¹⁵² Selected in consultation with Council officers as part of the Environmental Impact assessment scoping exercise.

¹⁵³ As noted elsewhere in this report, a number of views were considered as part of the 'Dandara' appeal by the Planning Inspector in that case and were found to be unworthy of policy protection.

¹⁵⁴ i.e. not including the protected view from The Grove open space, which has been assessed as part of the HTVIA.

buildings that are visible from Harrow School playing fields¹⁵⁵, and so would introduce a competing element. In relation to these buildings the applicant's HTVIA acknowledges that the proposal would be visible from Harrow playing fields. Having regard to Heritage England's expertise, which is supported by the Council's conservation officer, it must be concluded that - when viewed from the playing fields (not themselves within any CA) - the proposal would harm the setting of this complex of listed buildings and, by association, the Harrow School CA.

As noted above, in relation to the Roxborough Park & The Grove CA, Historic England has advised that openness forms a key part of the area's character and that the proposal fails to respond to local character/history or reflect the identity of its surroundings. Again the Council's conservation officer has supported this finding, by reference to the relative height, scale and massing of the proposal in the skyline both of the CA and Harrow town centre (with its listed buildings). Clearly, the proposed development would be highly perceptible, relative to The Grove open space and St. Mary's Church, within this part of the CA and adjacent parts of Harrow town centre, and the applicant's HTVIA acknowledges that the proposal would be visible in some instances from some listed buildings within the CA; namely: The Haven, The Gables and White Tops in Grove Hill; Chalgrove, Farthings and Heathfield in Peterborough Road; and the Harrow-on-the-Hill War Memorial in Grove Hill. Having regard to Historic England's expertise and that of the Council's conservation officer, it must be concluded that the proposal would be harmful to setting of the Roxborough Park & The Grove CA and the aforementioned listed buildings as well as, to a much lesser extent, those listed buildings that are situated within the town centre.

Given the more distant relationship between the two, together with interposing development and landscaping, it is not considered that the proposed development would be detrimental to the Harrow Park registered park and garden.

Having identified that there would be some harm to the setting of some heritage assets, considerable importance and weight must now be given to the aforementioned statutory duties with regard to the desirability of preserving the affected listed buildings and of preserving or enhancing the character or appearance of the affected conservation areas. Paragraph 132 of the NPPF confirms that great weight must be afforded to the conservation of designated heritage assets and that significance can be harmed or lost through development within the setting of such assets; it goes on to state that *any* harm or loss should require clear and convincing justification.

As is now well rehearsed, the 'Dandara' appeal decision accepted the principle of tall building(s) on the site subject to world class architecture, and subsequent Local Plan Policy AAP 6 requires proposals for tall buildings to be of the highest architectural quality. Design officers of the GLA were involved in pre-application discussions and, in its formal 'stage one' response, the GLA has confirmed its support for the layout, scale and massing of the proposal.

It is conceivable, of course, that other permutations of building layout, scale and massing on the site could equally achieve development of the highest architectural quality with lesser, or no, impact upon the setting of designated heritage assets including some grade I listed buildings. However, such alternatives are not available for consideration and it is incumbent on the local planning authority to make a determination only on the

¹⁵⁵ The Science School, Music School, Chapel, New Schools, War Memorial Building, Speech Room, Vaughan Library, Headmasters, Art School and St. Mary's.

application proposal's own planning merits. That the subject proposal would secure the redevelopment of this strategically important site to the required high architectural standard goes some way, it is considered, to outweigh the harm that would be caused to the setting of designated heritage assets by reason of its height, scale and massing.

The proposal's architectural quality represents but one of its public benefits. The Local Plan calls for the delivery of a new public library and a new civic square on the site and, in these respects, the proposal is also found to be in compliance with the Plan. Again, the possibility that alternative proposals with lesser or no heritage impacts could deliver these Local Plan requirements cannot be ruled-out definitively. However, the subject proposal demonstrates that it would deliver these requirements, together with a contribution towards affordable housing delivery and meeting climate change/sustainability objectives, in a development judged to be of the highest architectural quality. Taking these public benefits together, and having regard to the other benefits of the proposal in terms of economic development and town centre regeneration, it is considered that there is clear and convincing justification for allowing the proposal to proceed.

Historic England has advised that it considered that the harm to heritage assets' setting would be less than substantial. Nevertheless, less than substantial harm is still harm and, as such, the proposal would fail to preserve the setting of the aforementioned listed buildings and would fail to preserve or enhance the character and appearance of the two CAs. Paragraph 134 of the NPPF states that harm should be weighed against the public benefits of the proposal. The above public benefits of the subject proposal, taken together, are considered to be of extremely significant weight. Whilst great weight must also be afforded to the conservation of the heritage assets' setting, in particular the significance of the setting of St. Mary's Church as *the* iconic landmark building of Harrow and the setting of other grade I listed buildings affected by the proposal, it is concluded that there is clear and convincing justification for the harm that would be caused.

This conclusion represents a departure from London Plan Policy 7.8, which states that development affecting heritage assets and their settings should conserve their significance, and from Local Plan Policy DM7 which states that the conservation of heritage assets will be afforded priority over other policies when assessing proposals affecting heritage assets. However, Policy DM7 also sets out detailed criteria for the consideration of proposals and in relation to the relevant criteria: it is noted that the Harrow-on-the-Hill Conservation Areas SPD acknowledges the pressure for high density/high rise development in Harrow town centre and the need for careful design where this affects Harrow-on-the-Hill; the proposal is judged to be of high quality design and appearance; the proposal would deliver sustainable economic benefits to Harrow; and the proposal would incorporate measures to contribute to climate change mitigation.

Opportunities to better reveal the significance of heritage assets

Paragraph 137 of the NPPF encourages local planning authorities to explore opportunities within the setting of heritage assets to enhance or better reveal their significance, and states that proposals that would better reveal the significance of a heritage asset should be treated favourably. Local Plan Policy DM 3 calls for opportunities to create new local views and vistas to be exploited through the design and layout of new development, and the specific opportunity to visually connect Harrow town centre with Harrow-on-the-Hill by opening up new views to St. Mary's Church is reflected in the key site objectives and design considerations of the site's allocation in the Local Plan.

As noted elsewhere in this report, reasonable efforts have been taken in the design and layout of the proposal to exploit the opportunity to deliver a new view of Harrow-on-the-Hill and St. Mary's Church. The proposal would provide a public view from within the mezzanine floor level of the proposed library and through annual public access to the communal roof terraces, as proposed in the Planning Obligation. In this regard, therefore, it is considered that the proposal would better reveal the significance of St. Mary's Church from within the application site and that this is of some a public benefit in heritage terms.

22) Locally Listed Buildings

Identification of non-designated heritage assets and their significance

The applicant's HTVIA identifies 6 individual locally listed buildings¹⁵⁶, 9 groups of locally listed buildings¹⁵⁷ and 1 locally listed finger post¹⁵⁸ within the vicinity of the site.

As for the designated heritage assets above, the HTVIA goes on to provide an assessment of the significance of the identified locally listed buildings. Generally, those in and immediately surrounding Harrow town centre are reported as being either of a singular character relating to their function (e.g. civic and public house) or part of a commercial terraces with rhythm and some architectural interest apparent above ground floor level. In these cases the HTVIA concludes that wider setting does not contribute significantly to their significance. For those predominantly more domestic locally listed buildings that are located on Harrow-on-the-Hill, the HTVIA generally finds there to be more notable architectural/townscape interest, sometimes enhanced by soft landscaping, but again that setting does not make a strong contribution to their significance.

Evidence and expertise opinion of impacts upon non-designated heritage assets and their significance

Not surprisingly, the HTVIA conclusions about the impact of the proposed development upon the setting of the locally listed buildings strongly correlates with its findings in respect of designated heritage assets. It notes varying degrees of visibility in respect of the identified locally listed buildings that are located within or immediately surrounding Harrow town centre and that, for the most part, the visual effect of interposing townscape means that the impact on their setting would not be significant or, where there would be a closer visual relationship, the introduction of high quality development into the wider setting would be consistent with the existing and emerging character of the town centre. For those locally listed buildings on Harrow-on-the-Hill, the HTVIA acknowledges in some instances a degree of inter-visibility (e.g. from Grove Hill) but that, for the most part, interposing landscape and townscape means that the proposed development would not represent a significant visual presence in their setting.

The consultation response of the Council's conservation officer makes reference to non-designated as well as designated heritage assets. Accordingly, concerns expressed about the massing, layout and height of the proposal apply to the setting of the locally

¹⁵⁶ 47 Angel Road; 86 St. Ann's Road; 1 Grove Hill Road; 'Grove End' 4 Grove Hill; 21 Grove Hill; and 'Elmfield' 26 Grove Hill.

¹⁵⁷ 2-24 (evens) St. Ann's Road & 307-313 (odds) Station Road; 12-14 (evens) College Road; 361-369 (odds) Station Road; 2-24 (evens) Peterborough Road; 2-12 (evens) Grove Hill Road; 26-40 (evens) Lowlands Road; 47 & 49 Roxborough Park; and 17A-E, 21-35 (odds) Roxborough Park.

¹⁵⁸ Corner of Kenton Road & Peterborough Road.

listed buildings as to the statutory listed buildings within the Roxborough Park & The Grove CA and Harrow town centre.

Consideration of impacts upon non-designated heritage assets and their significance

Paragraph 135 of the NPPF calls for a balanced judgement in respect of applications affecting non-designated heritage assets, having regard to the scale of any harm or loss and to the significance of the assets. The Council's Locally Listed Buildings SPD confirms that local listing is not primarily intended to restrict development but, rather, to ensure that proposals take into consideration the local significance of buildings included on the local list.

The issues concerning the setting of the locally listed buildings is much the same as for those affecting the designated heritage assets above. It follows, therefore, that the extremely significant weight to be afforded to the public benefits of the proposed development provides clear and convincing justification for the harm that would be caused to the non-designated heritage assets as it does to the designated heritage assets.

23) Archaeology

London Plan Policy 7.8 states that states that new development should make provision for the protection of archaeological resources. Local Plan Policy DM7 sets out criteria for the consideration of proposals situated within a local archaeological priority area.

The subject site is not within a local archaeological priority area but the possibility that below-ground archaeological remains may be present at the site has been the subject of desk-based investigation as part of the applicant's Environmental Statement. The investigation finds that the site has low potential for archaeological remains and concludes, therefore, that no further investigation or mitigation is necessary. The Greater London Archaeological Advisory Service (part of Historic England) has advised that it concurs with these findings.

24) Areas of Special Character

Harrow-on-the-Hill and Harrow Weald Ridge are designated in the Local Plan as areas of special character. The designation reflects the special contribution that these two elevated topographical features make to the character of the Borough. In addition to its distinctive verdant profile, Harrow-on-the-Hill's designation also reflects its historic and cultural importance to the Borough. Harrow Weald Ridge's designation reflects the visual significance that its tree cover and open countryside provides as a landscape backdrop to the Borough's lowland townscape.

The Core Strategy provides a commitment to maintain the special character of these areas¹⁵⁹. Local Plan Policy DM6 *Areas of Special Character* sets out criteria for the consideration of proposals affecting an area of special character and Policy AAP 8 *Enhancing the Setting of Harrow Hill*, recognising the juxtaposition between the Heart of Harrow (in particular Harrow town centre) and Harrow-on-the-Hill, sets out criteria for the enhancement of the setting of that area of special character. The proposal is considered in relation to the relevant policy criteria below.

Policy AAP 6: Areas of Special Character

Impact upon the strategic value of the area of special character

¹⁵⁹ See Core Strategy Policies CS3 A, CS6 A and CS7 A.

The proposal would not diminish the strategic value of either of the areas of special character. Whilst the proposed tall buildings would be apparent as a tall, landmark feature in their setting, both areas of special character would remain clearly distinguishable as the dominant topographical features within the wider landscape of the Borough.

Desirability of preserving or enhancing the features that contribute to the area of special character

The policy refers to the environmental, architectural, historic and landscape features of the areas of special character. Since the application site does not itself fall within the areas of special character its redevelopment would not lead to any direct loss or damage to any of these features and so, it is considered, those features would be preserved. Consideration of the setting of the Harrow-on-the-Hill area of special character is set out in relation to Policy AAP 8 below, and specific consideration of the proposal's impact upon the setting of heritage assets is appraised elsewhere in this report. Given the distance between the application site and Harrow Weald Ridge, it is considered that the proposed development would preserve the setting of the features that contribute to that area's special character.

Impact upon the protected views to and from the area of special character

The impact of the proposal upon protected views is appraised elsewhere in this report and is considered to be acceptable.

Policy AAP 8: Enhancing the Setting of Harrow Hill

Contribution to the formation of a coherent urban form that engages with and enhances Harrow Hill

The migration of commercial and administrative activities from Harrow-on-the-Hill to Greenhill during the late 19th and early 20th Centuries created a juxtaposition between the townscape of (now) Harrow town centre and the more verdant and historic character of Harrow Hill. Subsequent development within the defined boundaries of Harrow town centre has contributed to a form that is distinctively more urban and compact than its immediate surroundings.

The proposal would, it is considered, make a further contribution to that form. It would replace the existing complex of relatively squat, sprawling buildings on the site with modules/buildings of proportions and scale that confidently express their presence as part of a compact urban centre. In so doing, the proposal would reinforce the juxtaposition between Harrow Hill and Harrow town centre and so enhance this attribute of the setting of the area of special character.

Contribution to the formation of an urban silhouette that adds interest to the skyline in long range views to and from Harrow Hill

The tiered heights of the component modules of buildings B and C & D would visually engage with Harrow Hill by reflecting in built form the profile of the Hill, whilst remaining visually subordinate to the Hill in long range views. Whereas the proportions and scale of the proposal would contribute to the coherence of Harrow town centre as a compact urban centre, the tiered and stepped design together with the gap between proposed building B and C & D would ensure that the tall buildings would genuinely act as distinctive landmarks rising above mass of buildings that otherwise make up the town centre. As such, it is considered that the proposal would make a positive contribution to the silhouette of Harrow town centre, appropriately introducing elements that would add interest to the skyline in views towards (and indeed from) Harrow Hill but without

detriment to the primacy of the Hill and St. Mary's Church spire.

Not adversely affect views of or from Harrow Hill and St. Mary's Church

As noted above, the impact of the proposal upon protected views of and from Harrow Hill is appraised elsewhere in this report and is considered to be acceptable.

Where relevant, realising opportunities to open-up new vistas of St. Mary's Church and Harrow Hill from within the Heart of Harrow

The proposal has been designed to exploit the opportunity to open-up new views of St. Mary's Church and Harrow Hill from within Harrow town centre. Again, this is appraised elsewhere in this report and the proposal is considered to be acceptable in this regard.

It is concluded that the proposal would enhance the setting of the Harrow-on-the-Hill area of special character, as sought by Local Plan Policy AAP 8.

Other Matters

Criterion B of Policy DM 6 lends support to proposals that would realise sustainable opportunities for increased appreciation of areas of special character. The inclusion of a provision, as part of a Planning Obligation, for annual public access to the communal roof garden areas within the proposed development would be consistent with this policy as it would enable both areas of special character to be viewed from new, elevated vantage points within the Borough.

Criterion B of Policy AAP 8 resists the installation of telecommunications and other apparatus that would appear in the urban silhouette of the Heart of Harrow. Given the prominence that the proposed development would have within that urban silhouette, the sensitive relationship of the proposal with the aforementioned areas of special character and, more generally, the need to ensure that the high quality design of the development is not diminished by the subsequent installation of such paraphernalia, it is considered necessary to control communications development that would otherwise be permitted by Part 16 of Schedule 2 to the Town and Country Planning (*General Permitted Development*) Order 2015. Such control may be secured as a condition of any planning permission.

25) Landscaping and Trees

Landscaping

Paragraph 58 of the NPPF states that planning decisions should aim 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. Local Plan Policy AAP 7 *Creating a New Public Realm* requires all development within the Heart of Harrow to contribute to the creation of a high quality, accessible, safe and attractive public realm; further biodiversity enhancement measures are set out in Policy DM 21. Policy DM22 *Trees and Landscaping* 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 planting to grow; and supports biodiversity.

A landscape strategy is included in the Design & Access Statement that has been submitted with the application.

Appropriateness of landscaping

The proposal would introduce an additional component of public realm to the town centre and, together with the configuration of the site meaning that the public realm would not be directly related to any existing area in character terms, presents the opportunity to provide something new and exciting. The landscape strategy identifies 6 landscape character areas across the site, as follows:

Art Walk: This would form the link from College Road into the civic square and to the library entrance and would have dimensions of approximately 10 x 40 metres. It would include an 'art wall' interactive electronic display and pleached trees adjacent to the former First National House and cycle stands. Surface treatment would comprise linear granite paving with a feature natural stone paving band.

Central Square: This would form the new civic square between buildings A and B and would have dimensions of approximately 50 x 20 metres. It would include sculptural seating, catenary lighting and some tree planting. Surface treatment would again comprise linear granite paving with a feature natural stone paving band.

St. Mary's Terrace: This area would be formed by the gap between the flank elevations of buildings B and C and would have dimensions of approximately 17 x 30 metres. It would include a surface water feature and planters. Surface treatment would comprise linear granite paving extending southward from the civic square, and smaller granite setts at the southern edge extending into the garden link.

Garden Link: This would form the southern link between St. Mary's Terrace and Station Road. It is envisaged that this would be a more functional space with a continuation of the smaller granite setts as the surface material. As revised during the course of this application, the garden link would also accommodate a dedicated children's play space.

Library Garden: This would form the space between the flank wall of building B and the library pavilion building and would have principal dimensions of approximately 11 x 11 metres. It would include natural stone seating blocks, secure cycle storage and a raised water feature. Surface treatment would comprise linear granite paving. This area would be gated, enabling access to be controlled when necessary for library events and when the library is closed.

Garden Amenity: This would be the communal amenity area and children's play space for residents situated to the north of buildings C & D. It would include safety surfacing and timber benches, in addition to the play facilities described elsewhere in this report.

Policy AAP 7 requires major developments on sites affecting an identified new view corridor to contribute to the realisation of that new view. As noted elsewhere in this report, reasonable efforts have been taken in the design and layout of the proposal to exploit the opportunity to deliver a new view of Harrow-on-the-Hill and St. Mary's Church and, in the event of a phase 2 development opening-up part of the rest of the allocated site, such a new view may be achieved from College Road.

Policy AAP 7 also calls for judicious implementation of electric car charging points, way-finding signs and cyclist infrastructure. Electric car charging points would be provided as part of the basement car park area. Cycle parking provision for residents would also be provided within the basement; surface level provision for library staff, the commercial premises and visitors may be secured as part of the landscaping conditions of any planning permission. Way-finding signage can be funded from the Harrow CIL.

It is concluded that the proposed landscape strategy demonstrates that the proposal would achieve a high quality and attractive public realm.

Well laid out in terms of access, car parking and living conditions of occupiers

The car parking would be located within a basement and a dedicated loading bay would be provided, in both cases accessed from William Carey Way. The consequence of this arrangement is the public realm areas within the development would be free of cars and service vehicles. This is considered to be a positive attribute of the proposal and would contribute to the creation of a pleasant environment for future occupiers of the development.

Policy AAP 7 states that new areas of public realm should accommodate and strengthen pedestrian and cycle linkages to surrounding areas, enhance social use and legibility, and be flexible in function. In these regards the layout of the proposed public realm responds positively to the opportunity to improve permeability between Station Road and College Road and the new civic square would be of a configuration that would make it suitable for a range of potential outdoor uses. The commercial ground floor uses and library would ensure that the principal public realm areas would be appropriately activated.

Achieves a suitable visual setting for the buildings

The proposed layout of the public realm, wrapping around the north and side elevations of building B and forming a 17 metres wide gap between buildings B and C, would ensure that it contributes to the provision of a suitable visual setting for the proposed tall and taller buildings within the site. It would also provide a setting and outlook for future occupiers of the neighbouring former First National House, as well as providing an appropriate civic space adjacent to Harrow Baptist Church.

Policy AAP 7 calls for a simple palette of sustainably sourced materials and for reduced street clutter. As noted above, a relatively simple palette of high quality materials is proposed. This has been acknowledged by the Council's Landscape Officer but it is suggested that brighter colours be used (such as buff and yellow tones) to help brighten the public realm areas. The applicant has responded to this with revised colour proposals in the Design & Access Statement addendum. In terms of clutter, as noted above, catenary lighting is proposed for the new civic square and the landscape strategy demonstrates that clutter would be minimised through the use of the following other lighting methods:

- lighting columns to the garden link between St. Mary's Terrace and Station Road;
- feature lighting such as the 'art wall' and uplighting of selected trees and low level lighting to delineate main paved areas within the library garden;
- lighting to step faces leading up to the garden amenity area;
- lighting to raised planters within the new civic square.

The selection of materials and further details of the proposed lighting may be secured as part of the landscaping conditions of any planning permission.

Sufficient space for planting to grow

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:

- a management and maintenance regime for the routine day-to-day maintenance, to ensure that the planting thrives, and provision for replacement planting if necessary;
- details of the method of irrigation and the frequency/regime (for both in-ground and in-pots planting); and
- details of the planter types, size, available space for tree planting, installing and fixing the tree, growing medium, drainage layers, mulch & etc.

It is considered that these details may be secured as part of the landscaping conditions of any planning permission.

Supports biodiversity

A number of proposed measures that could be incorporated into the development to help support local biodiversity have been recommended. 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 objectives¹⁶⁰ as possible.

As noted above and elsewhere in this report, the proposal would incorporate some green infrastructure, primarily in the form of trees and roof gardens and green roofs, into the development. These provisions would support biodiversity and help to counter the urban heat island effect at the micro-level.

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. Local Plan Policy DM22 *Trees and Landscaping* requires development proposals to include hard and soft landscaping and calls for retained trees to be protected during construction.

The application site is largely devoid of existing trees however there are some good quality lime trees along the southern boundary of the site and a group of other trees along the adjacent railway embankment. The Council's Landscape Officer has advised that these trees and their canopy spreads should be accurately plotted as part of a tree survey and that impact and method statements, to minimise any damage to these existing trees, should be provided. This approach is supported by the applicant's Ecological Assessment. It is considered that these matters may be addressed as a condition of any planning permission.

The revised access arrangements would deliver the Station Road access as a non-vehicular environment for pedestrians. Consequently the lime trees along the southern boundary of the site, which it had been envisaged would need to be removed to accommodate vehicular access, could now be retained. These trees are considered to make a positive contribution to the character and amenity of this part of the site and are

¹⁶⁰ 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.

of some ecological value, as identified in the applicant's Ecological Assessment. Their protection and retention is therefore sought as a condition of any planning permission.

The Council's Landscape Officer has observed that the retention of the railway embankment trees would lead to some shading of the lower-level flats within building C & D. This is acknowledged; however the railway embankment trees are not within the applicant's control and the value of these deciduous trees, in character and amenity terms, is considered to outweigh any summer shading issues to the adjacent south-facing flats.

26) 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 needs¹⁶¹. 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. Local Plan Policy AAP 12 *Improving Access to Nature* requires all major development proposals to incorporate features that support the protection, enhancement, creation and management of biodiversity within the Heart of Harrow.

An Ecological Assessment has been included in the Technical Appendix to the Environmental Statement submitted with the application. The Assessment reports that a site survey was carried out on 12th August 2014. The Assessment reports as follows:

- there are no statutory designated wildlife sites within 2km of the site and it is unlikely that the proposal would have negative impacts upon such sites further afield;
- there are five Sites of Importance for Nature Conservation (SINCs) within a 1km radius of the site, however the application site is well isolated from these SINCs (with the railway and Lowlands Road significant intervening barriers) meaning that the proposal is unlikely to significantly increase background disturbance levels at these sites;
- the habitats on/surrounding the site are considered to generally be of low ecological value;
- no further survey is considered necessary in respect of the potential for invertebrates, reptiles, amphibians (including Great Crested Newt), badgers, otter, water vole and white clawed crayfish to be present on/within the vicinity of the site;
- the site supports a large population of feral pigeons¹⁶² and there is some potential for additional nesting in the aforementioned lime trees, scrub and small structures on the site;
- there is limited potential for roosting bats in a structure located in the southwest corner on the roof of the existing main building complex and adjacent to Harrow Baptist Church; and
- it is not anticipated that the proposed development would impact on any other

¹⁶¹ See paragraph 111.

¹⁶² It should be noted that the feral pigeon is a protected species while it is breeding/nesting.

legally protected species.

Ecology and biodiversity protection measures

Although the Assessment reports that the site is generally of low ecological value, it does recommend that the lime trees present on the site on the southern boundary should be retained and protected during construction. As noted elsewhere in this report, the existing lime trees are also considered to be of character and amenity value and it is therefore proposed to secure the retention of these trees as part of the landscaping conditions of any permission.

The Assessment also recommends that

- a specialist pest control contractor should be employed to deal with feral pigeons present on the site;
- any vegetation clearance to be undertaken during the period October to February to avoid typical bird nesting season; if not possible then on-site checks to be carried out by a suitable ecologists and provision made for any nests to be left in situ;
- the structure in the south-west corner on the roof of the main building to be demolished by hand, as a safeguard in case there are bats present;
- a single dusk or dawn bat survey to be conducted, as a safeguard in case there are bats present; and
- an invasive plant surveyor to conduct an inspection of areas not accessed by the 12th August 2014 site survey, as a safeguard in case are invasive non-native species (INNS) present.

It is considered that these recommendations may be secured as a condition of any planning permission.

Ecology and biodiversity enhancement measures

The Assessment recommends that enhancements may be achieved by the use of native and wildlife beneficial soft landscaping. Such landscaping could help to support nesting and foraging opportunities for bird species other than feral pigeon, attract pollinating insects and provide a food source for invertebrate and bird species. The Council's Biodiversity Officer has reiterated the importance of native and wildlife beneficial planting to ensure that this highly urban site makes an optimum contribution to biodiversity enhancement. It is considered that details of the plant species to be used may be controlled as part of the landscaping conditions of any permission.

The Assessment recommends, as a further enhancement, that bird boxes should be affixed to the trunks of the retained lime trees and to the new buildings to increase the availability of nesting spaces on the site. Again, this recommendation has been reiterated by the Council's Biodiversity Officer as a means of supporting appropriate urban species referred to in the London Biodiversity Action Plan and the Harrow Biodiversity Action Plan. Details of such provision may be secured as a condition of any planning permission.

The Assessment recommends the installation of bat boxes only if sufficient dark habitat is likely to remain. In this regard the Council's Biodiversity Officer has advised that it is highly unlikely that bats would be attracted to the site as the environs are/would be too light and busy.

As noted elsewhere in this report, it is intended that the proposal would also make provision for green roofs to those rooftops not intended as communal rooftop gardens/private terraces. Green roofs bring environmental and ecological benefits and so would represent a further and significant biodiversity enhancement. The areas identified for green roofs would also accommodate photovoltaic (PV) panels. There is no inherent conflict to dual provision of green roofs and pv panel; indeed the two are considered to complement each other since the PV panels provide opportunities for planting of species requiring slightly more shade, whilst the cooling effect of the green roofs increases the efficiency of the panels. 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.

CLIMATE CHANGE AND ENVIRONMENTAL CONSIDERATIONS

27) Flood Risk and Sustainable Drainage

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 and, in accordance with the NPPF, sequential and exception testing of the proposed development is not required. However, the Local Plan designated the site as part of a critical drainage area meaning that it is susceptible to flooding from surface water.

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 less than 1 hectare. An FRA has, nevertheless, been appended to the applicant's Environmental Statement which includes a section on water resources, hydrology and flood risk.

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. Local Plan Policy AAP 9 *Flood Risk and Sustainable Drainage* calls for major development to: reduce surface water run-off; utilise sustainable drainage systems; ensure adequate arrangements for management and maintenance of on-site infrastructure; use appropriate measures to prevent water pollution; and where appropriate, demonstrate that the proposal would be resistant and resilient to flooding from all sources.

Reduce surface water run-off

London Plan Policy 5.13 *Sustainable Drainage* states that development should aim to achieve greenfield run-off rates and this objective is reiterated in Local Plan Policy AAP 9.

A surface water drainage strategy has been included in the FRA and this states that the existing site is considered to be 100% impermeable and that the existing surface water run-off rate is calculated as 292.7 litres per second. The strategy goes on to confirm that

the discharge rate of the proposed development would be 5 litres per second, a reduction of 98 per cent. The Council's Drainage Team has advised that 5 litres per second is acceptable as the appropriate greenfield run-off rate for the site. It is considered that the proposed run-off rate may be secured as a condition of any planning permission.

Utilise sustainable drainage systems

Both the London Plan¹⁶³ and Harrow's Core Strategy¹⁶⁴ 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.

London Plan Policy 5.13 sets out a hierarchy of sustainable drainage measures, with the aim of managing surface water run-off as close to source as possible. Policy 5.11 *Green Roofs and Development Site Environs* calls for major developments to incorporate green roofs where feasible and Policy 5.15 *Water Use and Supplies* identifies rainwater harvesting as one of the methods that can help to conserve potable water. The applicant's surface water drainage strategy sets out the approach proposed and this is appraised in relation to the London Plan hierarchy as follows:

- *Store rainwater for re-use:* The applicant's Design & Access Statement makes reference to rainwater harvesting for the irrigation of the public realm. No further details are available in the FRA.
- *Use infiltration techniques:* The FRA discounts infiltration direct into the ground due to the underlying ground conditions (clay), and this is accepted, but does demonstrate that the use of green roofs could contribute to the reduction in surface water run-off.
- *Attenuate rainwater in ponds or open water features for gradual release:* The FRA calculates that the volume of surface water that needs to be stored for gradual release, to achieve the required greenfield run-off rate, is 381m³. Such provision in the form of ponds or open water features would not, it is considered, be compatible with other planning objectives for the site (e.g. to create a usable new civic square).
- *Discharge rainwater direct to a watercourse:* The FRA notes that there is no watercourse in reasonable proximity to the site, and this is accepted.
- *Discharge rainwater to a surface water drain:* The proposal makes provision for a 381m³ storage tank within the basement of the development, and the FRA confirms that a pump would be used to discharge the stored water at the required greenfield rate to the Thames Water surface water drain in College Road.
- *Discharge rainwater to the combined sewer:* n/a

The Council's drainage team has expressed satisfaction with the sustainable drainage strategy, as set out in the applicant's FRA, but has advised that it is necessary to secure detailed drainage proposals as a condition of any planning permission. It is considered that such a condition should include details of the proposed green roofs and specify a requirement to investigate and, if feasible, set out details for rainwater harvesting, to ensure that opportunities to manage surface water at the upper end of the hierarchy are exploited wherever possible.

Ensure adequate management and maintenance arrangements

¹⁶³ Policy 5.13.

¹⁶⁴ Paragraph 4.32.

Details of the proposed arrangements for the future management and maintenance of the drainage systems has been submitted with the application. As noted above, the Council's drainage team has expressed satisfaction with the applicant's sustainable drainage strategy but has advised that it is necessary to secure a management and maintenance plan as a condition of any planning permission.

Prevent water pollution

The applicant's surface water drainage strategy states that, where appropriate, pollution control measures such as trapped gullies, catchpit manholes and petrol interceptors will be installed. Again, it is noted that the Council's drainage team has expressed satisfaction with the applicant's strategy and has advised that such details as may be necessary to prevent the spread of any pollutants from the on-site drainage system may be secured as a condition of any planning permission.

Where appropriate, demonstrate resistance and resilience to all sources flooding

The applicant's FRA confirms that the probability of fluvial and groundwater flooding is negligible. The aforementioned measures, subject to details that may be secured through planning conditions, are considered to satisfactorily address the risk of surface water flooding. The implications of the proposed development for sewerage infrastructure are addressed elsewhere in this report.

28) Carbon Dioxide Emissions Reductions

The NPPF¹⁶⁵ 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 within the technical appendix of the submitted Environmental Statement.

CO2 Reduction Target

The London Plan carbon dioxide reduction target for residential and non-domestic buildings during the period 2013-2016 is to achieve a 40% improvement on the 2010 Building Regulations. The applicant's energy strategy notes that this is equivalent to a 35% improvement upon the requirements of the 2013 Building Regulations.

The Energy Strategy details a range of methods, relative to the London Plan energy hierarchy, that would achieve a combined improvement of **38%** upon the requirements of the 2013 Building Regulations, as set out below.

use less energy (lean measures)

The Energy Strategy attributes CO2 savings of **4%** from measures that would reduce energy demand on the site. The CO2 reduction would be achieved from: measures that

¹⁶⁵ Paragraph 96.

would improve the insulation/air tightness of the buildings; the shading provided by the proposed balconies, fins and other building design features; features that aid natural ventilation such as trickle vents to window units and dual aspect to many flats; use of energy efficient mechanical ventilation; and not installing mechanical cooling (i.e. air conditioning) to residential premises.

supply energy more efficiently (clean measures)

The Energy Strategy attributes CO2 savings of **16%** from the installation of a site-wide Combined Heat and Power (CHP) network. The CHP network would provide heating and hot water to the site, and would generate electricity for the non-residential areas within the development.

use renewable energy (green measures)

The Energy Strategy attributes CO2 savings of **18%** from the use of renewable energy. Specifically, approximately 162 photovoltaic (PV) panels are proposed on the roofs that would make a contribution to site's the electricity supply.

29) 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 SPG¹⁶⁶ and sets out the principles for sustainable design and construction. Local Plan Policy DM12 *Sustainable Design and Layout* sets out Harrow's local requirements and these are incorporated into the appraisal below.

Minimising carbon dioxide emissions across the site

As noted above, the proposal would achieve the London Plan's targets for CO2 emissions reductions achieved by improvements to the efficiency of the proposed buildings, sustainable ventilation/cooling systems and more efficient/cleaner energy supply systems.

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

An internal overheating assessment has been appended to the applicant's Energy Strategy. The assessment finds that solar gain is a major factor in the potential for overheating of some of the proposed flats and models a number of potential mitigations including opaque glazing, fan-boosted ventilation and double glazing units with integrated blinds. The assessment also considers the potential for the internal communal corridors to overheat during the summer months and, again, identifies potential mitigation measures. To ensure the highest possible levels of comfort to future residential occupiers without the need for mechanical cooling systems (i.e. air conditioning), it is considered that an assessment of the potential for overheating to all

¹⁶⁶ *Sustainable Design and Construction* supplementary planning guidance (2014).

flats and communal areas within the development should be carried out and that detailed measures to sustainably mitigate conditions within those flats and communal areas where overheating would occur should be required, as a condition of any planning permission.

Although not within the applicant's control, it is notable that there is a line of mature deciduous trees along the railway embankment to the south of buildings C & D. The retention of these trees would provide further shading during the summer months to some of the south-facing flats within these buildings.

In terms of the urban heat island effect, the arrangement of the proposed buildings on the site means that large parts of the new civic square, the links to College Road and the adjacent parts of College Road itself would be shaded for much of the time. St. Mary's terrace would enjoy better levels of sunlight but it is anticipated that the proposed reflecting pool and landscape features would help to mitigate against any excessive localised overheating. The link from St. Mary's Terrace to Station Road would be shaded by the aforementioned railway embankment trees and, in part, by a colonnaded area to the south of buildings C & D. Taken together with proposed green roofs (see below) it is not considered that a localised urban heat island effect is a likely significant risk.

Efficient use of natural resources

Consideration of the proposal's measures for ensuring the efficient use of water and for the handling of construction, excavation and demolition waste is set out elsewhere in this report.

Minimising pollution

It is not considered that the proposed uses pose a significant threat of future land contamination.

Air quality and noise issues are dealt with in separate sections of this report and, subject to necessary mitigations that can be secured as conditions of any planning permission, are considered to be acceptable.

As a centrally located site within a Metropolitan town centre it is unlikely that the development would result in inappropriate levels of lighting (leading to light 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. As noted elsewhere in this report, a site waste management plan could allow for the efficient handling of 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. The issue is dealt with in a separate section of this report and, with mitigation, is found to be acceptable.

Comfort and security of future occupiers

As set out elsewhere in this report, the proposal would meet Lifetime Home Standards and contribute to the creation of a Lifetime Neighbourhood, including the Secured by

Design principles. Controls to mitigate internal overheating are described above. It is considered that the development would offer a good level of comfort and security to future occupiers.

Sustainable procurement

The Code for Sustainable Homes pre-assessment appended to the applicant's Energy Strategy states that a full credit for responsible sourcing of basic building and finishing elements has been assumed. However the Code for Sustainable Homes has been abolished¹⁶⁷. In these circumstances it is considered that it would not be reasonable to seek to impose detailed controls over the procurement of materials for the development.

Biodiversity and green infrastructure

As set out elsewhere in this report, 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 landscaping and other features.

585. London Plan Policies 5.10 *Urban Greening* and 5.11 *Green Roofs and Development Site Environs* call for the provision of green infrastructure on site, including planting, green roofs and green walls. As set out elsewhere in this report, the proposal does make provision for a range of forms of green infrastructure across the site, which can be secured as part of the hard and soft landscaping details required as a condition of any planning permission.

30) Decentralised and Renewable Energy

Decentralised 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 decentralised energy systems beyond the site boundary to adjacent sites to be examined. It also states that, where future network opportunities are identified, proposals should be designed to connect to these networks.

Harrow's Core Strategy includes a commitment to explore the feasibility of a district-wide decentralised energy network for the Harrow & Wealdstone opportunity area, and Policy CS2 K requires new development to make provision for future connection to the network. Local Plan Policy AAP 10 *Harrow & Wealdstone District Energy Network* reiterates the priority to be given to connecting to (or making provision for future connection to) any district-wide network, and encourages applicants to discuss the potential for the capacity of the on-site energy centre to be increased to serve both the site and adjacent sites/uses. The policy also establishes a hierarchy for system selection.

District-wide network

Pursuant to the commitment contained within the Core Strategy, the Council has commissioned Arup to prepare an energy masterplan for Harrow and this will include investigation of the feasibility of a decentralised energy network within the opportunity area. With reference to the London heat map, the applicant's Energy Strategy

¹⁶⁷ In March 2015 the Government withdrew the Code for Sustainable Homes and has advised that, until 30th September 2015, local planning authorities should not require compliance with technical housing standards other than those relating to access, internal space and water efficiency. From 1st October 2015, these matters must be assessed by reference to an equivalent new national technical standard (together with a relevant current Local Plan policy).

acknowledges that there is potential for a network to be formed in the future.

Proposed site-wide decentralised energy network

Details of the proposed site-wide decentralised energy network and how it came to be selected are set out in the applicant's Energy Strategy. The system would take the form of a combined heat and power network and it is estimated that it would meet 70% of the site's overall thermal requirements and up to 90kW electrical output. The Strategy explains that it is uneconomical, due to low export tariffs, to run a system if the majority of electricity is being exported, and that European legislation means that it is unfeasible to supply dwellings directly with electricity.

The applicant's Energy Strategy considers and discounts the use wind turbines, heat pumps and biomass fuel. A gas fired system is therefore proposed. The necessary plant would be accommodated within an energy centre located at basement level and the flues would extend through building C to roof level.

Potential to serve adjacent sites

As the largest land component of allocated site AAP 17 and in view of the aforementioned policies of the London Plan and Local Plan, it is considered that the energy centre and associated infrastructure should be designed to enable the proposed site-wide network to be extended to serve any 'phase 2' development on the allocated site.

It is considered that a Planning Obligation should be sought requiring the proposed on-site energy centre to be laid out with sufficient space, and that an agreed route for infrastructure to the boundary with the site known as 17-33 College Road be safeguarded, to ensure that it would be technically feasible to extend the proposed combined heat and power network to serve the remainder of the allocated site.

Potential to connect to a future district-wide network

Although it is assumed that any future district-wide network would serve this most central part of Harrow town centre for feasible operation, there is no certainty at this point in time as to the viability, design and timetable for installation of such a network. What can be stated with greater certainty, however, is that the operational feasibility of providing a local network is likely to be diminished if, in the meantime, the opportunity to link-up major mixed-use developments is permanently lost.

Accordingly, it is considered that a Planning Obligation should also be sought requiring that an agreed route for infrastructure to the boundary with College Road be safeguarded, to ensure that it would be technically feasible to extend the proposed combined heat and power network to enable a connection to any future district-wide decentralised energy network. Furthermore, the obligation would include a commitment by the developer to make reasonable endeavours to co-operate with the Council (or its agent) to agree terms pursuant to a connection between the site-wide CHP system and a future district-wide decentralised energy network.

Renewable Energy

London Plan Policy 5.7 *Renewable Energy* requires major development proposals to achieve reductions in CO2 emissions through the use of on-site renewables, where feasible. Local Plan Policy DM14 *Renewable Energy Technology* echoes this requirement.

As noted above, part of the development's compliance with the London Plan's CO2 reduction target is predicated on the provision of 162 PV panels. A PV layout plan has been appended to the applicant's Energy Strategy and shows that 42 panels would be accommodated atop the western module of building A, 60 atop the eastern module of building B and a further 60 atop western module of building C & D.

31) 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; proposals to be 'air quality neutral' and not to lead to further deterioration in air quality; ensure on-site provision of measures to reduce emissions; and assessment of the air quality implications of biomass boilers. The Mayor's SPGs¹⁶⁸ provide further amplification of air quality issues in relation to this and related London Plan policies.

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).

An Air Quality assessment has been provided as part of the applicant's Environmental Statement. The assessment considers the air quality implications of the proposal during the demolition and construction phase, including the impact of construction vehicles on the surrounding highway network, and following the completion of the development most notably arising from additional traffic and the site's combined heat and power (CHP) system.

The assessment notes¹⁶⁹ that, in accordance with Government guidance, only those railway lines identified as carrying heavy traffic of diesel passenger trains need be assessed in detail for air quality purposes. The adjacent railway line is not identified as such and so its air quality implications are not considered further.

Increased exposure to poor air quality

To consider whether the proposal would increase exposure to poor air quality (NO2 and PM10 concentrations) the assessment modelled the predicted concentrations at 51 locations comprising receptors within the proposed development (i.e. future occupiers) and existing receptors surrounding the site (i.e. neighbouring occupiers). The assessment concludes that none of the air quality objectives would be exceeded¹⁷⁰ and consequently that the air quality impacts of the proposed development, taking into account the proposed CHP system amongst other things, are judged by the assessment author to be insignificant¹⁷¹. The Council's Environmental Health Officer has confirmed that he is satisfied with the assessment's contents.

Provision to address local problems of air quality

Although the assessment finds that the site would not be exposed to unacceptable NO2

¹⁶⁸ *Sustainable Design and Construction* supplementary planning guidance (2014) and *The Control of Dust and Emissions during Construction and Demolition* supplementary planning guidance (2014).

¹⁶⁹ See paragraph 12.1.4 of section 4 of Volume 1 of the Environmental Statement submitted with the application.

¹⁷⁰ See Table 12.17 of section 4 of Volume 1 of the Environmental Statement submitted with the application.

¹⁷¹ See paragraphs 12.5.3 & 12.5.4 of section 4 of Volume 1 of the Environmental Statement submitted with the application.

and PM10 concentrations, it nevertheless remains a consideration that the whole of the Borough has been designated as an AQMA. In this regard it is relevant that the proposal, located within an area of very high public transport accessibility, provides minimal on-site car parking for residential occupiers and, other than provision for 'blue badge' holders in respect of the library, none for non-residential users of the development. It is also notable that provision would be made for electric vehicles and for bicycle parking within the development, as required by the London Plan.

Measures to reduce emissions during demolition and construction

To consider the air quality implications of the development during the demolition and construction phase, the assessment evaluates the potential for dust emissions during demolition, earthworks and construction to effect properties within 100 metres of the site, and for 'trackout' of dust and dirt by construction vehicles along main roads¹⁷² within 500 metres of the site. Noting the presence of residential properties within the immediate vicinity of the site and the wider 'trackout' area, the assessment finds that there is high sensitivity to dust emissions and notes that the risk of impacts ranges from high to medium. Accordingly, the assessment concludes that mitigation measures and monitoring would be required. This conclusion is confirmed by the Council's Environmental Health Officer.

It is anticipated that, by the time the demolition and construction phase would be under way, the neighbouring former First National House will be in residential occupation (above ground level). The mitigation measures would therefore need to pay particular attention to the potential impact of dust upon that property.

The Mayor's SPG details measures for the mitigation of demolition and construction impacts and the assessment recommends that dust and air quality monitors are put in place during the construction phase. It is therefore considered that a dust management plan be included as part of a construction logistics and management plan and that this be secured as a condition of any planning permission. The Council's Environmental Health Officer has advised that the plan should be required prior to the commencement of demolition and construction works in order that sufficient baseline monitoring may be undertaken.

Proposals to be 'air quality neutral' and not to lead to further deterioration in air quality

'Air Quality Neutral' is measured by reference to emissions benchmarks for buildings (based on various planning use classes) and for transport (based on inner and outer London zones) as described at appendices 5 & 6 of the Mayor's SPG. Accordingly, the assessment calculates the building emissions from the residential and various non-residential components, and calculates the transport emissions with reference to trip generation rates predicted in the applicant's transport assessment. For robustness and in accordance with Government advice, the assessment also takes into account a scenario whereby forecast reductions (as a result of technological improvements) in NO2 from vehicle emissions would not be achieved.

The assessment concludes that the proposal would be better than air quality neutral in terms of the Mayor's SPG emissions benchmarks for buildings and transport. The Council's Environmental Health Officer has confirmed that he is satisfied with the assessment's contents.

¹⁷² Namely: College Road, Station Road and Kenton Road/Tyburn Lane/Lowlands Road.

Notwithstanding the findings of the assessment, the proposal would incorporate a limited number of car parking spaces and make provision for more sustainable modes, and mitigation of temporary air quality impacts during the demolition and construction phase can be secured through a dust management plan, as outlined above. Taking into account the Harrow AQMA designation, it is considered that these measures would contribute to the objective of ensuring no further deterioration in the Borough's overall air quality.

Ensure on-site provision of measures to reduce emissions

London Plan Policy 7.14 indicates that where provision needs to be made to reduce emissions from a development it should be made on-site. The applicant's assessment has found that provision to mitigate the impacts of the demolition and construction phase of the development would be required. It is envisaged that the measures that would be included in a dust management plan could be accommodated within the application site.

Assessment of the air quality implications of biomass boilers

A gas fired CHP system is proposed. The proposal would not involve the burning of solid biomass fuel.

However, Appendix 7 of the Mayor's SPG sets out emissions standards for gas CHP plant as well as solid biomass systems. The appendix text states that developments should only include plant that meets the standards and that further details on actual installed plant and emissions performance prior to full operation of the development should be required. Accordingly, it is considered that these details be secured, at the appropriate stages of development, as a condition of any planning permission.

Details of the flue stack have not been provided with the application material. The flue would terminate at roof level of the western module of building C. This module would accommodate PV panels and would be three storeys higher than the adjacent module of building C, but three storeys lower than the eastern end module of building B. The SPG states that stacks should discharge vertically upwards and should not be impeded. To ensure that the stacks would meet the requirements of the SPG (and would not be impeded by or affect the performance of the proposed PV panels) and to ensure that it would not materially affect the appearance of the proposed development, it is considered that details of the external flue stack should be agreed as a condition of any planning permission.

Other air quality issues: ventilation and odour

As noted elsewhere in this report, an internal overheating assessment has been carried out and has identified a need to explore mitigation measures which might include fan-boosted ventilation. Such mitigation would help to ensure that the development is sustainably ventilated, without the need for mechanical cooling systems (i.e. air conditioning), by boosting the intake of external air. As the quality of air surrounding the site is found to be acceptable, it is considered unlikely that such a ventilation system would expose occupiers within the buildings to harmful air quality conditions.

Details of the intended arrangements for ventilating the proposed basement including the car parking area have not been provided. However this aspect of the proposal is more appropriately controlled through the Building Regulations.

It is recognised that the proposal would introduce a substantial new residential presence to the site and that there are a number of restaurant/take-away premises within the

vicinity including some with 'back-of-house' areas near to the site (most notably Wetherspoon's and McDonald's premises in Station Road). There is no evidence available regarding the potential odour (or indeed noise) impacts that these premises and any associated extract systems/ductwork would have upon future occupiers of the proposed development. However, this is a town centre environment where there are already flats directly above commercial premises. Where premises licences are required these are managed, having regard to neighbouring residential occupiers, through the appropriate licensing regime, whilst properly maintained extract systems/ductwork should not give rise to unduly odorous emissions. Any statutory nuisance (e.g. arising from a failure to maintain extract equipment) can be abated through the Environmental Health regime.

32) Noise

London Plan Policy 7.15 *Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes* sets out criteria by which development proposals should manage noise. These can be summarised as avoiding adverse noise impacts on health and quality of life as a result of new development; mitigating and minimising potential adverse noise impacts upon new development; improving the acoustic environment; separating new noise sensitive development from major noise sources or, where separation is not possible, apply good acoustic design principles; and to promote new technologies/improved practices to reduce noise at source. This reflects the approach espoused at paragraph 123 of the NPPF and associated guidance. Local Plan Policy DM 1 requires a high standard of amenity taking into account, *inter alia*, noise, hours of operation, and vibration. The allocation AAP Site 17 notes the adjacent busy railway amongst the site constraints.

An assessment of the noise and vibration impacts of and upon the proposed development is incorporated within the Environmental Statement, submitted with the planning application. The assessment focuses on: noise arising from changes in traffic; noise arising from plant on the site; noise and vibration during construction; and the impact of external noise and vibration upon the proposed development. The assessment confirms that noise monitoring was carried out over several days in September 2014 and January 2015.

The impact of noise arising from the proposed development

In terms of potential noise effects upon the wider surroundings, the assessment considers the potential impact of changes in road traffic arising from the development. Five off-site receptor locations were selected for assessment:

- o/s 37 Bessborough Road;
- o/s 40 Pinner Road.
- o/s 84 Lowlands Road;
- o/s 371 Station Road; and
- o/s 36 College Road.

The assessment uses traffic data supplied by Peter Brett & Associates (authors of the Transport Assessment submitted with the application) to assess the change in traffic flow (with and without the development) in 2018 at the aforementioned receptor locations. The assessment finds that noise levels attributed to traffic flow would be unchanged at the first three receptor locations and would increase by around 0.1dB(A) at the Station Road and College Road receptor locations. Such an increase is classified as of negligible magnitude and does not, therefore, constitute a significant adverse effect

upon the noise surroundings of the development.

The assessment notes that details of specific items of plant are not known at this stage but that, to safeguard against adverse impact, such plant should be set to at least 10dB below the daytime and night time background noise levels. It is considered that a condition controlling the future installation of plant on the site, for example (but not limited to) extraction plant associated with any future commercial uses at ground floor level, is necessary to ensure that the location and noise output (and any vibration) of such plant would not adversely affect the amenity of any residential premises within or surrounding the development. The control should, it is considered, extend to consideration of the visual impact of such plant in order that the visual amenities of residents within and neighbouring the development, and the architectural integrity of the development, would not be adversely affected.

The assessment also considers the potential noise impact during the construction phase of development and notes that demolition is likely to be the biggest single source during this phase. The assessment refers to the closest residential receptors as being those at 22-38 College Road and considers that mitigation will be required. However, given that the residential conversion of the former First National House should be complete and occupied prior to June 2016 (in accordance with the 'prior approval' office to residential scheme), and that there are also residential premises above premises in Station Road (accessed from William Carey Way), mitigation will need to address these residential properties as well. In terms of non-residential receptors, the assessment acknowledges the particular sensitivity of the neighbouring Harrow Baptist Church.

The principal method for minimising construction noise impacts that is set out in the assessment is the control of hours within which construction activities may take place: Monday-Friday 08:00 to 18:00; Saturdays 08:00 to 13:00; and no construction activities on Sundays and public holidays. In addition, a range of detailed mitigation methods are proposed that include site hoardings (to act as acoustic barriers), exhaust silencers for construction vehicles and mechanical plant, use of sound reduced compressors, use of noise attenuating linings to skips, chutes & etc., and location of plant/ machinery away from noise-sensitive receptors wherever possible.

A redevelopment of the nature proposed inevitably generates unwanted noise during the demolition and construction phase, and the constraints of the subject site are such that adverse impacts are inevitable. However it is considered that the mitigation of these, insofar as is reasonably practical, can be secured by requiring the submission for approval and adherence to a construction management plan, as a condition of planning permission.

The impact of external noise upon the proposed development

The noise assessment explains that noise impacts are classified as follows:

- No Observed Effect Level (NOEL): the level of noise below which there is no detectable effect on health and quality of life due to noise;
- Lowest Observed Adverse Effect Level (LOAEL): the level of noise above which adverse effects on health and quality of life can be detected;
- Significant Observed Adverse Effect Level (SOAEL): the level of noise above which significant adverse effects on health and quality of life occur.

To assess the impact of external noise to the development site, three noise monitoring locations were set up on the site: one adjacent to Harrow-on-the-Hill Station (location 1);

one adjacent to College Road (location 2); and one adjacent to the railway (location 3). Perhaps counter-intuitively, the summary of on-site noise measurements¹⁷³ reveals that highest readings during the daytime and night time were taken at location 2, and this is attributed to the nature of traffic using College Road (buses, taxis, delivery vehicles etc.). The more moderate readings associated with the railway are explained by the fact that all trains stop at Harrow-on-the-Hill Station, so rolling stock is either stationary or slow-moving adjacent to the site, although the noise from intermittent station announcements is acknowledged.

The readings for all three locations within the site fall within the range classified as Lowest Observed Adverse Effect Level (LOAEL), meaning that the external noise environment of the development fronting College Road and Harrow-on-the-Hill Station/the railway is above the level at which effects on health and quality of life can be detected, but below the level at which significant adverse effects occur. British Standard BS8233:2014 suggests appropriate noise levels for living rooms/dining rooms and bedrooms within residential premises¹⁷⁴ and the assessment applies these to typical proposed flat layouts from the scheme that would face College Road and Harrow-on-the-Hill Station/the railway. This exercise reveals that glazing with appropriate acoustic specifications, to achieve the British Standard suggested for living rooms/dining rooms and bedrooms, would be required to the flats facing College Road and at least to some of the flats facing Harrow-on-the-Hill Station/the railway. The assessment notes that, at upper floors of the proposed development, it is anticipated that noise levels would be marginally lower, given the increased distance between the railway line and the flats¹⁷⁵.

In view of the above conclusions, questions of ventilation to rooms within the affected flats and the noise environment of the proposed balconies/roof gardens also arise. In these regards the assessment recognises the need for acoustic vents to be installed to rooms (particularly bedrooms) that would otherwise be adversely affected by open-window ventilation, but accepts that balconies facing College Road and Harrow-on-the-Hill Station/the railway would be subject to noise levels above the suggested British Standard. The assessment anticipates however that the rooftop gardens on the 'rail side' of the development would have noise levels compliant with the suggested British Standard due to the relative elevation of the rooftop gardens from the railway and the enclosing balustrade around each of the gardens.

The locational advantages of the site that make it attractive to potential future occupiers (close to Harrow-on-the-Hill Station, Harrow bus station and within Harrow town centre) inherently mean that it is a noisier environment to live in than more traditional, suburban residential areas. Opportunities to improve the acoustic environment or separate the new development from surrounding noise sources are limited, however the assessment shows that, with the exception of balconies, it is possible to mitigate the impact of the external noise environment by the installation of glazing and ventilation to an appropriate acoustic specification. It should also be borne in mind that that, according to the applicant's assessment, the impact of the external noise environment is likely to diminish at the upper levels of the development.

The impact of the external noise environment upon balconies (by inference, mainly affecting flats at lower levels and only those on the south side of buildings B, C & D and

¹⁷³ Table 13.7 at page 13 of section 13 of Volume 1 of the Environmental Statement.

¹⁷⁴ See paragraph 13.3.7 and Table 13.2 of section 13 of Volume 1 of the Environmental Statement.

¹⁷⁵ See paragraph 13.5.28 of section 13 of Volume 1 of the Environmental Statement.

the north side of building A) is noted and could be at least partially mitigated, for example by enclosure to form 'winter gardens', so a condition to achieve a high standard of residential amenity in this regard is recommended. It is imperative that the flats have internal noise conditions that are conducive to living activities and sleeping, and a condition requiring a more detailed assessment of the specific flats/rooms requiring mitigation, together with a detailed specification of the level of mitigation required and the methods proposed in each case, is therefore also necessary to achieve a high standard of residential amenity in this regard.

Vibration

As noted above, the submitted noise assessment extends to include consideration of vibration and in this regard site visits were undertaken on a number of occasions between September 2014 and January 2015. The assessment finds that, due to the slow speed of trains passing through Harrow-on-the-Hill Station, vibration is not perceptible at the site or within the existing structure, and concludes that no further consideration of vibration is required.

Clearly demolition and construction activities are likely to give rise to localised, temporary vibration. Again such impacts are inevitable with a development of this nature, however it is considered that opportunities to secure mitigation may be explored and, where appropriate, implemented as part of a construction management plan, that can be required by condition, as described above.

33) Contaminated Land

Paragraph 109 of the NPPF recognises that there is a role for the planning in the remediation and mitigation of derelict and contaminated land. More specifically, the National Planning Practice Guidance advises that the planning system should ensure that a site is suitable for its new use and prevent unacceptable risk from pollution, and states that as a minimum land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990. Reference is also made to the EU Water Framework Directive.

London Plan Policy 5.21 *Contaminated Land* requires appropriate measures to be taken to ensure that the redevelopment of contaminated land does not activate or spread the contamination. Local Plan Policy DM 15 *Prevention and Remediation of Contaminated Land* requires the consideration of proposals on land known or suspected to be contaminated to have regard to: the findings of a preliminary risk assessment; the compatibility of the intended use with the condition of the land; and the environmental sensitivity of the site.

An assessment of ground conditions, hydrogeology and contamination has been submitted as part of the applicant's Environmental Statement. The assessment identifies a range of potential sources of contamination on¹⁷⁶ and off the site¹⁷⁷, and a number of potential sensitive receptors¹⁷⁸, and therefore finds that there is risk potential¹⁷⁹. In

¹⁷⁶ Made ground of unknown composition; six underground storage tanks; oil tank filler points; a substation; a generator; discarded plant and chemical containers; an oil water separator; and historical on-site plant/refuelling infrastructure.

¹⁷⁷ Harrow-on-the-Hill Station and nearby historical/current commercial uses.

¹⁷⁸ People (future users of the site and neighbouring sites, maintenance workers, construction workers, & etc); potable water supplies; surface water bodies in the area; and damage (through chemical attack) of buried concrete and underground services.

accordance with the recommendation of the Council's Environmental Health Officer, it is therefore considered that a ground investigation and remediation strategy is required to address the identified risks to human, environmental and built receptors both during the construction phase and then upon occupation/use of the development. This should include a magnetometer survey to detect the presence of any unexploded ordnance and details of methods to prevent contamination of the potable water supply. Such a ground investigation and remediation strategy may be sought as a condition of any planning permission.

The assessment also notes that, due to the assumed thickness of London Clay and the low permeability of the strata situated beneath the site, the construction techniques are not thought to have the potential to affect the deeper groundwater aquifers underlying the clay formation.

Subject to appropriate mitigation, the assessment concludes that the residual risks to the aforementioned receptors would be of negligible/low significance (in most cases) and that, in some instances, the removal of potentially impacting infrastructure (i.e. the existing buildings/structures) would be of minor beneficial significance. It is also noted that the mitigation measures associated with the suppression of dust & etc. during construction would have a strong synergy with those required in respect of the protection of local air quality. The Council's Environmental Health Officer has confirmed that, following appropriate mitigation, the site would not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990 and therefore suitable for its new use.

INFRASTRUCTURE CONSIDERATIONS

34) Provision of Library

Policy and Background

The NPPF¹⁸⁰ advises that planning policies and decisions should plan positively for the provision of community facilities and local services to enhance the sustainability of communities and residential environments. London Plan Policy 3.16 *Protection and Enhancement of Social Infrastructure* gives support to proposals for the provision of high quality social infrastructure. It goes on to require that such facilities be accessible to all and easily accessible by walking, cycling and public transport. It also states that, wherever possible, the multiple use of premises should be encouraged.

Core Strategy Policy CS1 AA requires development to contribute to the delivery of infrastructure identified in the Council's Infrastructure Delivery Plan (IDP). The IDP identifies the requirement for a new central library to replace the (now closed) Civic Centre Reference Library and to relocate the Gayton Library, currently situated within a leased ex-office building in St. John's Road, into more suitable purpose-built accommodation. By definition, this aspect of the Council's IDP gives rise to a land

¹⁷⁹ The assessment describes those risks as follows: (a) During the construction phase: increased dust reaching on-site and neighbouring receptors; increased filtration of contaminants following removal of existing hardsurfaces; and potential to expose/activate unexploded ordnance. (b) Upon occupation/use of the development: exposure of site users to potentially contaminated soil and groundwater; potential for inhalation of volatile vapours; potential for soil and groundwater contaminants to affect potable water supply; potential chemicals in soil and groundwater to affect buried concrete; and potential for ground gas to migrate into buildings.

¹⁸⁰ See paragraph 70 of the NPPF.

requirement, consideration of which took place through the Local Plan preparation process over the period 2012/13. Consistent with the locational objectives of London Plan Policy 3.16 and Harrow's spatial strategy¹⁸¹ to direct frontline services to Harrow town centre, the subject site was selected as the most appropriate potential site for a new central library and accordingly this potential is recorded as part of the specific infrastructure requirement of the site allocation AAP Site 17 in the Local Plan.

Library Brief and the Proposal

In October 2014 the Council produced a scoping brief for a new Harrow town centre library. The brief is not a supplementary planning document but was used to guide pre-application discussions between officers and the developer. The following vision for the library is taken from the overview section of the brief:

“The new Town Centre Library will provide a multi-purpose community, cultural and learning facility in Harrow Town Centre with modern, innovative, and flexible space to meet the existing and future needs of the communities in Harrow. There will be a change from focusing on traditional transactional access to products (books and information) towards a knowledge based service making connections between content and people. Through collaboration with other services (council, community, and retail) the library space will provide a dynamic mix of events, activities and performance together with resources, exhibitions and access to help for learning new skills, information and culture. A community hub for literacy, research, study, skills development, entrepreneurship, creative expression, health information and more, Harrow Town Centre will enable people to change their lives...”.

The brief goes on to specify the space requirements, including: a newspaper area; children's, teens' and adults' library areas; study zones; meeting and rehearsal space; exhibition area; and staff facilities.

The proposed development would make provision for library floorspace totalling 1,672 square metres¹⁸². This would comprise floorspace of 1,469m² at ground and mezzanine within proposed building A and 203m² within the proposed single storey detached pavilion building. A library garden of 163m² would be provided in the space between the main library and the pavilion.

Detailed floorplans of the main library have been provided. At ground floor level, a large open-plan space would be created giving the Council's library service or any nominated operator maximum flexibility as to its layout and use. The mezzanine level would be set-in by approximately 5 metres from the flank walls of proposed building B and by approximately 4 metres from part of the north wall, giving the library a particularly light and airy character at the main (north elevation) entrance and at its sides whilst, again, providing a floorplate at the mezzanine level that would be adaptable for a range of library activities. The mezzanine level would also be set-in by approximately 2 metres from the south wall, allowing light from the glazed part of the south elevation to filter down to ground floor level. The ground floor level south wall would not be glazed, due to the relationship with the retaining/parapet wall alongside the adjacent part of Harrow-on-the-Hill Station, however this would mean that there would be an uninterrupted wall span in excess of 40 metres width that may be suitable for displays & etc. at ground floor

¹⁸¹ See paragraph 3.23 of the Harrow Core Strategy (2012).

¹⁸² Measured as gross external area.

level.

A central, internal core would provide public and staff toilet facilities. Access between the levels would be provided by stairs situated either side mezzanine level and by a lift would be provided as part of the internal core. In terms of servicing arrangements, the applicant's Transport Consultant has confirmed that large library vehicles would be expected to use the loading bay and access the library via the service/library lifts. However, smaller vehicles may drive into the basement to access more directly the library lift and, for special events, vehicular access into the civic square may be permitted.

No detailed floorplans of the proposed pavilion building have been provided, however a footprint layout shows that it would have a broadly 'L' shaped configuration with a main area of 15 metres width x between 8 & 13 metres depth, and an outrigger of approximate dimensions 7 metres width x 5 metres depth. It is considered that the pavilion's configuration together with its detachment from the main library would make it a quirky and interesting addition to the available library floorspace and could be particularly suited to wider community/cultural activities such as meetings, exhibitions or arts space. The east elevation of the pavilion building would be glazed and could give it a close functional relationship (for example, with the use of bi-folding doors) to the library garden. It is considered necessary to secure more detailed drawings of the pavilion building to ensure that this part of the proposal achieves a high standard of design & layout and (in relation flats within the adjacent part of the former First National House) a high standard of amenity for future neighbouring occupiers. Such details may be secured as a condition of any planning permission.

The Council's library brief also envisages that the provision of a café within the library. Details of this have not been shown however, in planning terms, such a facility would need to be ancillary to the main use of the premises as a library within Use Class D1 and as such need not be specified for the purposes of this planning application.

Securing the Delivery of the Library

As described above, the application proposal effectively offers three flexible spaces for library use – the ground floor, the mezzanine level and the detached pavilion – without specifying at this stage particular activity zones and consequent details of fit out/subdivision. This is considered to be the appropriate approach for the purposes of the subject planning application, leaving the detailed specification to be agreed between the developer and Council officers responsible for library provision.

Harrow's Community Infrastructure Levy (CIL) charging schedule includes a list¹⁸³ of infrastructure projects that it is intended will be, or may be, wholly or partly funded by the CIL and the list includes "libraries and community halls". Under section 73A of the CIL Regulations 2010 (as amended) the Council may accept the direct provision of items of infrastructure by a person who would be liable to pay CIL in respect of chargeable development. The Council's CIL charging schedule indicates that in most cases CIL will be collected as a cash contribution but also indicates that "...the Council will assess any proposals for in-kind payments of CIL on its merits and in accordance with CIL Regulations". Accordingly, the provision of the library within the proposed development would be in lieu of part (or all) of the developer's CIL cash liability under the Harrow CIL. In this instance, accepting in-kind payment of part of the CIL liability for the proposed

¹⁸³ Such a list is often referred to as the CIL Regulation 123 list.

development is considered acceptable in principle as the site's allocation in the Local Plan nominates it as being potentially suitable for a new library. The delivery of the library by the developer means that it can be delivered as an integral part of the overall scheme and in a more cost-effective manner.

Section 73A of the CIL Regulations sets out the procedure to be followed when accepting infrastructure in lieu of CIL cash. This includes a requirement that the value of the infrastructure be independently determined and written into an agreement, together with a date by which the infrastructure must be provided and a requirement for the CIL cash amount (and any interest) to be paid if the infrastructure is not provided by the agreed date. This agreement must be entered into prior to the commencement of development. Council officers have commissioned consultants to provide an independent determination of the value of the proposed library and it is considered that this value, together with the other relevant requirements of section 73A of the CIL Regulations, can be written into the aforementioned agreement.

As part of the aforementioned work to establish the value of the proposed library, Council officers are liaising directly with the developer in connection with a detailed specification (fit out, inclusive access provisions & etc.) required for the handover of the proposed library to the Council. Pending the conclusion of this exercise, the precise delivery value of the proposed library – and therefore the sum of any remaining infrastructure cash due under the Harrow CIL – is unknown. However, Council officers consider that a provisional estimate of the delivery value of the library to be in the region of £1,000,000.

It is considered that the landscaping of the proposed library garden would be most appropriately delivered as part of the hard and soft landscaping for the development as a whole, and that this may be controlled as a condition of any planning permission. This approach would ensure a seamless quality of finish between the library garden and the rest of the public realm within the proposed development.

35) Provision of Civic Square

Policy and Background

The NPPF¹⁸⁴ recognises that access to high quality open spaces can make an important contribution to the health and wellbeing of communities, and advises local planning authorities to develop planning policies based on robust assessment of open space needs. The importance of local assessment of needs is reiterated in London Plan Policy 7.18 *Protecting Open Space and Addressing Deficiency*.

Such an assessment¹⁸⁵ informed the preparation of Harrow's Core Strategy and other Local Plan documents. The assessment found that there is dearth of existing civic space¹⁸⁶ provision in the Borough and set-out a quality aspiration¹⁸⁷ for the future provision of such spaces. Core Strategy Policy CS2 E calls for development to help

¹⁸⁴ See paragraph 73 of the NPPF.

¹⁸⁵ The London Borough of Harrow Open Space PPG 17 Study (2010)

¹⁸⁶ Just 15 civic spaces were found.

¹⁸⁷ The aspiration as follows: *A civic space that is attractive to all sections of the community and which functions as a setting where people meet and where cultures mix. They will be clean, safe, litter and graffiti-free spaces, which encourage a sense of place where local distinctiveness and traditions can be celebrated and which enhance the surrounding buildings and neighbourhood. They will provide public art and ancillary facilities, where appropriate.*

create coherent public spaces of high quality design. The desirability of securing new civic space within the Heart of Harrow is reflected in the provisions of Local Plan Policy AAP 11 *Provision of Open Space* and is a specific design consideration of the site allocation AAP Site 17.

London Plan Policy 7.5 Public Realm sets out qualitative expectations of the public realm. Local Plan Policy AAP 11 includes criteria relating to the location and layout of new open space.

The Proposed Civic Square and other Public Realm

The proposal would provide 2,413 square metres of public realm primarily comprising the civic square and St. Mary's Terrace. There is no local quantitative standard for civic space but such a level of provision clearly represents one of the key planning benefits of the proposal. Section 4.8 of the applicant's Design & Access Statement demonstrates some of the potential uses of the space – markets, an outdoor cinema, events with marquees and a winter ice rink.

Policy AAP 7 *Creating a New Public Realm* requires areas of public realm to enhance social use and be flexible in function. In the event that the public realm is adopted as part of the public highway, then control over future uses and events would come to the Council. However, to ensure that the public realm and in particular the civic square would be actively used should adoption as part of the public highway not take place, it is considered necessary to agree a plan that would set out how events and other uses within the public realm of the development would be delivered and managed. Such a plan may be secured as a condition of any planning permission.

The public realm areas within the development would enjoy high levels of natural surveillance. Accessibility to the new civic square could not be better, given the location of the site, whilst the new connection between College Road and Station Road that would enhance permeability helping to create a sense of vibrancy.

Securing the Delivery of the Proposed Civic Square and other Public Realm

Details of the hard and soft landscaping proposals, which would include seating, trees and water features, are set out elsewhere in this report and may be secured as a condition of any planning permission to ensure that the public realm is finished to a high standard. In accordance with London Plan Policy 7.5, Local Plan Policy AAP 1 and the Council's Planning Obligations SPD, it is considered that the proposal presents an appropriate opportunity for the integration of public art. Suitable provisions to secure this may be included within a Planning Obligation. The public realm may also be safeguarded as public open space as part of the Planning Obligation.

36) Electricity and Gas

London Plan Policy 5.4A *Electricity and Gas Supply* calls for developers to engage with boroughs and energy companies to identify the gas and electricity requirements of their proposals. 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 adequacy of the electricity and gas supply to meet existing needs and planned growth was considered, in strategic terms, as part of Harrow's Infrastructure Assessment and Delivery Plan (2011). The Plan notes that, other than a need to upgrade two electricity substations (both of which would be delivered by the relevant supplier), no

further gas or electricity infrastructure requirements have been identified for the Borough¹⁸⁸.

The existing site contains an electricity substation (to the rear of the former First National House) and the proposal makes provision for a sub-station at ground floor level within proposed building C & D. The applicant's Energy Strategy estimates the base electrical load of the development (excluding the proposed flats) to be 277kW and, as noted elsewhere in this report, the on-site decentralised energy network could provide up to 90kW electrical output. The National Grid plc has been consulted on the application but no response has been received.

The site would be served by a gas-fired on-site decentralised energy network. Paragraph 5.31F of the reasoned justification to London Plan Policy 5.4A confirms that the National Grid plc is also responsible for the gas distribution system network to boroughs north of the River Thames. Again, it is noted that the National Grid plc has been consulted on the application but no response has been received.

37) Water Use and Waste Water Capacity

In March 2015 the Government withdrew the Code for Sustainable Homes and has advised that, until 30th September 2015, local planning authorities should not require compliance with technical housing standards other than those relating to access, internal space and water efficiency. From 1st October 2015, these matters must be assessed by reference to an equivalent new national technical standard (together with a relevant current Local Plan policy).

London Plan Policy 5.15 *Water Use and Supplies* requires development to minimise the use of mains water by incorporating water saving measures and designing residential development so that mains water consumption would meet a target of 105 litres or less per head per day. Local Plan Policy DM 10 *On-Site Water Management and Surface Water Attenuation* also refers to this target. The new national optional standard is for an upper limit of 110 litres per person per day¹⁸⁹.

The applicant's Environmental Statement¹⁹⁰ confirms that discussions have taken place with Affinity Water which have concluded that the development's water supply needs can be met from existing infrastructure without the need for off-site improvement works. This is consistent with the conclusions of Harrow's Infrastructure Assessment and Delivery Plan (2011) and Affinity Water's *Water Resources Management Plan 2015-2020* but is predicated on the impact of increased demand from population growth being mitigated by metering and other water use efficiency measures in new development¹⁹¹.

Although a (now defunct) Code for Sustainable Homes pre-assessment has been appended to the applicant's Energy Strategy, this lists an assumed specification to include dual flush toilets, restricted taps to sinks and basins, low capacity baths, restricted flow showers and water-efficient white goods. No further, specific details have been submitted. It is therefore considered that a strategy for efficient water use should be required, as a condition of any planning permission and that, as development is unlikely to commence prior to 1st October and as there is limited disparity between the

¹⁸⁸ See paragraph 5.32.1 of the Infrastructure and Delivery Plan. The two electricity sub stations are Wealdstone and Greenhill.

¹⁸⁹ See requirement G2 of Building Regulations Approved Document G.

¹⁹⁰ See paragraph 8.6.8 of section 8 to Volume 1 of the Environmental Statement.

¹⁹¹ See section 3.3.1 of Affinity Water's Plan.

two, the new national target should be applied when considering such a strategy.

The applicant's Design & Access Statement refers to a system of rainwater harvesting and advises that collected rainwater would be used for irrigation of landscaped areas within the development. This is intended primarily to mitigate the risk of localised surface water flooding but has a secondary benefit in terms of efficient mains water consumption.

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. Local Plan Policy AAP 9 *Flood Risk and Sustainable Drainage* requires proposals to demonstrate that they would be resistant and resilient to flooding from all sources (including sewer flooding).

The applicant's Environmental Statement¹⁹² notes that Thames Water has advised that there is not sufficient capacity within the local network to accommodate the proposed development and this is confirmed by Thames Water's consultation response to the subject application. The Environmental Statement indicates that an impact study will be undertaken post-planning to determine the need for reinforcement or other works to the waste water network. Thames Water has requested that details of any on and off site drainage works to be submitted and agreed prior to the commencement of development, together with measures to protect the proposed development from potential sewerage surcharge during storm conditions in the future. Such details may be secured and agreed as a condition of any planning permission.

38) Waste and Recycling

London Plan Policy 5.3 *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. Local Plan Policy DM45 *Waste Management* requires proposals to make waste management provision on-site and to: provide satisfactory storage volume; ensure satisfactory access for collectors and collection vehicles; and be located to avoid nuisance to occupiers and adverse visual impacts. 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).

The Code of Practice states that for flats, communal and high rise development, a two-bin system is recommended. This requires 1 x 1,100 litre waste bin and 1 x 1,280 litre recycling bin to be provided for every 8 flats, although the Code acknowledges that in larger developments it may be possible to reduce the number of communal bins that need to be provided. In this regard, the principle of twice weekly collections for both general and recycling bins was agreed with the Council's Waste Management team leader during pre-application discussions and this aspect of the proposal has been confirmed in the planning application documentation¹⁹³.

The applicant's Waste Strategy states that 1,280 litre bins would be used and that a total of 22 general waste bins and 22 recycling bins would be provided. This equates to an

¹⁹² See paragraph 8.5.20 of section 8 to Volume 1 of the Environmental Statement.

¹⁹³ Refer to the applicant's Transport Statement and Waste Strategy.

overall ratio of 1 x waste bin and 1 x recycling bin for every 14.5 flats and is considered acceptable strictly on the basis that twice weekly collections will be secured. The proposal would accommodate the bins within the basement of the development, in storage areas dedicated to each proposed building as follows:

- Building A (47 flats): 3 x general waste bins and 3 x recycling bins
- Building B (130 flats): 8 x general waste bins and 8 x recycling bins
- Building C & D (141 flats): 11 x general waste bins and 11 x recycling bins

It should be noted that, at present, the Council does not operate a collection service for organic waste from blocks of flats. This is confirmed in the Code of Practice, which advises that under-the-sink waste disposal units should be fitted to the flats to deal with food waste and that garden waste should be removed by grounds maintenance contractors for disposal. It would be for the developer to ensure that any waste from landscaping is appropriately disposed of.

In the event that twice weekly collections do not take place a significant increase in the number of bins (and space to accommodate them) would be required, and (as noted elsewhere in this report) the Council now requires developers of high-density schemes to purchase bins to ensure that they are provided on-site prior to first occupation. It is considered that both of these matters would be most appropriately secured as part of a Planning Obligation. To ensure that the development makes appropriate provision for the disposal of recycling and waste from the proposed non-residential premises, and that units for the disposal of food waste from the proposed flats are fitted, it is considered that further details of these matters be secured as a condition of any planning permission.

Access to the basement bin storage areas would be via the lift/stair cores of each of the proposed buildings and the design of the basement ensures that the storage area for each building would be located in close proximity to the relevant stair/lift core. Subject to ensuring that the basement including the bin storage areas contribute to inclusive access objectives, in particular that they are fully accessible to wheelchair users, this arrangement is considered to be acceptable.

The applicant's Waste Strategy confirms that collection vehicles will service the site from the loading bay, via William Carey Way, and that on-site management will ensure that bins are relocated to the loading bay on collection day. A dedicated lift would enable the bins to be transported up from the basement to a holding area adjacent to the loading bay. The dimensions of the proposed loading bay would enable it to accommodate two collection vehicles at a time with space at the rear for the bins to be stored and for operators to load the collection vehicle. This arrangement is considered to be acceptable but effective operation would be dependent upon the operation of the dedicated lift, the loading bay being kept clear of any other material/blockages and there being a minimum clear height within the loading bay of at least 4 metres. It is considered that such operating details may be secured and maintained as a condition of any planning permission.

The proposed arrangements would ensure that there would be no external visual impact associated with the storage of waste and recycling material within the development, and any noise nuisance associated with collection would be likely to be significantly mitigated by the containment of this activity within the proposed loading bay enclosure. Details of any rollershutters, gates or other means of enclosing the loading bay – to ensure a satisfactory visual appearance and to mitigate the potential for noise/disturbance associated with their operation – may also be secured as a condition of any planning

permission.

London Plan Policy 5.18 *Construction, Excavation and Demolition Waste* calls for major development sites to recycle construction, excavation and demolition waste on-site, wherever practicable. 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.

The applicant's Waste Strategy sets out proposals for the submission of a Construction Waste and Site Waste Management Plan (SWMP). The proposals appropriately identify opportunities to salvage existing materials on the site for recycling & re-use and outline measures for screening materials that may be hazardous and so risk contamination. The Waste Strategy confirms that a full SWMP would be prepared before the commencement of development and that this may be secured as a condition of any planning permission.

39) Other Infrastructure

On 1st 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.

It is calculated that the proposal would generate a liability of £957,344.50 under the Mayor's CIL. This figure is net of anticipated social housing relief.

On 1st 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 commercial¹⁹⁴ development at a rate of £100.00 per square metre.

It is calculated that the proposal would generate a liability of £2,825,187.00 under the Harrow CIL. This figure is net of anticipated social housing relief but does not take account of any deduction for the direct provision by the developer of a new library.

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. Local Plan Policy DM 50 *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 relevant content of this SPD.

Affordable Housing & Wheelchair Homes

London Plan Policy 3.12 *Negotiating Affordable Housing on Individual Private*

¹⁹⁴ Retail (Class A1); Financial and Professional Services (Class A2); Restaurants and Cafes (Class A3); Pubs and Bars (Class A4); and Hot Food Take-Aways (Class A5).

Residential and Mixed-Use Schemes calls for the maximum reasonable amount of affordable housing to be provided in individual proposals and sets a clear expectation in favour of on-site provision. Core Strategy Policy CS1 J reiterates the requirement for the maximum reasonable amount of affordable housing to be provided on site.

The proposal makes provision for 30 affordable rent and 21 intermediate homes. The resulting total of 51 affordable homes represents a proportion of 16 per cent of the total of 318 homes within the proposed development.

In accordance with the SPD, it is proposed that a planning obligation be used to secure the 51 affordable homes and that a review mechanism be applied to take account of any changes in viability during the course of development. In the event that viability review demonstrates that the development is financially capable of supporting an increased affordable housing offer, the expectation (in accordance with policies) is that these be provided on-site in the first instance. However, should increased on-site provision not be possible for any robust planning reason, the planning obligation should allow for a value equivalent cash in-lieu contribution to be made to enable the homes to be provided on other sites elsewhere within the Borough.

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.

Transport mitigation measures and off-site highway works will be required to accommodate the use of William Carey Way as the principal access to the development, as well as ancillary works to College Road. The mitigation measures are to be delivered through s.278 agreements, the Harrow CIL and s.106 planning obligations. The monetary value of the financial contributions will be agreed and included in the Planning Obligation.

London Plan Policy 6.3 *Assessing Effects of Development on Transport Capacity* requires workplace and/or residential travel plans to be submitted with relevant types of application. The subject application has been accompanied by travel plans for both the residential and non-residential components of the proposal. The plans contain a number of targets and measures, including the appointment of a travel plan co-ordinator for the site. In accordance with the SPD, an obligation to ensure that the developer users all reasonable endeavours to secure the effective implementation, monitoring and management of the residential and non-residential travel plans for the site is considered necessary.

In addition to the site specific travel plans, Local Plan Policies AAP 19 *Transport, Parking and Access within the Heart of Harrow* and AAP 20 *Harrow & Wealdstone Green Travel Plan* require major developments to contribute to the development, funding and implementation of an area wide green travel plan for the Heart of Harrow. At the present time no work has been undertaken on this project and however it is envisaged that this project would be funded through CIL contributions.

Policy AAP 19 calls for developments in appropriate locations within town centres to exclude future occupiers of the development from eligibility for on-street parking permits and for spaces to be provided as part of major development proposals for car-club vehicles. Such measures are sought to ensure that no additional transport stress is

placed on the public highway following development and to support 'car free' development in areas with high levels of public transport accessibility.

Although not strictly 'car free' the provision of 50 parking spaces is considered to be (appropriately) highly restrained. In accordance with the SPD and the applied-for development it is therefore appropriate to include an obligation that will give effect to the fact that, with the exception of disabled persons, no resident of the development shall be eligible to obtain a resident's parking permit for any controlled parking zone surrounding the application site. The policy requirement in respect of car-club provision is for provision of spaces (to accommodate car-club operated vehicles) on-site. In this case, the proposed 50 car parking spaces would be accommodated within the basement of the development and this would be an area into which access would need to be controlled, for security reasons. An obligation requiring the developer to make provision to accommodate a parking space for a car club vehicle elsewhere on the site (or, if it materialises, on phase two of the development) and to make reasonable endeavours to secure a car-club operator to provide a vehicle for that space is therefore sought.

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 may be funded through the CIL.

Public Open Space

Local Plan Policy AAP 11 *Provision of Open Space* requires proposals for major development within town centre boundaries to secure opportunities for the provision of appropriate civic space. The site allocation AAP Site 17 calls for a new, high quality public space to be established on the site. Given its town centre location and the site specific provisions of the AAP, it is considered that the site is a suitable candidate for the provision of new civic space. The public open space would be dedicated as such as part of the Planning Obligation.

General improvements to local open spaces and relevant Green Grid projects can be funded through the Harrow CIL.

Amenity Space

The proposal meets 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

Local Plan Policy AAP 11 *Provision of Open Space* requires major residential development to provide sufficient play space on-site to meet the needs of the development. Applying the child yields at Appendix 1 of the SPD, it is calculated that the development would yield a total of 76 under 16's comprising 48 x 0-4 year olds, 19 x 5-10 year olds and 9 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 304 square metres. The Play Strategy (incorporated within the submitted Design & Access Statement) indicates that a total of 508 square metres will be provided as play space, comprising a dedicated play space with equipment (200m²), the mirror pool (102m²) and the library garden (159m²). In addition, an interactive art wall (47m²) and sculptural seating are proposed.

The Play Strategy confirms that the dedicated play space would be primarily for 0-5 year olds and the other play components to be provided on the site are considered to be suitable for younger children. It is noted that, using the child yield in the Council's adopted SPD, the majority of the child yield on the site would fall within the 0-4 and 5-10 age cohorts.

The PPG 17 Study also calls for at least three youth spaces in each sub-area, and defines such spaces as multi-use games areas¹⁹⁵ (MUGAs) and youth shelters. The PPG 17 central sub area contains only two youth spaces: the skate park at Byron Recreation Ground and the multi-use games area at Harrow Recreation Ground. The latter is the nearest youth space to the application site and is approximately 1,200 metres walking distance from the application site (the accessibility standard recommended in the PPG 17 Study is 800 metres). As noted above, it is calculated that the proposal would yield 9 x 11-15 year olds. The play space need for this age cohort would not be met on site and the proposal would therefore increase demand upon existing facilities.

It is proposed to secure the specified quantum, and agree details of the form (to include play equipment specifically designed to cater for the needs of children with disabilities) of on-site provision for 0-10 year olds as a condition of planning permission. In accordance with the SPD, a contribution of £3,420.00 towards off-site provision for 11-15 year olds is sought. 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 provision of public art is supported by London Plan Policy 7.5 *Public Realm* and Local Plan Policy AAP 1 *Development within Harrow town centre*. 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. Thus, the installation of an appropriate piece of public art within the new central square is considered to be necessary to comply with the relevant provisions of these development plan policies and the SPD.

To amplify: the PPG 17 Study calls for civic space that encourages a sense of place, where local distinctiveness and traditions can be celebrated and which provides public art and ancillary facilities. Without prejudice to any final decision as to the form and location of an installation on the site, it would appear to be appropriate to furnish the proposed new square – being a new civic space - with a piece of public art to act as a point of interest and to engage users of the square.

In accordance with the SPD a contribution of £50,000 for public art is sought. It is envisaged that this sum will be transferred to the Council to run a transparent process for commissioning a public art work for the square, the exact location within the square to be agreed with the developer.

¹⁹⁵ That have open access and are therefore available for play. Other MUGAs, that are generally kept locked and only available through a formal booking system, were assessed in the PPG 17 Study as sports facilities rather than as open access play.

Community Safety & Refuse

Local Plan Policy AAP 4 *Achieving a High Standard of Development throughout the Heart of Harrow* requires development to create attractive, active and safe streets and public open spaces. The SPD recognises that measures to improve community safety within the vicinity of developments may include CCTV camera installation, coverage and monitoring arrangements.

Harrow town centre is comprehensively monitored by a Council-run CCTV scheme with 24-hour monitoring from the Civic Centre. The new square and other public realm areas would become an integral part of the town centre to which there would be general public access. In the interests of the safety and security of future occupiers/users of the development and of the town centre as a whole (by ensuring that there are no areas that are 'blind' to the CCTV scheme that could be exploited by criminals), and as a counter-terrorism safeguard given the site's location adjacent to Harrow-on-the-Hill Station, it is considered necessary to work with the developer to install sufficient CCTV cameras to monitor all external areas within the site to which there would be general public access. The costs of extending the CCTV scheme should be met through the Harrow CIL.

It should be noted that security within the residential and associated ancillary areas of the development (such as the basement and rooftop gardens) will be a matter for the developer and, ultimately, the residential management company. Security within the commercial units will be a matter for future occupiers of those units or the developer/management company, as the case may be. Security within the library, library garden and pavilion will be a matter for the Council and/or its nominated library operator.

Local Plan Policy DM 45 *Waste Management* calls for all proposals to make on-site provision for general waste, the separation of recyclable materials and the collection of organic materials for composting. It goes on to require that on-site provision must provide satisfactory storage volume to meet the general, recycling and organic waste material arising from the site. Detailed specifications are set out in the Council's Code of Practice¹⁹⁶ (2008).

In accordance with the Code of Practice, containers must be provided with all new properties and can either be purchased from the Council or provided independently (however they must fully comply with the Council's specifications if they are to be collected by the Council). The Council requires the developer to provide containers prior to occupation of the development. This requirement is to avoid a repetition of historic adverse experience, where new development has been occupied by residents without the developer securing provision of refuse containers. Therefore, it is considered necessary to include an obligation requiring the on-site arrangements (including the provision of suitable containers) for general waste and the separation of recyclable materials to be operative prior to first occupation of the development.

Tall Buildings and the Historic Environment

London Plan Policy 7.7 *Location and Design of Tall Buildings* states that tall and large buildings should incorporate publicly accessible areas on upper floors, where appropriate. This policy is given specific local interpretation at paragraph 4.33 of the Harrow & Wealdstone AAP Local Plan document which, noting the potential for tall landmark buildings within the Heart of Harrow to offer the opportunity for the public to

¹⁹⁶ The Code of Practice for The Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (Harrow Council, 2008).

enjoy views towards central London and of the local/surrounding counties' landscape, recognises that publicly accessible areas on upper floors will depend upon the feasibility of achieving suitable means of access for the public and the viability of uses needed to sustain that access.

In addition to London Plan Policy 7.7, Local Plan Policies DM 6 *Areas of Special Character* and DM 7 *Heritage Assets* give support to proposals that would realise sustainable opportunities for increased appreciation/enjoyment of areas of special character and of the historic environment respectively. The SPD provides for Planning Obligations to be sought from development proposals that may impact upon a heritage asset or its setting.

The question of publicly accessible areas on the upper floors of the proposed development was raised with the developer during the pre-application discussions, following which officers accepted that a dedicated public viewing area or viable non-residential use – in either case requiring access arrangements to be permanently independent of those for the residential parts of the buildings – would be unlikely to be feasible. However, the idea of an agreement to allow for limited public access was tabled by the applicant team and accepted by officers as a workable and desirable solution. Such agreement would allow access for a minimum of one weekend of each calendar year onto the communal roof terraces of each block, with responsibility for managing and controlling public access (and for securing public liability insurance and any other consents that may be necessary) to remain with the developer. To ensure an appropriate level of take-up of the opportunity for limited public access, it is considered that the agreement should provide for the local planning authority to agree with the developer the selection of an appropriate weekend or weekends each year (to co-ordinate wherever possible with an appropriate regionally or locally organised event such as the London Open House or Open Gardens weekends) and to agree methods for publicising the dates and times of access on each occasion.

The aforementioned obligation is considered necessary to secure an appropriate level of public access to the upper levels of the tall buildings proposed for the site, in accordance with London Plan Policy 7.7, and to ensure that the opportunity that the development presents for the public to appreciate and enjoy the special landscape character and heritage of Harrow on the Hill and Harrow Weald Ridge from elevated vantage points within the site is exploited, as sought by Local Plan Policies DM 6 & DM 7. Responsibility for managing and controlling access on agreed occasions would fall to the developer, whilst any costs associated with publicising access are likely to be negligible if – as envisaged – this is incorporated in publicity for established regionally or locally organised events. Therefore no pecuniary terms are associated with this obligation.

Other 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 £210,000.00.

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 sustainable design and construction related obligations are required.

Decentralised Energy Networks

The planning application proposes the installation of a site-wide CHP system. The implementation of the proposed site-wide CHP system can be secured through planning conditions.

London Plan Policy 5.6 *Decentralised Energy in Development Proposals* states that, where a new CHP system is found to be appropriate for a development, opportunities to extend the system beyond the site boundary should also be examined. The Council is committed to the delivery of a district-wide decentralised energy network within the Heart of Harrow. Local Plan Policy AAP 10 *Harrow & Wealdstone District Energy Network* requires major development proposals to within the Heart of Harrow to ensure that the design of the development would facilitate future connection to such a district-wide network and (for proposals comprising over 100 dwellings) applicants are encouraged to discuss with the Council the potential to increase the capacity of the on-site energy centre to additionally serve adjacent sites and uses. The SPD calls for the developer to carry out any on and/or off site works and, where connection to a network is required, a contribution towards the cost incurred by the Council (or its agent) of any off site works.

Although Arup has been commissioned to investigate the possibility of installing a decentralised energy network into the Heart of Harrow, and it must be assumed that any such network would serve this most central part of Harrow town centre for feasible operation, there is no certainty at this point in time as to the viability, design and timetable for installation of such a network. What can be stated with greater certainty, however, is that the operational feasibility of providing a local network is likely to be diminished if, in the meantime, the opportunity to link-up major mixed-use developments is permanently lost.

In terms of the capacity of the on-site energy centre to serve adjacent sites and uses, it is considered that the key consideration in this case is to ensure that there is sufficient capacity to serve the anticipated second phase of the development.

It is considered that a Planning Obligation should be sought requiring the proposed on-site energy centre to be laid out with sufficient space, and that an agreed route for infrastructure to the boundary with the site known as 17-33 College Road and to the boundary with College Road be safeguarded, to ensure that it would be technically feasible to extend the proposed combined heat and power network to serve the remainder of the allocated site and that the opportunity to connect to a wider area network is not permanently lost.

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 are no material fluvial flooding issues or known watercourses directly affecting the site or its immediate surroundings. 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 biodiversity related obligations are required.

General biodiversity improvement projects can be secured through the Harrow CIL.

Education & Health

The impact of the proposal upon educational and health infrastructure is considered as part of an assessment of socio-economic effects in the applicant's Environmental Statement. Based on the projected population of the development, of 555 persons, it is calculated that one third of a GP would be required. The assessment notes that although GP surgeries within 1.5 miles of the site are operating in excess (in terms of patient numbers) all are still accepting patients. The assessment further reports that there is spare capacity to accommodate 4,547 new patients over the wider Harrow Clinical Commissioning Group area.

The report states that it is understood that a GP surgery is being considered for one of the proposed ground floor commercial units. However limited weight should be given to this since this cannot be confirmed at this stage.

Turning to education, the assessment states that Norbury First and Middle Schools and St. Anselm's Primary School are not operating at full capacity, and that the Council's primary school expansion programme increased permanent reception places by 2,790 in September 2013 and by 3,000 in September 2014. It should also be noted that a new 3-form entry school is planned as part of the redevelopment of the Kodak site.

General improvements to health and education infrastructure can be secured through the Harrow CIL.

OTHER CONSIDERATIONS

40) 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, subject to matters that can be controlled through conditions of planning permission, would meet adopted policy requirements for Lifetime Homes and wheelchair adaptable homes. It would create a new civic square and library 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.

41) 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.

42) S17 Crime & Disorder Act

The proposed development would lead to the redevelopment of this disused/derelict site with new uses that would increase activity, footfall and natural surveillance within and around the site. These 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 conditions of any planning permission.

It is therefore concluded that the proposal would therefore not increase the risk or fear of crime.

43) Consultation Responses

In reply to the issues raised by individuals in the consultation responses and not otherwise addressed in the main report:

- adequacy of application material: the front cover of the ES is merely illustrative – the application has been assessed on the application drawings and submitted documents; a physical model has been made; there is no evidence to demonstrate that the 555 residents figure is incorrect
- Harrow-on-the-Hill station: separate discussions are on-going with Transport for London regarding inclusive access to the station; the Council is not seeking direct access to the station from the application site; infrastructure considerations are addressed in the main report and (more strategically) were considered through the preparation of the Area Action Plan in which the site's redevelopment is allocated
- housing: the Council has no control over the purchase of market housing for buy-to-let purposes; traditional houses (rather than flats) are being delivered on other sites within the Borough
- infrastructure/library: the infrastructure to be provided on individual sites within Harrow town centre has been considered through the development plan process; a performing arts space is being provided as part of the Lowlands Recreation Ground refurbishment
- miscellaneous: the spatial strategy for managing development is set out in the Core Strategy; there is a Post Office in College Road; it is not accepted that high rise development is at odds with sense of community; the proposal must be considered on its own merits; fly tipping in the Borough not a consideration for the application
- retail: it is anticipated that the development (including additional shops) would help regenerate Harrow town centre; the proposal does include non-commercial floorspace (i.e. the library)
- townscape/design: the local planning authority is unable to require a development to be finished; the proposal would not be a precedent as a framework for tall buildings is provided by the London Plan and the Area Action Plan
- views: the impact of the Harrow College development has been clarified during the course of the application

In reply to the issues raised by other third parties in the consultation responses and not otherwise addressed in the main report or above:

- the application description is based on the number of proposed storeys (a mezzanine is not counted as an extra storey) and includes the maximum height AOD of the tallest module
- the Highway Authority has not objected to the content framework Travel Plan
- compliance with policies is assessed in this report
- since Harrow-on-the-Hill is not resident permit restricted¹⁹⁷ the Council has no mechanism to prevent overspill parking in that location
- a highway safety audit has been submitted

¹⁹⁷ Residents of Harrow-on-the-Hill have been consulted on the option of having a controlled parking zone (CPZ) and, following that consultation, the option was rejected.

- right of access noted but a civil not a planning matter; there are no proposals to link the proposed basement car park to that at 17-33 College Road

CONCLUSION

The proposed development would make a valuable contribution towards the delivery of additional homes and employment opportunities with the Harrow & Wealdstone Opportunity Area. The proposed mix of uses and form of development would be broadly consistent with the terms of the wider allocated site identified as Site 17 in the Harrow & Wealdstone Area Action Plan (2013). The density of the proposed development together with the restrained provision of on-site car parking is considered to be appropriate in this location of very high public transport accessibility.

The proposed buildings are considered to be of outstanding architectural merit and the development as a whole displays a high quality approach to its design. It would introduce an exciting new landmark into Harrow town centre, helping to reaffirm the Metropolitan Centre status of the town, and would make a significant contribution to economic development and regeneration objectives. The proposal would provide new opportunities for high quality town centre living and would secure the provision of contemporary library space as a much needed permanent new home for Gayton Library.

The development has been tested against the full rigour of development plan policy for tall buildings and has been found to comply. Protected views would not be adversely affected and the quality of some of them would be enhanced by the introduction of a piece of high quality architecture into their composition.

Less than substantial harm to the setting of designated heritage assets has been identified. The Council, as the local planning authority, is under statutory duties with regard to considering the desirability of conserving such assets, including their setting. Having done so, it is concluded that the significant public benefits of the proposal, not least its architectural and design quality, outweighs that less than substantial harm.

A range of potential environmental, social and economic effects have been appraised as part of the applicant's Environmental Statement. The Statement shows that the proposal would incorporate measures that would help to adapt to/manage the impacts of climate change and identify areas where mitigations are required, including those needed to secure optimal living conditions for future occupiers and to safeguard the environment of surrounding occupiers during demolition and construction phases. These mitigations would be secured through a range of recommended conditions of planning permission. Infrastructure made necessary by the development is incorporated within the proposed heads of terms of a Planning Obligation to be entered into under section 106 of the Town and Country Planning Act. Contributions to general infrastructure requirements would be made in part by the provision of the library, together with any remaining payments due under Harrow's Community Infrastructure Levy.

For all these reasons and weighing up the development plan policies and proposals and other material considerations, it is recommended that planning permission be granted subject to the completion of a Planning Obligation under section 106 of the Town and Country Planning Act 1990 (as amended) and the following conditions:

CONDITIONS

General Conditions

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

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

2 Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the approved drawings.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Local Plan (2013).

Pre-Commencement Conditions

3 No development shall take place, including any works of demolition, until a dust management plan has been submitted to, and approved in writing by, the local planning authority. The plan shall detail measures for the control and reduction of dust emissions associated with demolition, earthworks, construction and track out, and arrangements for monitoring air quality during construction. The development shall be carried out in accordance with the plan so agreed.

REASON: To ensure that measures are put in place to manage and reduce dust emissions during demolition and construction and to safeguard the amenity of neighbouring occupiers, in accordance with Policy 7.14 of the London Plan (2015) and Policy DM1 of the Local Plan (2013).

4 No development shall take place, including any works of demolition, until a construction management plan has been submitted to, and approved in writing by, the local planning authority. The plan shall detail measures for the control and reduction noise and vibration associated with demolition, earthworks and construction. The development shall be carried out in accordance with the plan so agreed.

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM1 of the Local Plan (2013).

5 No development shall take place, including any works of demolition, until a construction logistics plan has first been submitted to, and agreed in writing by, the local planning authority. The plan shall detail the arrangements for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in construction the development;
- d) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- e) wheel washing facilities; and
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

REASON: To ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy 6.3 of the London Plan (2015).

6 No development shall take place, including any works of demolition, until a scheme for

the management of contamination risk at the site has first been submitted to, and agreed in writing by, the local planning authority. The scheme shall include the following:

- a) details of a site investigation to provide information for a detailed assessment of the risks to all receptors that may be affected, including those off site;
- b) the results of the site investigation and an options appraisal and remediation strategy giving full details of remediation measures and how they are to be undertaken; and
- c) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant leakages, maintenance and arrangements for contingency action.

The development shall be carried out in accordance with the scheme so agreed.

REASON: To ensure that the development does not activate or spread potential contamination at the site and that the land is appropriately remediated for the approved uses, in accordance with Policy 5.21 of the London Plan (2015) and Policy DM 15 of the Local Plan (2013).

7 No development shall take place, including any works of demolition, until detailed designs and method statements for all foundations, basement and ground floor structures, and for any other structures below ground level, including piling (temporary and permanent), have first been submitted to and agreed in writing by the local planning authority. The detailed designs and method statements shall:

- a) provide details on all structures and use of tall plant;
- b) accommodate the location of existing London Underground structures
- c) demonstrate that access to elevations of approved buildings can be undertaken without recourse to access onto London Underground land;
- d) demonstrate that there will be no security risk to London Underground railways, property and structures;
- e) accommodate ground movement arising from the construction of the approved development; and
- f) mitigate the effects of noise and vibration arising from the approved development.

The development shall be carried out in accordance with the detailed designs and method statements so agreed. All structures and works required to procure matters in paragraphs (a) to (f) shall be completed before any part of the development hereby approved is occupied.

REASON: To ensure that any potential impacts upon the infrastructure of the transport network are fully assessed and that the development would not adversely affect safety on the transport network, in accordance with Policy 6.3 of the London Plan (2015).

8 No development shall take place, including any works of demolition, until a construction management strategy, to include details of cranes and other tall construction equipment (including obstacle lighting) has been submitted to, and agreed in writing by, the local planning authority. The construction of the development shall be carried out in accordance with the strategy so agreed.

REASON: To ensure that construction work and construction equipment associated with the development does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter and receiver systems, in accordance with Policy 7.7 of the London Plan (2015).

9 No development shall take place, including any works of demolition, until the following information has been submitted to, and agreed in writing by, the local planning authority:

- a) a Tree Survey, drawings and report, supported by a tree schedule, in accordance with the recommendations in BS 5837:2012 *Trees in Relation to Design, Demolition*

and Construction; and

- b) an Arboricultural Impact Assessment and Tree Constraints Plan, including a tree protection plan and arboricultural method statement.

The information shall make provision for the retention of the existing lime trees within the site, and for their protection during construction, unless otherwise agreed in writing by the local planning authority. The development shall be carried out in accordance with the information so agreed.

REASON: To ensure that the development makes provision for trees which contribute (i) to the creation of a high quality and attractive public realm and (ii) to the protection of biodiversity within the Heart of Harrow to be retained and protected during construction, in accordance with Policies DM22, AAP 7 and AAP 12 of the Local Plan (2013), and to ensure a high standard of design, layout and amenity in accordance with Policy DM1 of the Local Plan.

10 No development shall take place, including any works of demolition, until a construction and site 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 (2012).

11 No development shall take place, including any works of demolition, until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include green roofs, storage tanks, investigation of (and, if feasible, proposals for) rainwater harvesting and measures to prevent water pollution. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that opportunities drainage measures that contribute to biodiversity and the efficient use of mains water are exploited, in accordance with London Policies 5.11, 5.13 & 5.15 of the London Plan (2015) and Policy AAP 9 of the Local Plan (2013).

12 No development shall take place, including any works of demolition, until a drainage management and sustainable drainage system maintenance plan has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out and thereafter be managed and maintained in accordance with the plan so agreed.

REASON: To ensure that the development achieves an appropriate surface water run-off rate in this critical drainage area and to ensure that opportunities drainage measures that contribute to biodiversity and the efficient use of mains water are exploited, in accordance with Policies 5.13 & 5.15 of the London Plan (2015) and Policy AAP 9 of the Local Plan (2013).

13 No development shall take place, including any works of demolition, until a foul water drainage strategy, detailing any on and/or off site works that may be needed to dispose of foul water from the development and to safeguard the development from foul water

flooding, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the drainage strategy, including any on and/or off site works so agreed, has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, in accordance with Policy 5.14 of the London Plan (2015) and Harrow Core Strategy Policy CS1, and to ensure that the development would be resistant and resilient to foul water flooding in accordance with Policy AAP 9 of the Local Plan (2013).

Progression-Point Conditions

14 The development hereby approved shall not progress above podium slab level until:

- a) details and samples of the materials to be used in the external surfaces of the buildings (including all external cladding, balcony fascias & balustrades and back-painted panels), hard surfaces, retaining walls and means of enclosure;
- b) drawings to a 1:20 metric scale to show typical details of the elevations from all sides and the slab thickness of roof parapets; and
- c) details of the colour of the fins and main frame of the external surfaces of the buildings;

have been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details, samples and drawings so agreed and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Local Plan (2013).

15 The development hereby approved shall not progress above podium slab level until a sample mock-up of the external cladding, balcony fascias and back painted panels to be used in the external faces of the buildings have been erected on site and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details, samples and drawings so agreed and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Local Plan (2013).

16 The development hereby approved shall not progress above podium slab level until details of the external materials and metric scaled drawings to show the floorplans and elevations of the library pavilion building have first been submitted to, and agreed in writing by, the local planning authority. The development of the library pavilion shall be carried out in accordance with the details and drawings so agreed.

REASON: To ensure that the library building achieves a high standard of design and layout and that it achieves a high standard of amenity for future occupiers of this and the neighbouring buildings, in accordance with Policy 7.6 of the London Plan (2015) and Policy DM 1 of the Local Plan (2013).

17 The development hereby approved shall not progress above podium slab level until a specification of the emissions of the combined heat and power plant has been submitted to, and agreed in writing by, the local planning authority. The combined heat and power system shall be installed in accordance with the specification so agreed, and shall not be brought into full operation until the emissions from the system have been tested in accordance with arrangements first agreed in writing by the local planning authority and the test results have been reported to, and agreed in writing by, the local planning

authority.

REASON: To ensure that the emissions from the combined heat and power system comply with the standards published at Appendix 7 of the Mayor of London's Sustainable Design & Construction supplementary planning document (2014) (or such appropriate standards as may supersede them) and that the development is consistent with the provisions of Policy 7.14 of the London Plan (2015).

18 The development hereby approved shall not progress above podium slab level until a specification and drawings of the any external part of the flue of the combined heat and power system has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the external part of the flue of the combined heat and power system complies with the standards published at Appendix 7 of the Mayor of London's Sustainable Design & Construction supplementary planning document (2014) (or such appropriate standards as may supersede them) in accordance with the provisions of Policy 7.14 of the London Plan (2015), and to ensure that flue would not be detrimental to the design and appearance of the development or detrimental to the amenity of future occupiers of the development in accordance with the provisions of Policy DM 1 of the Local Plan (2013).

19 The development hereby approved shall not progress above podium slab level until details of privacy screens to be installed to the west flank edges of those balconies and the rooftop garden situated at the north western corner of building B have first been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings, in accordance with Policy 7.6 of the London Plan (2015) and Policy DM 1 of the Local Plan (2013).

20 The development hereby approved shall not progress above podium slab level until a report identifying those residential premises within the development that require mitigation of external noise levels and detailing the mitigation required to achieve satisfactory noise levels within those premises (and to their private balcony areas, where relevant) has first been submitted to, and agreed in writing by, the local planning authority. The report shall also detail the arrangements for ventilating the residential premises so identified. The development shall be carried out in accordance with the report so agreed, and shall be retained as such thereafter.

REASON: To ensure that potential adverse noise impacts to residential premises within the development are mitigated in accordance with Policy 7.15 of the London Plan, and to ensure a high standard of amenity for future occupiers in accordance with Policy DM1 of the Local Plan (2013).

21 The development hereby approved shall not progress above podium slab level until an inclusive access strategy has been submitted to, and agreed in writing by, the local planning authority. The strategy shall:

- a) demonstrate compliance with the Lifetime Home Standards design and layout criteria in respect of all homes within the development;
- b) demonstrate compliance with the Wheelchair Home Standards design and layout criteria in respect of a minimum of 32 homes within the development
- c) demonstrate inclusive access to and within communal rooftop gardens and the

- amenity area north of building C & D;
- d) detail the design of all gradients, ramps and steps within publicly accessible areas of the development; and
 - e) detail the arrangements for disabled residents' access to, and use of, waste and recycling facilities within the development.

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

REASON: To ensure that the development contributes to the achievement of a lifetime neighbourhood and that all homes comply with the Lifetime Homes Standards and that a minimum of ten per cent comply with the Wheelchair Homes Standards, in accordance with Policies 3.8 and 7.1 of the London Plan, Core Strategy Policy CS1 and Policy DM 2 of the Local Plan (2013).

22 The development hereby approved shall not progress above podium slab level until details of the arrangements for the storage and disposal of waste and recycling materials from the non-residential parts of the development, and for the sustainable disposal of organic waste from the residential parts of the development, has first been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development contributes to the objectives of sustainable waste management in accordance with Harrow Core Strategy Policy CS1 X and to ensure that the development makes appropriate on-site provision for general waste, recycling and organic material collection in accordance with Policy DM 45 of the Local Plan (2013).

23 The development hereby approved shall not progress above podium slab level until a report evaluating the risk of glare from the development and proposing any necessary mitigation has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with any necessary mitigation so agreed, and shall be retained as such thereafter.

REASON: To ensure that the tall buildings on the site do not adversely affect their surroundings in terms of glare, in accordance with Policy 7.7 of the London Plan (2015).

24 The development hereby approved shall not progress above podium slab level until details of specific measures to ensure that the appropriate Lawson Comfort Criteria are achieved within the site (i) at ground level, (ii) at the buildings' entrances, and (iii) at the roof terraces/balconies, has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the tall buildings on the site do not adversely affect their surroundings in terms of wind turbulence and to ensure a high standard of residential quality for future occupiers of the development, in accordance with Policy 7.7 of the London Plan (2015) and Policies AAP 4 and DM1 of the Local Plan (2013).

25 The development hereby approved shall not progress above podium slab level until a scheme for the hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, site levels, water feature, external lighting, external cycle parking, art wall and public seating, has been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The hard surfacing details shall include

samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer. The lighting details shall include information about the levels of luminance and any measures for mitigating the effects of light pollution. The hard and soft landscaping details shall demonstrate how they would contribute to privacy between the approved private terraces and communal garden areas at roof level. The scheme shall also include details of the following: proposed finished levels, means of enclosure, vehicle and pedestrian access and circulation areas, minor artefacts and structures (such as play equipment, furniture, refuse storage, signs and lighting). The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with the Heart of Harrow, in accordance with Policies DM22, AAP 7 and AAP 12 of the Local Plan (2013), and to ensure a high standard of design, layout and amenity in accordance with Policy DM1 of the Local Plan.

26 The development hereby approved shall not progress above podium slab level until a scheme for the on-going management and maintenance of the soft landscaping within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with the Heart of Harrow, in accordance with Policies DM22, AAP 7 and AAP 12 of the Local Plan (2013), and to ensure a high standard of design, layout and amenity in accordance with Policy DM1 of the Local Plan.

27 The development hereby approved shall not progress beyond podium slab level until proposals for increasing the availability of bird nesting places within the site shall be submitted to, and agreed in writing by, the local planning authority. Bird nesting places shall cater for bird species identified in Table 6 of the Harrow Biodiversity Action Plan 2015-2020. The development shall be carried out in accordance with the proposals so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the Heart of Harrow, in accordance with Policies AAP 12 and DM 21 of the Local Plan (2013).

28 The development hereby approved shall not progress beyond podium slab level until details of the provision of green roofs within the development shall be submitted to, and agreed in writing by, the local planning authority. The green roofs shall be designed to contribute to the creation of appropriate habitats targeted in London Plan Table 7.3 and/or the Harrow Biodiversity Action Plan 2015-2020 and the details to be submitted 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 details so agreed and shall

be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the Heart of Harrow, in accordance with Policies AAP 12 and DM 21 of the Local Plan (2013).

29 The development hereby approved shall not progress beyond podium slab level until an assessment identifying the dwellings and communal areas within the proposed development that would be at risk of internal overheating, and setting out proposals for the mitigation of overheating to the dwellings and communal areas so identified, has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the mitigation proposals so agreed and shall be retained as such thereafter.

REASON: To ensure a high standard of residential quality for future occupiers of the development, in accordance with Policies AAP 4 and DM 1 of the Local Plan (2013), and to ensure that the development is sustainable in accordance with Policies 5.3 and 5.9 of the London Plan (2015).

30 The development hereby approved shall not progress beyond podium slab level until a strategy for the efficient use of mains water within the residential parts of the development, pursuant to a water consumption limit of 110 litres per person per day, has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the strategy so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes efficient use of mains water in accordance with Policy 5.13 of the London Plan (2015) and Policy DM 10 of the Local Plan (2013).

Pre-Occupation Conditions

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

REASON: To ensure that maintenance of the development is carried out to preserve the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Local Plan (2013).

31 The non-residential premises (other than the library) hereby approved shall not be first occupied and used without the local planning authority's prior agreement, in writing, of the following details:

- a) notification of any proposed use within Class B1 and D1 of the Town and Country Planning (Use Classes) Order 1987, as amended;
- b) any equipment for the projection of amplified sound to customers and other members of the public inside and (where relevant) outside of the building;
- c) any externally situated plant and/or other machinery;
- d) any externally situated temporary or permanent furniture, means of enclosure and other equipment associated with the extension of commercial activity outside of the building.

The occupation and use of the ground floor, including any part thereof, shall be carried out in accordance with the notification and details so agreed until such time as a material change of use occurs that is authorised either by any statutory instrument, local

development order or by the local planning authority granting of planning permission.

REASON: To ensure that the operation of the ground floor uses and any associated equipment, plant, machinery and/or outdoor activity is compatible with residential and visual amenity, in accordance with Policies AAP 18, DM 1 and DM 41 of the Local Plan (2013).

32 The residential premises hereby approved shall not be occupied until play equipment has been installed on the site in accordance with the play strategy contained within the approved Design and Access Statement Addendum and details that shall first have been submitted to, and agreed in writing by, the local planning authority. Such details shall comprise: a specification of all play equipment to be installed including provision for children with disabilities and special sensory needs; a specification of the surface treatment within the play areas; and arrangements for ensuring the safety and security of children using the play areas.

REASON: To ensure that the development makes appropriate provision for play and informal recreation in accordance with Policy 3.6 of the London Plan (2015) and Policies AAP 11 and DM 28 of the Local Plan (2013).

33 The residential premises hereby approved shall not be occupied until: (i) an audio-visual access control system has been installed; or (ii) such alternative security measures have been installed that shall first have been submitted to, and agreed in writing by, the local planning authority.

REASON: To ensure that the development achieves a high standard of residential quality for future occupiers of the development in accordance with Policy 3.5 of the London Plan (2015) and Policies AAP 4 and DM 1 of the Local Plan (2013).

34 The residential premises hereby approved shall not be occupied until a Parking Provision Plan has first been submitted to, and agreed in writing by, the local planning authority. The plan shall: identify the electric vehicle charging point spaces that are to be provided within the basement car park as 'active' spaces and those as 'passive' spaces; detail the allocation of a disabled person's parking space within the basement car park to each wheelchair home within the development; and detail the provision of cycle parking for library users, staff of the non-residential premises and visitors to the development. The development shall be carried out in accordance with the plan so agreed and shall be retained as such thereafter.

REASON: To ensure that the development provides sufficient electric vehicle charging points and adequate, secure and (where appropriate) weather protected cycle parking in accordance with London Plan Policies 6.9 and 6.13 and Local Plan Policy AAP 19, and contributes to the achievement of a lifetime neighbourhood in accordance with London Plan Policy 7.1 and Policy DM 2 of the Local Plan (2013).

35 The non-residential premises (other than the library) hereby approved shall not be first occupied until a Delivery and Servicing Plan has first been submitted to, and agreed in writing by, the local planning authority. Use of the non-residential premises (other than the library) shall adhere to the plan so agreed.

REASON: To ensure that the transport network impact of deliveries associated with non-residential uses within the development is managed in accordance with Policy 6.3 of the London Plan (2015).

36 The non-residential premises (other than the library) hereby approved shall not be first occupied until a plan for the management and use of the public realm has been submitted to, and agreed in writing by, the local planning authority. The public realm

shall be managed and used in accordance with the plan so agreed.

REASON: To ensure that there are adequate arrangements in place for appropriate events and functions to take place within the public realm of the development, in accordance with Policy AAP 7 of the Local Plan (2013).

37 The development hereby approved shall not be occupied until proposals for mitigating the impact of the buildings upon broadcast (including satellite) signal reception in the area has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the mitigation proposals so agreed, and shall be retained as such thereafter.

REASON: To ensure that the tall buildings on the site do not adversely affect their surroundings in terms of telecommunications interference, in accordance with Policy 7.7 of the London Plan (2015).

Other Conditions

38 Any telecommunications apparatus, extraction plant, air conditioning units and any other plant or equipment that is required on the exterior of the buildings shall be installed in accordance with details that shall first have been submitted to, and agreed in writing by, the local planning authority. The details shall include: proposals for communal provision of television receiving equipment, wherever possible; siting; appearance; any arrangements for minimising the visual impact; and any arrangements for mitigating potential noise and vibration.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4, AAP 6 and DM 49 of the Local Plan (2013), to safeguard the setting of the Harrow-on-the-Hill and the Harrow Weald Ridge in accordance with Policy AAP 8 of the Local Plan, and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with Policy DM 1 of the Local Plan (2013).

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

REASON: To ensure that the development preserves the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Local Plan (2013), and to safeguard the setting of the Harrow-on-the-Hill and the Harrow Weald Ridge in accordance with Policy AAP 8 of the Local Plan.

40 The residential premises hereby approved shall each be provided with a storage space in accordance with standard 4.7.1 of the Mayor of London's Housing SPG (2012) unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the development achieves a high standard of residential quality for future occupiers of the development in accordance with Policy 3.5 of the London Plan (2015) and Policies AAP 4 and DM 1 of the Local Plan (2013).

41 The windows in the ground floor of Building A (all elevations) and the ground floor west and south elevations of building C & D shall be installed with transparent (non-

obscure) glazing and shall be retained as such thereafter. The glazing shall not be internally or externally blocked or obscured at any time other than by curtains, blinds or any other such method for temporary shading.

REASON: To ensure that the development contributes to the achievement of a lifetime neighbourhood with an appropriate level of natural surveillance at ground floor level, in accordance with Policy 7.1 of the London Plan (2015) and Policy DM 2 of the Local Plan (2013), and that the ground floor commercial uses contribute to a vibrant and attractive public realm in accordance with Policy AAP 1 of the Local Plan.

42 Unless otherwise agreed in writing by the local planning authority, the non-residential premises (other than the library) hereby approved shall not be open to the public between: 00:00 and 07:00 hours on Mondays to Fridays; 01:00 and 07:00 hours on Saturdays; and 01:00 and 08:00 hours on Sundays and Bank Holidays.

REASON: To ensure that the operation of the ground floor uses is compatible with residential amenity, in accordance with Policies AAP 18, DM 1 and DM 41 of the Local Plan (2013).

43 Deliveries to any non-residential uses within the development shall take place only between the hours of 06:30 and 23:00 on Mondays to Saturdays and between the hours of 08:30 and 23:00 on Sundays and Bank Holidays, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the noise impact of deliveries associated with non-residential uses within the development is minimised and that the development achieves a high standard of amenity for future and the neighbouring occupiers, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM 1 of the Local Plan (2013).

44 Any rollershutters, gates and other means of controlling access to the basement car park and loading bay shall not be first installed until details of their appearance and measures for mitigating noise associated with their operation have first been submitted to, and agreed in writing by, the local planning authority. Such rollershutters, gates and other means of controlling access to the said areas shall be installed in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of design, that the noise impact of any rollershutters, gates and other means of controlling access to the basement car park and loading bay is minimised and that the development achieves a high standard of amenity for future and the neighbouring occupiers, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM 1 of the Local Plan (2013).

45 The loading bay within the development hereby approved shall be kept clear of blockages and any other impediment to the proper servicing of the development, and shall have a minimum clear internal height of 4 metres. The loading/refuse lift shall be retained in operable condition at all times (other than when undergoing maintenance and repairs).

REASON: To ensure that there is satisfactory access for waste and recycling collection vehicles and operatives, in accordance with Policy 45 of the Local Plan (2015)

46 Within one year of the substantial completion of the development a report evaluating the impact of the buildings upon wind turbulence at the adjacent platforms of Harrow-on-the-Hill Station shall be submitted to, and agreed in writing by, the local planning authority. Any additional mitigation measures recommended in the report and specified on the local planning authority's written agreement shall be carried out within one year of that written agreement or such extended period as may be specified in writing by the

local planning authority.

REASON: To ensure that the tall buildings on the site do not adversely affect their surroundings in terms of wind turbulence in accordance with Policy 7.7 of the London Plan (2015).

47 The glazing in the south elevation of the library hereby approved shall be installed with transparent (non-obscure) glazing and shall be retained as such thereafter. The glazing shall not be internally or externally blocked or obscured at any time other than by curtains, blinds or any other such method for temporary shading, the opening/closing of which shall be controlled from within the library.

REASON: To ensure that any new view of Harrow-on-the-Hill and St. Mary's Church from within the proposed library is properly exploited and retained for the benefit of the general public, in accordance with Policy DM 3 of the Local Plan (2013) and the principles set out at AAP Site 17.

48 All hard landscaping shall be carried out prior to the occupation of any part of the development or in accordance with a programme first agreed in writing by the local planning authority. All soft landscaping works including planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out no later than the first planting and seeding season following the final occupation of the residential parts of the buildings, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged, diseased or defective, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with the Heart of Harrow, in accordance with Policies DM22, AAP 7 and AAP 12 of the Local Plan (2013), and to ensure a high standard of design, layout and amenity in accordance with Policy DM1 of the Local Plan.

49 Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the recommendations set out in the Ecological Assessment dated 26th August and included as part of the Environmental Statement submitted with the application.

REASON: : To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the Heart of Harrow, in accordance with Policies AAP 12 and DM 21 of the Local Plan (2013).

INFORMATIVES

1 INFORMATIVE: The Planning Committee wishes to convey to the applicant its unequivocal expectation that the development will be carried out to the high standard of architecture and finish proposed in the application upon which this decision is made.

2 INFORMATIVE: The applicant is encouraged to liaise with the Council during the construction of the development to ensure, insofar as possible, that the wheelchair homes are fitted-out to meet the needs of their first occupiers.

3 INFORMATIVE: Thames Water advises that, with regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommend that the

applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Servicers will be required. They can be contacted on 0800 009 392.

4 INFORMATIVE: Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. It is further recommended, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

5 INFORMATIVE: The applicant is advised to contact London Underground Infrastructure Protection in advance of the preparation of detailed designs and method statements pursuant to condition 7. In particular, with regard to: demolition; drainage; excavation; construction methods; use of tall plant; security; boundary treatment; safety barriers; landscaping and lighting.

6 INFORMATIVE: The applicant is advised that any window in the flank elevation of the development hereby permitted will not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.

7 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.

8 INFORMATIVE: In June 2006 Harrow Council adopted two Supplementary Planning Documents: "Access for All" and "Accessible Homes", containing design guidelines for the provision of safe and convenient access for all disabled groups. Both documents can be viewed on the Planning pages of Harrow Council's website

9 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

10 INFORMATIVE: The relevant traffic order will impose a restriction making residential

occupiers of this building ineligible for resident's parking permits in the surrounding controlled parking zone.

11 INFORMATIVE: Notwithstanding the note on your submitted plan(s), this decision has been made on the basis of measurements scaled from the plan(s), unless a dimensioned measurement overrides it.

12 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.

13 INFORMATIVE: SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and-or the Harrow Local Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan: 2.13, 2.15, 3.4, 3.5, 3.8, 3.11, 3.12, 3.16, 4.7, 4.8, 4.9, 5.2, 5.3, 5.4A, 5.6, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.18, 5.21, 6.3, 6.9, 6.10, 7.1, 7.4, 7.5, 7.6, 7.7, 7.8, 7.13, 7.14, 7.15, 7.18, 7.19, 7.21, 8.2.

Harrow Local Plan: Core Strategy: CS1, CS2, CS3 & CS7; Area Action Plan: AAP 1, AAP 4, AAP 6, AAP 5, AAP 7, AAP 8, AAP 9, AAP 10, AAP 11, AAP 12, AAP 13, AAP 16, AAP 17, AAP 18, AAP 19, AAP 20, AAP 22, AAP Site Allocation 17; Development Management Policies: DM 1, DM 2, DM 3, DM 6, DM 7, DM 10, DM 12, DM 14, DM 15, DM 21, DM 22, DM 28, DM 41, DM 45, DM 49, DM 50, Schedule 3.

Plan Nos: DPA-0-012 Rev.1; DPA-0-022 Rev. 2; DPA-0-101 Rev. 2; DPA-0-102 Rev. 2; DPA-0-103 Rev. 2; DPA-0-105 Rev. 2; DPA-0-109 Rev. 2; DPA-0-110 Rev. 2; DPA-0-111 Rev. 2; DPA-0-112 Rev. 2; DPA-0-113 Rev. 2; DPA-0-114 Rev. 2; DPA-0-115 Rev. 2; DPA-0-116 Rev. 2; DPA-0-117 Rev. 2; DPA-0-118 Rev. 2; DPA-0-119 Rev. 2; DPA-0-120 Rev. 2; DPA-0-121 Rev. 2; DPA-0-122 Rev. 2; DPA-0-123 Rev. 1; DPA-2-201 Rev. 1; DPA-2-202 Rev. 1; DPA-2-203 Rev. 2; DPA-2-204 Rev. 2; DPA-2-206 Rev. 2; DPA-2-501 Rev. 1; DPA-2-502 Rev. 1; DPA-5-301 Rev. 1; DPA-5-302 Rev.1; DPA-5-303 Rev. 1; DPA-5-304 Rev. 1; DPA-6-601 Rev. 3; DPA-6-602 Rev. 3; Design & Access Statement (February 2015) as amended by Design & Access Statement Addendum (June 2015).

APPENDIX A: Report to the Secretary of State for Communities and Local Government (1st June 2010) and Secretary of State's Decision Letter (22nd July 2010)



www.communities.gov.uk
community, opportunity, prosperity

Mr Paul Willmott
CB Richard Ellis Limited
Kingsley House
Wimpole Street
London
W1G 0RE

Our Ref: APP/M5450/A/09/2115461

22 July 2010

Dear Mr Willmott,

**TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 78)
APPEAL BY DANDARA LIMITED
APPLICATION REF: P/1620/08CFU
LAND AT 51 COLLEGE ROAD, HARROW, HA1 1AA**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, John Gray DipArch MSc, Registered Architect, who held a public local inquiry on 16-19 and 29 March 2010, into your client's appeal under Section 78 of the Town and Country Planning Act 1990 against the decision of the London Borough of Harrow to refuse planning permission for development to provide 410 flats in three blocks ranging between 5 and 19 storeys in height; 87 car parking spaces in the basement and 3 at ground floor level; 442 cycle spaces, 7 motor cycle spaces; 1,120sqm of [Use Class] A1, A2, A3, A4 and B1 floor space at ground floor level; the creation of a public square and a pedestrian footbridge, on land at 51 college Road, Harrow, HA1 1AA, in accordance with planning application ref: P/1620/08CFU (as amended), dated 2 May 2008.

2. On 19 November 2009 the appeal was recovered for the Secretary of State's determination, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990, because the proposal involves residential development over 150 units or on sites of over 5 hectares which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities.

Inspector's recommendation and summary of the decision

3. The Inspector, whose report is enclosed with this letter, recommended that the appeal be dismissed and planning permission refused. For the reasons given in this letter, the Secretary of State agrees with the Inspector recommendation. All paragraph references, unless otherwise stated, refer to the Inspector's report (IR).

Procedural matters

4. The Secretary of State notes that the description of the development has been subject to amendments since it was submitted (IR2). The Secretary of State has determined the

Michael Taylor, Decision Officer
Department for Communities and Local Government
Zone 1/H1, Eland House
Bressenden Place
London SW1E 5DU

Tel 0303 444 1631
Email: michael.taylor@communities.gov.uk

appeal on this basis and does not consider that any prejudice has been caused to any party in doing so.

5. In reaching his decision the Secretary of State has taken into account the Environmental Statement (ES) and addendums submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. He is satisfied that the ES meets the requirements of the 1999 Regulations and that sufficient information has been provided for him to assess the environmental impact of the appeal.

Policy Considerations

6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the London Plan 2004 (consolidated 2008) and the saved policies of the Harrow Unitary Development Plan (UDP). The Secretary of State considers that the development plan policies most relevant to the appeal are those set out by the Inspector at IR16-17.

7. A formal review of the London Plan has been initiated but this is still at an early stage so the Secretary of State affords it little weight. The London Borough of Harrow's Core Strategy Preferred Option is also at an early stage and so is afforded little weight.

8. Other material considerations which the Secretary of State has taken into account include Planning Policy Statement (PPS) 1: *Delivering Sustainable Development*; PPS3: *Housing*, PPS4: *Planning for Sustainable Economic Growth*, Planning Policy Guidance (PPG) 15: *Planning and the Historic Environment* (superseded by PPS5: *Planning for the Historic Environment*), PPS22: *Renewable Energy*, and PPG 13: *Transport*.

9. Other material considerations include Circular 11/95: *Use of Conditions in Planning Permission*; and the joint English Heritage/Commission for Architecture and the Built Environment publication, *Guidance on tall buildings*. The Supplementary Planning Guidance documents referred to in IR18 are also material considerations.

10. The Secretary of State has also had regard to the Community Infrastructure Levy (CIL) Regulations which came into force on 6 April 2010, and which replace the policy tests for planning obligations set out in Circular 05/2005: *Planning Obligations with three statutory tests*. He has also taken into account the draft document entitled *New Policy Document for Planning Obligations*, issued for consultation on 25 March 2010. However, as this latter document is still at consultation stage and may be subject to change, he affords it little weight.

11. The Secretary of State has had special regard to the desirability of preserving the listed building of St Mary's Church and its setting, or any features of special architectural or historic interest which it possesses, as required by sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In view of the possible impact of the proposal on a number of Conservation Areas in the vicinity, the Secretary of State has also paid special attention to the desirability of preserving or enhancing the character or appearance of these areas, as required by section 72 of the same Act.

Main Issues

12. The Secretary of State agrees with the Inspector's assessment of the main considerations in the appeal as set out in IR156-158.

The acceptability in principle of tall buildings on the site

13. The Secretary of State agrees with the Inspector's reasoning and conclusions on the acceptability in principle of tall buildings on the site as set out in IR159-171. He agrees that there is nothing inherently wrong in being able to see a piece of high quality architecture, even a tall one, within a densely urban scene, and that whilst there would be a significant change in views it is important not to conflate visibility and harm (IR160). He agrees with the Inspector's conclusion that there is no objection in principle to tall buildings on the appeal site (IR171).

The architectural quality of the proposed development

14. The Secretary of State agrees with the Inspector's reasoning and conclusions on the architectural quality of the proposed development, as set out in IR172-183. He agrees that the development would have a clean, crisp, even distinctive appearance. However, he also agrees that from some angles it would appear as a large-scale building, much larger than anything else in the town centre, with its overall form and massing actually exaggerating its bulk (IR182). Also, like the Inspector, he does not see the scheme as possessing any outstanding qualities, nor would it qualify as world class architecture – tests which are set out in adopted policy and ought to be met by a development that would be so prominent (IR183).

The Station Planning Brief, footbridge, and housing provision

15. For the reasons given in IR184-185, the Secretary of State agrees with the Inspector that what is sought in the Station Planning Brief (SPB) for the appeal site can no longer be achieved and that the weight that can be given to that document must be significantly diminished. He also agrees that the provisions of the SPB cannot compel dismissal of the appeal (IR185).

16. With regard to the proposed footbridge, the Secretary of State agrees with the Inspector that this remains an achievable part of the Planning Brief and would be beneficial for town centre users as a whole – although it is not essential for development of the appeal site alone (IR186).

17. On housing provision, the Secretary of State shares the Inspector's view that the addition of 410 units cannot be objected to on what is a highly accessible brownfield site (IR190).

The planning obligation and conditions

18. The Secretary of State agrees with the Inspector's observations on the provisions of the planning obligation as set out in IR187-189. Like the Inspector, he is satisfied that its provisions meet the tests set out in Circular 05/2005. He is also satisfied that they meet the statutory tests set out in the CIL Regulations. However, he does not consider that they overcome the reasons for dismissing the appeal.

19. The Secretary of State has considered the proposed conditions in the light of the Inspector's comments at IR199-200 and national policy as set out in Circular 11/95. He considers that the proposed conditions as amended by the Inspector comply with the policy tests in that Circular. However, he does not consider that they overcome the reasons for dismissing the appeal.

Other matters

20. The Secretary of State agrees with the Inspector's reasoning and conclusions on those other matters addressed at IR191-198, including that the quality of the outdoor spaces is appropriate for the location (IR194) and that density of the scheme is acceptable (IR195).

Overall conclusion

21. The Secretary of State considers that there are a number of factors in favour of the proposal, including its sustainable location, and public transport improvements towards the bus and railway stations. Furthermore, there is no objection in principle to a tall building on this site. However, the Secretary of State, like the Inspector, considers that the proposal lacks the very high quality of architecture required for tall buildings by adopted policy. He therefore considers that the proposal conflicts with the development plan in this respect and that there are no material considerations of sufficient weight which would justify allowing the appeal.

Formal Decision

22. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby dismisses your client's appeal and refuses planning permission for development to provide 410 flats in three blocks ranging between 5 and 19 storeys in height; 87 car parking spaces in the basement and 3 at ground floor level; 442 cycle spaces, 7 motor cycle spaces; 1,120sqm of [Use Class] A1, A2, A3, A4 and B1 floor space at ground floor level; the creation of a public square and a pedestrian footbridge, on land at 51 college Road, Harrow, HA1 1AA, in accordance with planning application ref: P/1620/08CFU (as amended), dated 2 May 2008.

Right to challenge the decision

23. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court.

24. A copy of this letter has been sent to the London Borough of Harrow and all parties who appeared at the inquiry.

Yours sincerely,

Michael Taylor
Authorised by the Secretary of State to sign in that behalf



**Report to the
Secretary of State
for Communities and
Local Government**

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ GTN 1371 8000

by **John L Gray DipArch MSc
Registered Architect**

an Inspector appointed by the Secretary of State
for Communities and Local Government

Date: 1 June 2010

TOWN AND COUNTRY PLANNING ACT 1990

LONDON BOROUGH OF HARROW

APPEAL

by

DANDARA LIMITED

Inquiry held on 16-19 and 29 March 2010

51 College Road, Harrow, HA1 1AA

File Ref. APP/M5450/A/09/2115461

File Ref. APP/M5450/A/09/2115461
51 College Road, Harrow, HA1 1AA

- 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 Dandara Limited against the decision of the Council of the London Borough of Harrow.
- The application, ref. P/1620/08CFU, dated 2 May 2008, was refused by notice dated 11 August 2009.
- The development proposed is redevelopment to provide 410 flats in three blocks ranging between 5 and 19 storeys in height; 87 car parking spaces in the basement and 3 at ground floor level; 442 cycle spaces, 7 motor cycle spaces; 1,120sqm of [Use Class] A1, A2, A3, A4 and B1 floor space at ground floor level; the creation of a public square and a pedestrian footbridge.

Summary of Recommendation: that the appeal be dismissed.

PROCEDURAL MATTERS

1. The appeal was recovered for decision by the Secretary of State for Communities and Local Government because the proposal involves residential development of over 150 units.
2. The description of development given above is not that in the application. The original application was amended in the light of various consultation responses, primarily by way of a letter of 13 October 2008 which submitted a complete set of amended drawings plus revised and supplementary documentation.^A The description above reflects those amendments, is the description used in the refusal notice and is accepted by the appellant.^B
3. I opened the inquiry on 15 March 2010 and adjourned it on 19 March, until 29 March, when the remaining business was to discuss conditions and the obligation and hear closing submissions. I closed the inquiry that day. I undertook site visits that evening, in the town centre in the vicinity of the appeal site, and the whole of the following day, visiting all of the viewpoints referred to in the evidence to the inquiry. (It had been agreed that an accompanied visit to the site was unnecessary as it is almost entirely built upon and there was nothing material to be gained from actually entering on to it.)

THE SITE AND SURROUNDINGS^C

4. The site lies towards the south-east of the defined Harrow town centre, barely 40m east of the entrance to Harrow on the Hill railway station and immediately north of the railway line itself.^D Its northern boundary is on College Road, which runs east-west. Its western boundary is with nos. 53-61 College Road;

^A Documents CD-APP1 - CD-APP20 are application documents, original and revised; Document CD-APP20 is a complete set of full-size revised application plans; Document CD-APP19 is a bound set of revised application drawings which provide a convenient reference but which should not be scaled.

^B Document O2, the Statement of Common Ground, section 1.

^C Document D5 - p.6 and the existing views on pp.28/30/32 give a flavour of the area, added to by ... Document H6 - the existing views at Viewpoints 1-4.

^D Document CD-APP19 - drawing A-PL-02-101/B shows the proposals in their immediate context; Document CD-APP2.1 - the OS extract on p.S1-1 gives a representation of the wider surroundings; as does Document H6 - the Viewpoint Location Plan within it.

its eastern boundary is on William Carey Way, a narrow cul-de-sac running south from College Road.

5. The site itself is L-shaped. The top of the 'L' has a street frontage of about 45m to College Road; the leg of the 'L' is about 63-75m from College Road to the railway line (the latter running roughly north-west:south-east); the foot of the 'L' is about 118m along the railway (excluding both a 'heel' of land behind nos. 53-61 College Road and a 'toe' running between William Carey Way and Station Road, to its east) and 25-45m deep from it. The site is almost completely built-up with unprepossessing buildings, generally of two storeys, formerly used as a post office and sorting office. Vehicular access is from the western end of the College Road frontage. A vehicular access at the eastern end is within the appeal site and partially within the appellant's ownership but gives access only to the rear of nos. 17-33 College Road.
6. College Road, like Harrow town centre as a whole, exhibits a wide range of 20th century commercial architectural styles, the more modern buildings generally ploughing their own design furrow rather than paying respect to their context.
7. On the north side of the street, opposite and east of the appeal site, are some of what may be the original buildings of Harrow town centre – of two or three storeys, some with dormers or mansard floors, brick built with slated or tiled roofs. Immediately east of the appeal site (and north of the foot of the 'L'), nos. 17-33 are part of a three-storey terrace of a straightforward flat-roofed design with ground floor shops and what appear to be offices above, behind a continuously glazed façade. East of that is a six-storey office building with red brick walls and punctured window openings. East again, beyond William Carey Way, is a four-storey building, the lower three storeys brick-built and the top storey clad in lead or zinc sheet.
8. Immediately west of the appeal site is an eight-storey office building faced with dark brown brick and dark glass in continuous vertical strips. West again, almost over the entrance to the railway station, is another office building, of five storeys above the station entrance, clad in buff brick with windows in horizontal strips. Beyond that is the single-storey bus station building, buses taking a circulatory route around it. On the north side of the street, west of the appeal site, is the St Anne's Centre, a late 20th century shopping centre with a nominally two-storey façade to College Road but a dominant further five storeys of car parking set not very far back behind it.
9. The station entrance itself, despite being wide and with shop and café units on either side, is not particularly enticing, appearing somewhat dark within and with the office building looming above it. Access to trains is by climbing stairs to the building bridging the railway lines and then descending to the platforms. There is access to and from the south side of the railway, where a cul-de-sac from Lowlands Road serves both the station entrance and a car park to the east.
10. On the eastern boundary of the appeal site, running south from College Road, William Carey Way does not have an attractive environment. I am inclined to exclude from this summation the buildings fronting College Road and the Baptist Church on the west side of the road. Opposite, however, are the backs of the buildings facing Station Road – servicing and parking areas, service accesses and with a clutter of air-conditioning and ventilation equipment on the walls.
11. Apart from College Road, it is only in Station Road and St Anne's Road that one sees a hint of what used to be. In Station Road, however, it is remarkable how

many buildings are actually redevelopments – maintaining similar storey heights or eaves levels to the older buildings but in a wide variety of more modern architectural styles. In St Anne’s Road, nowadays pedestrianised, the earlier buildings are in a minority, with the St Anne’s Centre, varying between two and six storeys, being dominant.

12. There is little need to describe what lies further away from the appeal site. In simple terms, there is a not dissimilar mix of modern office buildings and the St George’s Centre, a somewhat monolithic and inward looking shopping and cinema development.
13. Immediately south of the railway line is the station car park and, beyond it on the eastern side of the station approach, the Lowlands Recreation Ground, a pleasant open space with the buildings of Harrow College on its east side and commercial buildings to its west. To the south, across Lowlands Road, is the Grove Open Space, on the slope up towards Harrow Hill. On the summit of the Hill stands St Mary’s Church with its landmark spire. There are views north from the open space, over the town centre, towards the Harrow Weald Ridge.
14. Bounding the Grove Open Space on its west side is suburban housing from the development of Harrow in and around the 1930s – relatively low density, well landscaped and clearly an attractive place to live.

PLANNING POLICY

15. The Development Plan for the area comprises Saved Policies from the Harrow Unitary Development Plan (UDP) and the London Plan.^A The consultation period for the London Borough of Harrow’s (LBH’s) Core Strategy Preferred Option^B has been completed but there had been no consideration of responses by LBH by the time I closed the inquiry. A replacement London Plan^C has reached the consultation draft stage. Neither document attracts significant weight other than by the extent to which they may indicate the direction in which each authority sees policy developing.

The Harrow UDP

16. The Saved Policies of the Harrow UDP which I consider most relevant to this appeal are:^D
 - **S1** *The Form of Development and Pattern of Land Use* – a strategic policy covering:
 - development that reduces the need to travel and facilitates and encourages travel by more sustainable modes,
 - full and effective use of land and buildings,
 - conservation and enhancement of natural resources,
 - development that minimises waste and reduces pollution and
 - increased social inclusion;
 - **EP20** *The Use of Previously-Developed Land*;
 - **EP25** *Noise* – including noise which might affect a proposal;

^A Documents CD-LBH1 and CD-GLA1.

^B Document CD-LBH3.

^C Document CD-GLA2.

^D Document O2, the Statement of Common Ground – Policies germane to the appeal are listed in Section 4; I list here those I consider most relevant to the issues raised at the inquiry.

- **EP31 Areas of Special Character** – including the protection of skylines;
- **EP44 Metropolitan Open Land**;
- **D4 The Standard of Design and Layout** – including, in particular, site and setting, context, scale and character and public realm;
- **D7 Design in Retail Areas and Town Centres**;
- **D14 Conservation Areas** (though the policy does not seem explicitly to address development outside a conservation area boundary) and **D18 Historic Parks and Gardens** (which does seek to protect setting, including that of Historic Harrow);
- **D31 Views and Landmarks** – resisting development that would have an adverse impact on important local views and identifying seven views towards St Mary’s Church;
- **T6 The Transport Impact of Development Proposals** – including, amongst other things, minimising travel from a site by car;
- **T13 Parking Standards** – restricting parking to the maximum levels set out in Schedule 5 of the UDP;
- **H7 Dwelling Mix**;
- **EM8 Enhancing Town Centres^A** – including the encouragement of proposals for development which would contribute to the vitality and attractiveness of town centres;
- **C16 Access to Buildings and Public Spaces**; and
- **Proposal Site PS6**, Harrow-on-the-Hill Station and land in College Road and Lowlands Road, identified for public transport improvements and mixed-use development office, educational, civic, residential, leisure and retail use.

The London Plan

17. The London Plan Policies which I consider most relevant to this appeal are:^B
- **2A.1 Sustainability criteria** – including
 - optimising the use of previously developed land,
 - using a design-led approach to optimise the potential of sites and improve the quality of life,
 - ensuring that development occurs in locations that are, or will be, accessible by public transport, walking and cycling,
 - ensuring that development incorporates green infrastructure and
 - taking account of the suitability of sites for mixed-use development;
 - **2A.8 Town Centres** – using the network of town centres (which includes Harrow as a Metropolitan Centre) as the basis for, amongst other things, sustaining and enhancing vitality and viability and accommodating economic and housing growth through intensification and selective expansion;
 - **3A.1 Increasing London’s supply of housing** and **3A.2 Borough housing targets**;
 - **3A.3 Maximising the potential of sites**;
 - **3A.5 Housing choice** and **3A.9 Affordable housing targets**;

^A This Policy is not listed in the Statement of Common Ground but seems to me a more appropriate reference than EM5, EM9, EM22 and EM24, which are.

^B Document O2, the Statement of Common Ground – Policies germane to the appeal are listed in Section 4; I list here those I consider most relevant to the issues raised at the inquiry.

- **3C.1 Integrating transport and development** – including encouraging patterns and forms of development which reduce the need to travel, especially by car;
- **3C.23 Parking strategy and standards** – including ensuring that on-site car parking at new developments is the minimum necessary;
- **3D.1-3D.3 Supporting town centres, Town centre development and Maintaining and Improving retail facilities**
- **4B.1 Design principles for a compact city** – including
 - maximising the potential of sites,
 - promoting high quality inclusive design and creating or enhancing the public realm,
 - contributing to adaptation to and mitigation of the effects of climate change (set out in the Section 4A policies),
 - respecting local context, history, built heritage, character and communities,
 - providing for or enhancing a mix of uses,
 - accessibility,
 - sustainability (in terms of design, construction and use) and
 - attractiveness (and the ability to inspire, excite and delight);
- **4B.2 Promoting world-class architecture and design;**
- **4B.3 Enhancing the quality of the public realm;**
- **4B.5 Creating an inclusive environment;**
- **4B.8 Respect local context and communities** – including ensuring that proposed developments preserve or enhance local social, physical, cultural, historical, environmental and economic characteristics;
- **4B.9 Tall buildings – location** – including identifying suitable locations for tall buildings and/or areas that could be sensitive to them;
- **4B.10 Large-scale buildings – design and impact** – including
 - being suited to their wider context,
 - being seen as attractive city elements (for example, contributing to an interesting skyline or providing key foci within views),
 - paying particular attention, in residential environments, to privacy, amenity and overshadowing,
 - providing high quality spaces and
 - containing a mix of uses with public access;
- **4B.11 London’s built heritage and 4B.12 Heritage conservation;**
- **5F.1 The strategic priorities for West London;**
- **6A.4 Priorities in planning obligations and 6A.5 Planning obligations.**

Supplementary planning guidance

18. In addition to the Saved UDP Policies, there is supplementary planning guidance in the form of the *Harrow on the Hill Station Planning Brief*, the *Harrow on the Hill Conservation Areas* and the *Roxborough Park and the Grove Conservation Area Study*.
19. The Planning Brief was drawn up in 2005 to cover a substantial area of Harrow town centre and included the appeal site as having potential for, first and foremost, a “21st Century Mobility Hub”, incorporating a relocated bus station and access to new and improved railway station facilities. The weight that can

be given to the Brief is limited to the extent that some of its aspirations are no longer expected to be met.

20. The Harrow on the Hill Conservation Areas Document deals with eight contiguous Conservation Areas, including the Roxborough Park and the Grove Conservation Area. This lies to the south and south-west of the appeal site and includes the Grove Open Space and the Lowlands Recreation Ground. The Conservation Area Study is relevant for the impact the proposed development would have on the setting of and views from the Conservation Area.

National planning policy guidance

21. In addition to the London Plan and the UDP, the following national planning policy guidance is relevant to the issues in the inquiry:

- PPS1: *Delivering Sustainable Development*,
- *Planning and Climate Change* – Supplement to PPS1,
- PPS3: *Housing*;
- PPG3 Companion – *Better Places to Live by Design*,
- PPS4: *Planning for Sustainable Economic Growth*,
- PPG15: *Planning and the Historic Environment*, superseded by
- PPS5: *Planning for the Historic Environment*, published during the adjournment of the inquiry,
- PPG13: *Transport and*
- PPS22: *Renewable Energy*.

Other planning guidance

22. Finally, numerous other documents were referred to,^A by far the most important of which are *By Design* (DETR, May 2000) and *Guidance on Tall Buildings* (English Heritage and CABE, July 2007), which has governmental endorsement.

PLANNING HISTORY

23. The site has no relevant planning history.

THE PROPOSAL^B

24. The proposal might be described as mixed-use but is predominantly residential. The 410 flats would be provided in three blocks. Block A would be on the west side of the site, over 50m deep between College Road and the railway line. It would be eight storeys high over a frontage of some 26m to College Road, rising in two stages to 13 storeys centrally and then 19 storeys nearest to the railway line. Block B would be in the centre of the site frontage to the railway line. The lower part of the building would be seven storeys high and would extend to some 35m from College Road; the higher part, nearest the railway line, would rise to 15 storeys. Block C would be at the eastern end of the site, with a frontage of about 37m to William Carey Way. That frontage would be five storeys high but a smaller part of the building, set back almost 9m, would rise to eight storeys.

^A Document O2, Section 6, pp.12/13.

^B Document CD-APP19, the revised application drawings, offers the easiest illustrative reference to the proposal.

25. The buildings are designed in a style reflecting the Art Deco architecture of the nearby Harrow on the Hill railway station. The facing materials would generally comprise white, grey and copper cladding, grey curtain walling and white render. Most of the roofs would provide landscaped roof terraces.
26. The space between Blocks A and B would be public open space and the ground floors of the two buildings would have commercial frontages to that space (retail, financial and professional services, restaurant and café, drinking establishment or business uses). The intention is that the space should lead from College Road to a pedestrian bridge over the railway line. The space would vary in width – from just over 11m wide between Block A and the flank wall of 17-33 College Road, up to a maximum of 26m wide, immediately north of Block B, then tapering from 15m to 11m along the frontage of Block B.
27. It is uncertain when the bridge might be erected. In the meantime, structural design would allow for it to be erected later. The proposed temporary measure is that an additional commercial unit would be provided where the bridge would land, to be removed when it was built.
28. Part of the land at the approach from College Road, around 2.8m wide alongside no. 33, is not under the appellant's control. There is also a right of access for nos. 17-33 over an additional similar width. All of that land is within the appeal site and the intention is that it should be treated as part of the comprehensive hard landscaping scheme for the public space.
29. The space between Blocks B and C, bounded on the south by the railway line and on the north by the Baptist Church, would be the private communal garden for the residents of the buildings. It would be around 16m wide between Blocks B and C and about 28m deep.

THE CASE FOR DANDARA LIMITED

I give here the gist of the case for Dandara Limited (referred to simply as Dandara in the body of this report), drawn primarily from closing submissions (Document D19).

30. The site is a key strategic site in a key town centre location with excellent accessibility to public transport.^A Harrow town centre is designated in the London Plan as a Metropolitan Centre; it is also an Area of Intensification in the emerging replacement London Plan. LBH's Station Brief^B contemplated tall buildings on the site, which currently plays host to dreary boarded-up buildings in an area of unremarkable townscape.
31. The site and the wider town centre are in real need of regeneration. Lost years of talk and over-ambitious plans for a new "mobility hub" have produced nothing material to date. On the other hand, the 410 high quality homes that Dandara wishes to build would make a worthwhile contribution to meeting housing needs and demands.
32. As identified by the Inspector, there is, in essence, a single issue in play in this case – visual impact.^C

The layout and design of the proposals

33. Although called as part of LBH's case at the inquiry, Mr Stewart's criticisms of the detail of the layout and design of the proposals are not reflected in the reason for refusal (which was formulated by Cllr Ashton). A straightforward example is his criticism of the pedestrian route which residents would be able to use from the public realm to the private communal garden and one of the entrances to Block C. However liberal one's reading of the reason for refusal, it is impossible to bring this within its terms; and it was clear from Cllr Ashton's evidence that points of this nature are not what led the members to disagree with their officers' assessment of the scheme.
34. Does that matter? Mr Stewart's evidence is before the inquiry and has to be considered. The point is not that his evidence should be ignored – it cannot – it is to bear in mind in considering Mr Stewart's detailed criticisms that they were not shared by LBH's planning and design officers, or its independent design and heritage consultant^D or even the members themselves.
35. There is no way of telling whether a scheme that satisfied Mr Stewart's criticisms would meet with LBH's approval. An obvious example is his opinion, one of the few shared by the appellant, that tall buildings on the site, if well designed, could be "desirably noticeable" in views from the Conservation Area to the south or in views which include the spire of St. Mary's Church. Contrast this with Mr Smith's evidence, also on behalf of LBH, which took a different tack.
36. There was a similar divergence of opinion between the two witnesses on the acceptability or otherwise of the Harrow College scheme which LBH had resolved to permit. Mr Stewart opined that the scheme would break the Harrow Weald Ridge skyline in a beneficial way whereas Mr Smith thought it would not.

^A Document CD-LBH4, pp.10/25.

^B Document CD-LBH7.

^C See para. 155 below.

^D LBH commissioned Beams (Built Environment Advisory and Management Services) to provide an independent assessment of the application scheme; its report is at Appendix 1 to Document CD-LBH4.

37. Be that as it may, the appellant's response to Mr Stewart's detailed criticisms is set out in Mr Apsley's written rebuttal evidence.^A In addition, Mr Williams' independent analysis of the urban design and architectural quality of the scheme^B lends further force to the appellant's case that the scheme is well designed and of high quality, and that Mr Stewart's criticisms, and those of the Commission for Architecture and the Built Environment^C (CABE), are ill-founded.
38. The appellant's case is that this is a perfectly acceptable scheme which should be granted consent. It has the support of LBH's officers and its independent consultant. It is important to appreciate that the scheme is the result of a long engagement with and productive collaboration between Dandara and LBH's officers. In following a genuinely co-operative approach, Dandara has acted exactly as developers are encouraged to by the Government. Given the close involvement of the LBH's officers in the evolution of the proposals, it is perhaps no surprise that they wholeheartedly commended it to members. So too did LBH's independent consultant. Moreover, the Greater London Authority (GLA), which is the custodian of the London Plan design policies cited in LBH's reason for refusal, has not raised any such criticisms of the scheme.
39. Mr Apsley gave a coherent and convincing explanation of the underlying rationale of the layout and design of the scheme,^D demonstrating, together with Mr Williams' thorough and structured analysis,^E that this is a scheme which is more than worthy of being granted consent. Ironically, the Art Deco 'styling' so criticised by Mr Stewart was suggested as an appropriate approach by LBH's Urban Design officer^F and then endorsed by the planning officers and the independent consultant.
40. Contrary to Mr Stewart's criticism that the scheme would be hemmed in by the backs of existing buildings, it has never been part of LBH's approach to insist that the sites within the Station Brief^G should come forward for redevelopment together. There is the obvious danger in holding out for more comprehensive regeneration of making no progress at all. The appeal scheme could only be a catalyst for further redevelopment around it.
41. Far from the inter-relationship of the scheme with the Baptist Church being an issue, the Church supports the proposals and welcomes the opportunity presented to improve access to it from the proposed public realm.
42. LBH has been aware throughout of the area of land outside Dandara's control at 17-33 College Road. It has encouraged the appellant to acquire it and, failing that, would underwrite compulsory purchase of the necessary rights.
43. Block C has an entrance on to the residents' communal gardens and another on to William Carey Way, again as encouraged by LBH. It is true that William Carey Way is hardly an enticing street as things stand – but that surely makes it even more important to address it positively; it will never be improved if town centre redevelopment ignores it.

^A Document D3.

^B Document D4.

^C Document D2, Tab 22.

^D Documents D1 and D15.

^E Document D4.

^F Document CD-APP9 reproduces the report at Appendix A.

^G Document CD-LBH7.

44. The residents' communal garden would have the benefit of facing south. Far from criticising the layout for thus being near the railway lines, as Mr Stewart does, both LBH and the GLA endorse the proposed private (and public) realm.

The Footbridge

45. Mr Stewart criticises the appeal scheme for not guaranteeing the delivery of the footbridge over the railway lines. LBH, on the other hand, has never expected that this scheme on its own would do any such thing – *and still now does not require it to do so*.
46. It is true, and commendable, that the appeal proposals have been drawn up so as to provide a well-designed public realm, lined by shops, restaurants, cafés and other active uses, with a pleasant landscaped public space, *en route* to the bridge. On the evidence to the inquiry, it is more likely than not that the bridge will be provided at some point in the future. LBH has consistently envisaged that the bridge would follow later and required Dandara to ensure that it could be retro-fitted – hence the (agreed) provisions in the planning obligation to ensure that the podium where the bridge would land is engineered so as to bear the load; hence also the 20-year period (insisted upon by LBH) during which Dandara can be called upon to make way for the bridge. The public route to the bridge has been designed so as to be spacious enough to allow the bridge to be slid into position from it.
47. Provision of the bridge is a key priority on LBH's part and, in order to facilitate delivery, it proposes to raise contributions from all significant town centre developments (not just those which lie within the area covered by the Station Brief).^A Dandara will contribute a guaranteed £1 million, with the prospect of up to an additional £4 million, depending upon sales values achieved over time.
48. Meanwhile, Dandara and LBH agree that the construction of the scheme should not be held back until a contract to construct the bridge has been let. The sooner regeneration begins to materialise on this important town centre site the better. LBH has agreed the wording of a draft condition to ensure that there would be a shop/café/restaurant at the southern end of the public realm which would be removed once the contract to construct the bridge had been let.
49. In short, Mr Stewart's criticism of the appeal scheme on the ground that it does not guarantee the delivery of the bridge is another example of how his evidence directly conflicts with the position adopted by LBH throughout.

Conclusions on Layout and Design Criticisms

50. Mr Stewart's conclusion that the appeal scheme would enhance neither the site nor the area is difficult to understand. Neither is CABE a reliable barometer of architectural wisdom.^B The process followed on Dandara's proposals precluded proper dialogue with the architect, which might have resolved some of its criticisms. In the absence of dialogue, the appellant relies on its written responses^C and the analysis of the proposals by Mr Apsley and Mr Williams^D in relation to the evaluation criteria in the EH/CABE Guidance on Tall Buildings.

^A Document CD-LBH3, the Core Strategy Preferred Option – p.53, Policy 5, 2nd para.

^B CABE was critical of the proposals for the Neptune Point site in Harrow, which was allowed (Document 10, Appendix 27), and gave a favourable analysis of the Arcadia Ealing proposals, which were accepted by neither the Inspector nor the Secretary of State.

^C Document O2, Tabs 12 and 23.

^D Documents D1, section 7, and D4, section 6.

51. The appeal scheme has been drawn up by an architect in a firm of international renown. The proposals evolved through exemplary collaboration with LBH's design and planning officers. LBH's officers and its independent consultant endorsed the layout and design of the scheme, as has the GLA. Mr Apsley's presentation of his proposals to the inquiry evidences their high quality, as does Mr. Williams' independent analysis.
52. It is hard to imagine *any* proposals for the site meeting with universal acclaim – for example, the local architects' forum put forward the proposition that the site is unsuitable for residential development. The time has come for someone to take a lead and say that there has been too much criticism and not nearly enough dynamism in Harrow. The layout and design of the appeal proposals are more than acceptable – their inherent quality would raise the bar for future town centre schemes and would stand in marked, and welcome, contrast to the disappointingly poor quality of the, at best, mediocre (at worst, dreadful) buildings that currently 'grace' the town centre.

Impact of the proposals in views

53. In truth, it was the members' concerns about the impact of the appeal proposals in views of St. Mary's Church spire from the north, and of the Harrow Weald Ridge from the Conservation Area, the Harrow on the Hill Area of Special Character (ASC) and the Metropolitan Open Land (MOL) to the south, which led them to refuse the application. Those who spoke in opposition to the proposals at the inquiry focussed upon these issues too, as did English Heritage's consultation responses.^A
54. PPS5 and its companion Practice Guide were published during the adjournment of the inquiry between the hearing of evidence and closing submissions. Mr Williams has written an overview of how the evidence to the inquiry fits with PPS5.^B The appellant considers that PPS5 and the Practice Guide do not give rise to any issues not previously canvassed at the inquiry.
55. The reason for refusal speaks of the proposals "competing with the primacy of St Mary's Spire" and harming views of the Ridge. These contentions appear to be founded upon a misplaced conflation of visibility and harm. It is a fundamental proposition of the appellants' case that marking the Metropolitan Centre of Harrow with a tall building is perfectly appropriate. What matters is whether the scheme would be a worthy addition to the view. If so, seeing a well-designed tall building in views which encompass St. Mary's spire or the Harrow Weald Ridge would be beneficial, not harmful. There is nothing wrong with seeing a prominent building if it is worth looking at.
56. Cllr Ashton, Chair of the Committee which refused the application and draftsman of the reason for refusal, confirmed in cross-examination that the six views on which Mr Smith concludes that the proposals would cause significant adverse impacts^C are "broadly what the Committee had in mind" in deciding to refuse the application.
57. The reason for refusal contends that UDP policy D31 would be infringed. This policy, via its supporting text and Schedule 4 to the UDP, together with Text Map 9, protects views of St. Mary's Church from seven viewpoints and views of

^A Document H8, Appendix 10.

^B Document D17, with a 'companion' view from Mr Sensecall at Document H14.

^C Document H6, Views 7-11 and 23.

the Ridge from six viewpoints; all are specified in the Schedule and shown on the Map. The Neptune Point Inspector adopted the approach of assessing whether these views would be intruded upon or detracted from to "an unacceptable degree".^A Mr Smith accepted in cross-examination that this is the correct approach to the policy. But it is important to note that only one of the six views which he considers would be significantly harmed by the appeal scheme is a view protected by Policy D31.^B The five other views that he claims would be significantly harmed are not protected. They are just views, with no special status in planning policy terms. The Conservation Area Statement notes a number of views but they are not given any particular protection by the UDP.

58. Cllr Ashton confirmed in cross-examination that the reason for refusal does not refer to the height of the proposals as such. Mr Smith repeatedly emphasised the "mass" of the scheme but this appears to be a misuse of the concept of mass; the proposals are residential buildings and their higher elements could hardly be described as unduly wide; indeed, the towers were described as "slender" in the GLA's Stage 1 report.^C
59. Mr Smith's criticism of the "mass" of the appeal scheme is put into context by the Harrow College proposals on the Lowlands Recreation Ground to the south of the appeal site, *within* the Conservation Area and *on* Metropolitan Open Land. LBH resolved to approve that scheme, which would have far greater "mass" in views from the south than the appeal proposals and would break views of the Ridge appreciably more. Thus, these views cannot be considered by LBH to be immutable; by implication, they are views which LBH considers can accommodate significant change without causing unacceptable harm. Had LBH thought otherwise, it would have refused that application. Mr Smith, however, explained in cross-examination that he could only conclude that the new College would be harmful in those views, which goes to show that his approach is not on the same wavelength as LBH's.
60. The appellant's case is that views are dynamic and kinetic; they change as one moves and looks around. Where Harrow town centre is part of a view/vista, its status (as a Metropolitan Centre and an Area of Intensification, with excellent public transport accessibility) means one would expect to see taller buildings to mark it. The Station Brief contemplated that this would be so.^D
61. Where views would encompass both St Mary's and the appeal scheme, it would be obvious that these are very different buildings, in very different locations, which could not be confused the one with the other. The observer would be able to focus upon each in turn, or on one in preference to the other. The appeal scheme could not, on any sensible view, be described as negating the significance of St. Mary's spire in any of these views.
62. There is only one protected view of St Mary's spire that Mr Smith contends would be significantly harmed – from Mountside/Vernon Drive. However, that view has changed significantly since it was designated.^E In any event, the

^A Document D10, Appendix 27.

^B Document H6, View 23.

^C Document CD-GLA9, p.9, para. 43.

^D Document CD-LBH7 – see the reference to "signature development" ... "that creates a new landmark and focal point within the town centre" (p.31 and see also pp.32/34); Mr. Sensecall agreed in cross-examination that "the Council has contemplated taller buildings on the site".

^E Various in Documents CD-APP12 (p.19), D5 (p.20) and H6 (Viewpoint 23) – note the house extension and the loss of the evergreen tree.

appeal scheme would not challenge the spire, let alone dominate it. The viewer would appreciate readily that the Hill lies, and continues, behind the buildings of the appeal scheme, which would not (to borrow the language of the Neptune Point Inspector) intrude or detract from the spire to an unacceptable degree.

63. Mr Smith also contended that views of St. Mary's would be significantly harmed from viewpoints at Harrow [School] Playing Fields to the south-east of the town centre.^A These views are not protected by the UDP but are said by Mr Smith^B to be the views most harmed by the appeal proposals, the mainstay of his argument being that the prominence of St Mary's would be (presumably unacceptably) reduced. In truth, one is far more aware of surrounding urban development (such as the University & the Hospital) than appears from photos. To describe the playing fields as countryside is a flight of fancy. The appeal scheme would have no appreciable effect on the prominence of St Mary's – they would be two very different landmarks, in very different locations, serving very different purposes, and would co-exist perfectly well.
64. The town centre occupies a large part of the fore/middle ground in views from the south towards the Harrow Weald Ridge. Town centre buildings 'break' the Ridge depending on the viewpoint. As a matter of principle, there is nothing wrong with this – the views are, after all, views which encompass both the town centre and the Ridge. Also, there is a noticeable difference between the character and appearance of the Conservation Area and that of the town centre. Again, there is nothing wrong in principle with accentuating this contrast; one would expect the Metropolitan Centre to read quite differently to the Conservation Area and the open land on the opposite side of the railway line.
65. None of the views which Mr Smith contends would be harmed^C are protected by the UDP. A balanced and rational assessment suggests that the presence of tall buildings on the appeal site, a visual marker for the town centre, would be perfectly appropriate. By definition, a landmark building must be readily visible and prominent if it is to perform its role as a landmark; if anything, it would be beneficial to accentuate the contrast between the Metropolitan Centre on the one side of the railway lines and the very different character and appearance of the Conservation Area, ASC and MOL on the other.
66. Finally, Mr Smith contends that the appeal scheme would cause moderate harm from the bridge on George Gange Way, from where there are glimpsed views of St. Mary's spire.^D These views are highly dynamic, kinetic, unfolding and changing views, in which glimpses of the spire come and go; and, in real life, the experience of these views is made exceptionally unpleasant by the heavily trafficked road that one is walking alongside (or driving along) and the dominating mass of the Civic Centre. St. Mary's is only ever glimpsed – and only in some of the views; the addition of part of the appeal scheme in some of the glimpsed views would not cause undue, if any, intrusion or detract.

Overall Conclusion on Views

67. The appellant's conclusion is that the appeal scheme would be perfectly acceptable in the various views considered. That conclusion is shared by LBH's planning officers, its independent consultant and the GLA. The reason for

^A Document H6, Viewpoints 10 (as substituted by Document H6a) and 11.

^B Document H5, pp.38-40.

^C Document H6, Viewpoints 7-9; Mr Williams' closest equivalents are Figures 5I, J & K in Document D5.

^D Document H6, Viewpoint 19, analysed in depth by Mr Williams in Document D5, Figure 5C.

refusal is misplaced and the evidence called in support of it conflated visibility and harm. The appeal scheme would be an appropriate landmark at the heart of the town centre and would not despoil views of St Mary's Church spire or the Harrow Weald Ridge.

Other Matters

Density

68. The density of the appeal scheme was found acceptable by both LBH's planning officers and the GLA. If the conclusion were reached that the appeal proposals would not cause the harm alleged in LBH's reason for refusal, then the density of the scheme would be perfectly acceptable. In other words, density guidelines do not place a free-standing or separate hurdle in the way of the proposals.

Space Standards

69. The Mayor of London's tentative proposals to set minimum standards for new homes have no application to the appeal scheme and carry no weight.^A Dandara builds its own schemes, knows and understands its market and has a deserved reputation for delivering high quality homes.

Prematurity

70. After the years of co-operation and collaboration between Dandara and LBH, it would be utterly ridiculous to contemplate refusal of the proposals on the ground of prematurity. It is to the members' credit that they dismissed the notion.

Public Transport Contribution

71. Dandara offers a guaranteed payment of £1 million towards public transport improvements, including the pedestrian bridge, together with the potential for additional payments up to a grand total of £5 million, depending on sales values achieved. That offer had been in place for some time before the application was reported to members. The officers' report describes and discusses the proposed contribution, including the ratchet mechanism related to sales values; and the members knew the terms of the offer when they considered the application. It was well-known that Dandara had long since withdrawn its earlier, more generous (pre-recession) offer. The reason for refusal does not contend that Dandara's offer of £1 million plus a potential uplift is inadequate; nor does it assert that there should be a guaranteed payment of £5 million.
72. In the circumstances, it is hard to understand upon what basis it was thought "reasonable to seek to secure a guarantee, in the event that the appeal is allowed, that it [LBH] will, upon implementation of the appeal proposal, receive a contribution in full in the sum of £5 million towards the provision of [the] bridge link".^B LBH has never required any such sum from Dandara and there is no policy basis for such a demand, whether towards the bridge or more generally towards public transport improvements; it would not satisfy the tests set out in the Planning Obligations Circular 05/2005. Neither does LBH contend that building the appeal scheme should be held back until a contract to construct the bridge has been let.

^A Document D7, paras. 7.34-7.38; also Document D10, Appendix 32.
^B Document H7, para. 3.40.

73. The bridge is a priority for LBH. The Core Strategy Preferred Option^A sets out its latest position – that major development within the town centre will be expected to contribute to the delivery of the bridge. Dandara’s contribution will be supplemented over time. Meanwhile, the appeal scheme has been designed to enable installation of a bridge at a later date. That is the situation LBH has always contemplated.

Overall Conclusion

74. The appeal scheme was backed by LBH’s own in-house and external advisors, not just because of Dandara’s responsive, listening approach but also, fundamentally, because the scheme makes a great deal of sense. There are no sound and clear-cut reasons for refusing the scheme but there are many good reasons for allowing the appeal and granting planning permission.

THE CASE FOR THE LONDON BOROUGH OF HARROW

I give here the gist of the case for the London Borough of Harrow (LBH), drawn primarily from closing submissions (Document H16).

75. It is common ground that the appeal site is in need of redevelopment and that Harrow town centre needs a boost - a boost that a landmark of exceptional quality could give. The issue is whether the appeal scheme is good enough to justify the undoubted impacts it would have. LBH’s position is that it is not.
76. The reason for refusal makes clear the basis for the Council’s concerns. The bulk, mass, scale and intensity of the buildings proposed are excessive. The consequences of that are identified in the reason for refusal.
77. Firstly, the proposed development would be overbearing. That feeling could be experienced within the proposed scheme, from within the immediate area and from further afield. Secondly, it would be visually intrusive. That is something that can be experienced at greater distances than the effect of being overbearing. The buildings would stand out – but not in a way that would improve the views. They would be undesirably noticeable. Thirdly, it would be detrimental to the character and appearance of the Roxborough Park and the Grove Conservation Area, the Harrow on the Hill ASC and the MOL. Fourthly, it would be over-dominant in the skyline and compete with the primacy of the existing landmark, the spire of St Mary’s Church on Harrow Hill. Fifthly, it would harm the views out to the Harrow Weald Ridge currently enjoyed from the south, particularly from the Grove Open Space.
78. Those harmful effects are seen by LBH as cumulative – but any one or any combination of them, if judged to be sufficiently serious, could justify the refusal of planning permission. Equally, as Mr Stewart made clear, a scheme of the highest architectural quality – which is what the relevant policies are looking for – could justify a development that would be visible, even highly visible, from the three protected areas, which could be seen in the same views as St Mary’s and the Hill and which broke the skyline looking towards the Harrow Weald Ridge. But Mr Stewart’s judgement is that this is not that scheme.
79. In addition, there have been events and circumstances, largely since LBH determined the application, which give rise to other areas of concern. It is now

^A Document CD-LBH3, Policy 5.

clear that the Harrow College redevelopment is not going to go ahead in the foreseeable future in the form considered by LBH. The College site is MOL, with the same level of protection as Green Belt. The educational needs of the College were seen to provide the very special circumstances necessary to justify inappropriate development on MOL. It is difficult to envisage any other type of development establishing such very special circumstances. Thus, the appeal scheme cannot be judged in the context of the College scheme going ahead on land to the south. Mr McNulty's vivid expression that a one-winged bird would not fly is a neat metaphor for this point.

80. That, in turn, means that any footbridge would not be leading to the College redevelopment which had contemplated 'receiving' it. Instead, it would lead to the station car park or MOL, not at all what the Planning Brief contemplated.
81. To the north, the appellant's absence of control over nos. 17-33 College Road means that the main entry to the scheme cannot be laid out as contemplated without the co-operation of the landowner or the use of compulsory purchase powers. In any event, the main pedestrian entry to the scheme would, for part of its width, have to be shared with vehicles accessing nos. 17-33.
82. The appeal scheme would change the face and perception of Harrow town centre. But it is in no way a 'signature' development for Harrow. The attempt to include some superficial elements of Art Deco styling – unsuccessful in any event in Mr Stewart's judgment – does not make the proposal what Harrow needs or what LBH has been looking for. It would not change the face or perception of Harrow in a positive way. This is too important an opportunity for the scheme to go ahead in its present form.

The Development Plan

83. Harrow is identified as a Metropolitan Centre in the **London Plan**,^A along with 10 other centres. There is no policy imperative in the London Plan to redevelop or mark these centres with tall buildings.^B The compact city and intensive development do not necessarily imply high-rise buildings,^C though the London Plan supports tall buildings where they would create attractive landmarks enhancing London's character, help to provide a coherent location for economic clusters of related activities and/or act as a catalyst for regeneration, and where they would also be acceptable in terms of design and impact on their surroundings. Acceptability depends on being "of the highest quality design" and being "suited to their wider context in terms of proportion and composition and in terms of their relationship" to other buildings and public open space.^D
84. Density is also to be taken into account in considering applications for tall buildings.^E While the density matrix is only a tool, and a guide, it is identified as setting "a strategic framework for appropriate densities at different locations" with "appropriate density ranges (which) are related to setting in terms of location, existing building form and massing and the index of public transport accessibility."^F On that basis, the density matrix identifies a range of 650-1100 habitable rooms per hectare (hr/ha) or up to 405 units/ha for the appeal site.

^A Document CD-GLA1, para. 3.269, Map 3D.1 (p.164) and Annex 1 (p.A1 et seq).

^B Accepted by Mr Apsley in cross-examination.

^C Document CD-GLA1, para. 4.120 (.253).

^D Document CD-GLA1, Policies 4B.9 and 4B.10 (pp. 252-254).

^E Document CD-GLA1, also Policy 4B.9.

^F Document CD-GLA1, pp. 3.20-3.22 (pp. 68-69).

The density of the appeal scheme would be 1,432 hr/ha,^A some 30% above the top of the range. That does not prove that the appeal scheme is too dense – the matrix is only a guide – but it does show that a less dense scheme would be acceptable in this location. In turn, there must be considerable scope to reduce density, and hence bulk and mass, whilst still being in line with the matrix. The policy imperative in the London Plan to seek to maximise the potential of development sites is, of course, always tempered by the need to be “compatible with local context”.^B

85. As Mr Stewart identifies, “the most fundamental problem is that the appeal scheme proposes more accommodation than the site can take. That is the main cause of the excessive bulk, mass, scale and intensity referred to in the reason for refusal.”^C This addresses the question of density as the Inspector explained he would and, looking at it in that way, Mr Stewart is clear that the excessive qualities of the scheme derive from too much development being proposed.
86. Nor is there any urgency to maximise the numbers of dwellings provided. As Mr Wilmott records in his evidence, the most recent Annual Monitoring Report (AMR), of December 2009, shows that LBH will over-achieve on its housing targets and will do so on 100% brownfield land.^D He makes the point that density levels are increasing in new housing development in Harrow by reference to the site at 354-366 Pinner Road, where the AMR shows densities achieved of 1,187 hr/ha or 467 units/ha.^E But those levels are some 250 hr/ha, or 17%, below what is proposed here and are within the range in the density matrix. The densities proposed here would be a step change in Harrow.
87. The **Harrow UDP** enables consideration of applications for development of identified sites in accordance with scheduled proposals, objectives and constraints.^F The appeal site is part of Proposal Site 6 (PS6), which is scheduled as providing the opportunity for “high quality, higher density, mixed use development and enhanced interchange facilities”. The Schedule also states that LBH will prepare an urban design framework for the site “to ensure an appropriate built form at a key town centre location”. Policy D4 explains that a high standard of design is sought for all development proposals. The reasoned justification adds that proposals for high buildings will be evaluated against the criteria set out in the schedule to the UDP,^G which requires “outstanding architectural quality”.
88. The schedule also refers to the opportunity for Harrow College to locate its core functions at a single site within the centre. It envisages that pedestrian access through the appeal site development and links to the south of the railway should be enhanced to ensure the integration of the whole development within the town centre boundary. It requires that the current amount of open space in the Lowlands Recreation Ground would have to be retained if it were remodelled. It requires that proposals preserve or enhance the character of the Conservation Area. And it envisages significant infrastructure improvement to ensure the modernisation of the station.

^A Document H7, para. 3.16 (p.25).

^B Document CD-GLA1, Policy 3A.3 (p.68).

^C Document H1, para. 8.2 (p.41).

^D Document D7, para. 7.21 (p.48).

^E Document D7, para. 7.25 (p.49).

^F Document CD-LBH1, Policy IS (p.250, with the Proposals, Objectives and Constraints for Proposal Site PS6 scheduled on pp. 254-255).

^G Document CD-LBH1, para. 4.11 (p.106) (The reference to Schedule 4 should clearly be Schedule 3.)

89. This vision was an holistic one but the modernisation of the station now seems to be too expensive, the College proposal cannot go ahead and any remodelling of the Recreation Ground was dependent on that proposal. There are no proposals to the south of the railway for the foreseeable future with which the appeal scheme would integrate. Whatever the degree of cooperation between the appellant's architect and the College's advisers, and whatever the degree to which the appeal scheme was guided by and integrated with the College proposal – all of which seems to have been important to Mr Apsley's approach^A – the fact is that the College proposal will not be there to provide a context for the appeal scheme.
90. The consultation draft replacement London Plan, published in October 2009, identifies Harrow town centre as an Intensification Area where higher densities of residential development may be appropriate.^B That document is at a very early stage, however, and can carry little weight. LBH's Core Strategy Preferred Option addresses that potential issue, expressly providing that it should not "carry any commitment and weight" and is merely "an opportunity for the community and stakeholders to engage in further dialogue and contribute towards the policy of the pre-submission version".^C The consultation period has finished but responses have yet to be considered. The appellant has made submissions that the document is unsound and suggests that little weight should be given to it.^D Given the express disclaimer in the document, even that is an overstatement.
91. Thus, the UDP itself presents an holistic view of PS6 which time has shown to be unachievable in the foreseeable future. What remains is the appeal scheme.

The Planning Brief

92. Similarly, the Harrow on the Hill Station Planning Brief^E "establishes a set of principles that will ensure a comprehensive approach to development and enable proposals to be brought forward in accordance with an agreed framework." It expressly records that PS6 seeks a comprehensive approach to the site's development. That includes the 21st Century Mobility Hub. The provision of new station facilities and enhanced interchange with improved access capacity and layout was seen as "a key objective of this guidance." That no longer seems achievable. The appeal site was seen as the only opportunity for relocating the bus station and meeting the requirements for a significantly improved facility. A new north-south connection was seen as the link to an improved Lowlands Recreation Ground and Harrow College campus.
93. The third element of the "vision" is identified as "a high quality, distinctive, signature development that will reposition Harrow town centre as a growing metropolitan hub" "This demands something unique. Something that adds a new dimension to Harrow. Something that creates a new landmark and focal point within the town centre. The site is highly visible and important in defining people's perceptions of the area. The potential visual impact demands buildings of outstanding architectural quality well related to the surrounding streets and open spaces."

^A Document D1, paras. 4.13 and 7.6-7.10 (pp. 18 and 46-47).

^B Document CD-GLA2, Policy 2.13.C (p.47) and Annex 1 (p.213).

^C Document CD-LBH3, para. 2.14 (p.4).

^D Document D7, paras. 6.61 and 6.62 (p.44).

^E Document CD-LBH7 (also Document HB, Appendix 2) – see pp. 4, 27, 29 and 32 in particular.

94. If Mr Stewart is right about the quality of the appeal scheme, none of these three elements of the vision would be achieved. The station element seems out of reach for financial reasons.^A The College redevelopment, which enabled the reconfiguration of the Lowlands Recreation Ground, cannot now happen in the foreseeable future so any link would be to what is there now.^B That leaves the assessment of architectural quality.

Architectural Quality

95. Instead of outstanding architectural quality, something unique, a signature development that adds a new dimension to Harrow, the appeal proposals are judged by Mr Stewart to be "routine, bland and unremarkable", "standard residential architecture blown up to a larger scale than is usual in outer London". His assessment and his analysis of the scheme against the objectives in *By Design* and against the EH/CABE *Guidance on Tall Buildings* are to be commended.^C He points out that these would be the most prominent buildings in Harrow – more than twice as high as the existing larger town centre buildings and, taken as a group, very bulky as well.^D He suggests that the test put forward in CABE's *Design review* – whether, if the same pattern of development were applied to adjoining or nearby sites, it would be an acceptable way of developing a neighbourhood – is pertinent here. He concludes that it would not; this is not a sustainable pattern of development if applied to adjoining sites as well as the appeal site. Thus, the scheme must be considered a one-off. It would likely remain the most prominent and visible sign of the centre of Harrow for the foreseeable future. Given that, and the policy imperatives on design and architectural quality, it is not unreasonable to look to the suggestion in *Design Review* – whether one can imagine the development becoming a cherished part of its setting. Mr Stewart cannot imagine that being so.

Overbearing Impact

96. UDP Policy D4 seeks a high standard of design and layout taking into account the site and the scale of what is proposed. An appropriately high standard of design would avoid the excessive bulk, mass, scale and intensity of the appeal scheme, which would have an overbearing effect. Mr Stewart explains that the three blocks would appear as accumulations of accommodation fitted in wherever they could go – failing to read as clear objects and failing to define satisfactory spaces. He sees the result as a visual muddle which would be oppressive because of the density and intensity of the scheme. The overbearing nature of the appeal scheme would also be felt by its residents, its design quality as a place to live affecting the quality of life therein.^E
97. The scheme would also run contrary to the consultation draft replacement London Plan suggestion that tall buildings should not "be encouraged in areas ... sensitive to their impact", such as "the edge of ... metropolitan open land".^F

^A Document O2, Tab 6.

^B Documents H11 and H12.

^C Document H1, paras. 6.17-6.53 (pp. 28-37).

^D Document H1, para. 8.4 (p.41).

^E Document H1, variously at paras. 6.15 (p.27), 7.7-7.11 (pp. 39-40).

^F Document CD-GLA2, Policy 7.7.D.c (p.175).

Visual Intrusion

98. The second consequence of the scheme's over-bulky and excessive qualities is that it would be visually obtrusive. Mr Stewart and Mr Smith have applied their independent professional judgments and agree with the position taken by LBH.
99. Mr Stewart notes particularly the views from the upper part of the Grove Open Space to the south. The existing buildings of the town centre are not particularly attractive – but nothing stands out. The appeal scheme *would* stand out – but not in a way that would improve the view. It would be "undesirably noticeable".^A There may be no objection in principle to a tall building but the combination of the height, mass and bulk of the appeal scheme buildings, and their lack of overall design or architectural quality, would make them visually obtrusive. The design of the formerly proposed College buildings, whilst being bulkier and higher than the surrounding buildings, would not have produced the same step-change in the view.
100. Mr Smith identified five viewpoints in the open spaces to the south of the appeal site as experiencing significant adverse visual impacts from the proposal.^B He also identified a sixth viewpoint, from the north.^C In landscape and townscape terms, he saw the buildings appearing in views as rectangular or square in profile, with the detailing of the upper storeys having very little visual effect when seen from middle or longer distances. They would be seen as simple, box-like forms with few distinctive or original elements.
101. The main difference of approach between Mr Smith and Mr Williams is that the former took into account the particular sensitivity of the receptors, the people who would experience the views if the appeal scheme was built. Many of the views are from the south, from the Grove Open Space and the Lowlands Recreation Ground. Two are from the Harrow College Playing Fields, where there are public rights of way (including the Capital Ring, one of only two circular trails around London).

Impact on Protected Areas

102. Three designations are referred to in the reason for refusal – MOL, Conservation Area and ASC. They overlap. The Lowlands Recreation Ground is both MOL and within the Roxborough Park and the Grove Conservation Area. The Grove Open Space is MOL, Conservation Area and within the Harrow on the Hill ASC. Harrow College Playing Fields are both MOL and within the ASC.^D Each designation has its particular significance and the cumulative value should be taken into account.

The Conservation Area

103. The Roxborough Park and the Grove Conservation Area Study,^E flowing from the provisions of UDP Policy D14, identifies the Lowlands Recreation Ground as "important in acting as a buffer between the commercial centre of Harrow and the lighter, largely residential development of Harrow on the Hill". It also identifies "important views north from the elevated section of the Grove Open Space from this part of the Harrow on the Hill ASC to the Harrow Weald Ridge

^A Document H1, para. 7.10 (p.40).

^B Document H4, paras. 7.16-7.19 (p.38).

^C Document H6, Viewpoint 23 (from Mountside/Vernon Drive).

^D Document D5a.

^E Document H8, Appendix 7.

ASC" and "important views within the conservation area ... from the Grove Open Space towards the greenery of Lowlands Recreation Ground". These views contribute to the character of the Conservation Area.

104. PPG15 contained the Secretary of State's policy that the desirability of preserving or enhancing a conservation area should be a material consideration in the handling of development proposals outside the conservation area but which would affect its setting or views into or out of it.^A That Circular has been cancelled by the publication of PPS5, in which Policy HE10.1 says this. "When considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval."
105. LBH's case is that the appeal scheme would be detrimental to the character and appearance of the Conservation Area by harming views out of it identified as important in the Study. The impact of the scheme in views from within the Conservation Area and from the Grove Open Space is striking.^B It would produce visual encroachment of the town centre and greater visual enclosure in an area valued for its openness. The scheme does not have the exemplary design quality which the London Plan looks for in tall buildings to justify such an effect. In terms of PPS5, the harm so caused is not outweighed by any wider benefits of the application.
106. English Heritage responded to consultation on the original and revised schemes.^C It recommended on both occasions that the application should be refused. It drew attention to the fact that the site is adjacent to the Roxborough Park and the Grove Conservation Area and was of the view that the scheme failed to respond to the historic environment within which it was proposed. It specifically advised that the scheme would cause detriment to the character and appearance of Conservation Areas and failed to accord with London Plan Policy 4B.12, which seeks to protect London's historic assets. The second consultation response was obviously not provided to Beams, which advised LBH but was thus unable to address the views expressed. More surprisingly, the appellant's witnesses have not addressed English Heritage's objections in their evidence.

Areas of Special Character (ASCs)

107. There are two ASCs in the Borough – Harrow on the Hill and the Harrow Weald Ridge. The supporting text to UDP Policy EP31 identifies them and explains that a wide range of features, including important views and skylines, combines to establish the particular quality of the ASCs.^D Protection of skylines and views from intrusive development must apply to development outside the ASCs which would harm the views enjoyed from within them.^E

^A PPG15, para. 4.14.

^B Document D5, Figs 5I, 5J and 5K, and Document H6, Viewpoints 7 and 8. Document D5 does not have a view from within the Lowlands Recreation Ground but Document H6 does so with Viewpoint 9.

^C Document H8, Appendix 10.

^D Document CD-LBH1, para. 3.116 (p.85).

^E Mr Williams accepted the sense of that approach in cross-examination.

108. The Harrow on the Hill ASC includes all of the Grove Open Space and all of the Harrow College playing fields. The appeal scheme would appear on the skyline from the identified views within the ASC.^A Trees would screen the lower parts of the development for half of the year but Blocks A and, to a lesser extent, B would still appear above the trees all year round in some views. The nature of the area is green and open, with views towards St Mary's spire on the Hill. There seems little purpose in 'marking' the town centre from this location. Instead, there would be an increased sense of urban intrusion or encroachment in these views, which would conflict with the policy protection of the ASC.

Metropolitan Open Land (MOL)

109. MOL is given the same level of protection as the Green Belt.^B As the UDP explains, "PPG2 supports the argument for controlling the visual impact of proposals which are conspicuous from the Green Belt although outside it and there is a logical need to exercise similar control over development adjacent to MOL, or in some cases close to (but not abutting) MOL".^C PPG2 advises that, "The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design".^D Thus, even development outside MOL, which would not affect its openness, should not be permitted where it would be conspicuous from and visually detrimental to MOL.

110. The appeal scheme would certainly be conspicuous from the Lowlands Recreation Ground and from the Grove Open Space. Distance reduces the effect from the Harrow College Playing Fields but it is still there. London Plan Policy 4B.10 expressly requires tall buildings to be suited to their wider context in terms of their relationship to public open spaces and, in LBH's view, the scheme is not so suited. The effect from the Lowlands Recreation Ground would be dramatic and is perhaps an illustration of the good sense of the emerging replacement London Plan in suggesting that areas on the edge of MOL are not appropriate for tall buildings.

St Mary's Church

111. St Mary's Church is a Grade I listed building whose list description expressly identifies it as a landmark. The UDP identifies it as *the* important landmark in the Borough.^E Both views would suffer adverse effects from the scheme, the former assessed as of moderate significance and the latter as moderate/substantial.^F Mr Smith also drew attention to the views from the Harrow College playing fields,^G from where the view of the spire would be diminished by the square mass of the two taller blocks, which would appear to coalesce when seen from this direction. Mr Apsley explained that the design of the tops of the buildings was largely flat so as to distinguish them from the spire and not to compete with it. He therefore clearly accepts the inter-relationship the appeal buildings would have with St Mary's spire. CABE, in its final comments on the

^A See Document D5a. The ASC therefore all of Mr Smith's Viewpoints 6-11. Nos. 7, 8 and 9 also have the protection of being within the Conservation Area. Nos. 10 and 11 are on MOL and on public rights of way.

^B Document CD-GLA1, Policy 3D.10 (p.178).

^C Document CD-LBH1, para. 3.134 (p.93).

^D PPG2, para. 3.15.

^E Document CD-LBH1, Text Map 9 (after p.130). Views of St Mary's are protected by UDP Policy D31 and Schedule 4 (specifically from The Bridge/George Gange Way and from the footpath at Mounts de/Vernon Drive).

^F Document H4, Table 7/1, Viewpoints 19 and 23.

^G Document H6, Viewpoints 10 and 11.

appeal scheme,^A expressed the view that the tall buildings would be likely to “weaken the strength of traditional Harrow-on-the-Hill views”. Add to that English Heritage’s comments about the appeal scheme’s failure to respond to its historic environment and this concern should carry significant weight.

Harrow Weald Ridge

112. Views from the Grove Open Space are expressly identified in this context in the reason for refusal. The views to the Ridge are identified as important in the Conservation Area Study.^B Currently, these views are largely unbroken.^C At least a tenth of that view would be broken into – more in so far as Blocks A and B appear to converge from different viewpoints. And these are sensitive views from within the Conservation Area, from much-used and much-appreciated MOL and from the ASC (in effect, from one ASC to the other). Again, the quality of the design and architecture of the appeal scheme does not justify the impact on these valued views.

The Footbridge

113. CABE, in its final response to consultation, was of the view that “the successful development of the site will rely on the provision of the new bridge and improved ‘entrance’ into the site from College Road”.^D The College scheme itself, and the enabling residential development scheme, are no longer potential contributors to the provision of the footbridge. No other contributor is presently identified. The unilateral planning obligation provides a secure £1 million towards public transport improvements, which could include a contribution to the footbridge. It offers a “maximum public transport improvements contribution” of £5 million – but further payments beyond the £1 million depend on sales proceeds rising by some 15% from current levels.^E The recently suggested lowering by £10 of the threshold in the ratchet device at which the additional payments become due makes no significant difference to LBH’s concern on this point. There can be little confidence that significant payments beyond the £1 million will be forthcoming.

114. There may be a question about whether the £5 million suggested in LBH’s evidence would satisfy the tests for contributions in Circular 05/2005. However, the appellant is offering a maximum of £5 million and, in so far as the Secretary of State can take that into account, he needs to be satisfied that it meets his own policy tests.

115. The reality is that there can be no confidence that a footbridge will be provided in the foreseeable future, or at all. The full significance of the College proposals being abandoned will have to be taken into account by LBH. In the circumstances, the reference to support for the footbridge in the Core Strategy Preferred Option document should carry no weight.

116. The appellant has sought to address this uncertainty with a suggested condition requiring it to obtain planning permission for a shop or café or the like where the bridge landing would be, to be removed if and when a contract is let for the construction of a bridge. That may well never happen. An element of the scheme which CABE saw the success of the development as being reliant upon

^A Document O2, Tab 22

^B Document H8, Appendix 7, p.15.

^C Document D5, Figures 51 and 53.

^D Document O2, Tab 22.

^E Document H13.

may never be achieved. Mr Stewart expressed his concern about just this scenario when he wrote his evidence – long before the appellant had offered this condition. His view is this. "Without the bridge, the logic of the scheme is seriously undermined. The north-south route would be a cul-de-sac and it seems unlikely that commercial units at the end of the dead end would thrive. The site's backwater character would be perpetuated".^A Added to the lack of control over the whole of the frontage to the site, which CABE saw as the other essential element for the success of the scheme, the uncertainty over the bridge undermines the credibility of the appeal scheme – compounded by the change in circumstances to the south of the railway brought about by the failure of the Harrow College proposals.

Conclusion

117. This is too important a scheme for Harrow for its quality to be lower than policy at all levels requires. The proposed scheme is neither exemplary nor of the highest quality. The consequences of these shortcomings are set out in the reason for refusal and in the independent evidence of the expert witnesses called by LBH, who have reached the same conclusions as the members unanimously reached. The appeal should be dismissed.

THE CASE FOR THE CAMPAIGN FOR A BETTER HARROW ENVIRONMENT

I give here the gist of the case for the Campaign for a Better Harrow Environment (CBHE), drawn primarily from closing submissions.

118. Nothing at the inquiry has caused CBHE to change its view on the proposed scheme. Indeed, CBHE's opposition has intensified. The weight of Government and other guidance, notably PPS1, PPS4, the EH/CABE Guidance on Tall Buildings, the London Plan and the UDP fully support LBH's decision to refuse the planning application.
119. The Lowlands Recreation Ground is presently designated as MOL and is within the Roxborough Park and the Grove Conservation Area. LBH last year resolved to approve an application to rebuild Harrow College on that land because it considered that very special circumstances were provided by the proposed educational use. The project has failed to attract essential funding and is no longer being pursued. Thus, the recreation ground will remain for the foreseeable future as MOL. The Dandara proposal must be seen in that light.
120. The recreation ground has been described as run down, hemmed in by buildings and having a more urban character than the adjacent Grove Open Space. The low-rise nature of the surrounding buildings does not give the site a feeling of being hemmed in. The land is an integral part of the important open setting of St Mary's Church on Harrow Hill.
121. UDP Policy EP43 clearly states that LBH will resist development close to MOL which would have a detrimental visual impact on the character of that land. The proposed scheme would clearly have such an impact.
122. Much inquiry time was spent considering numerous viewpoints to and from Harrow Hill and the effect of the proposal on those views. But neither Dandara nor LBH has paid much attention to the views of English Heritage. In its second

^A Document H1, para. 6.8 (p.26).

letter,^A on the amended scheme, it said that its original objections remained because, in essence, the proposal failed to fit within its established historic context, showing an inadequate understanding of the area, and would be detrimental to the character and appearance of the adjacent Conservation Area, thus failing to comply with section 4 of PPG15 and London Plan Policy 4B.12.

123. Harrow's distinctive and picturesque setting is not only a valuable asset in itself, it is also an important factor in bringing visitors to the town. To date, CBHE has opposed only three planning applications, each one directly threatening this priceless setting. The Dandara scheme poses the most serious threat. At a time when the intention is to improve the town centre in order to attract more people and revitalise the economy, it would be foolhardy to be so careless with this greatest asset. Redevelopment of the appeal site offers the opportunity for imaginative development to open up views of the Hill from the town. This proposal would contribute little or nothing to that and would dwarf everything within the town and on the Hill.
124. If approved, Harrow residents would have to live with the Dandara scheme for a very long time. It is an ugly, 60s-style type of housing development, of no distinction whatsoever. While many local authorities have been pulling down such tower blocks, CBHE has to fight to stop one being built.
125. CABE and others, including the GLA, have noted a number of shortcomings in the design. Of concern to CBHE, they include:
- failure to satisfy anticipated statutory space standards;
 - a low level of sustainability;
 - narrow and potentially dangerous circulation routes;
 - potential danger to small children from vehicular traffic accessing the rears of 17-33 College Road, and
 - the possibility that pedestrian access from College Road could be considerably narrowed if the land not belonging to Dandara is excluded from the development.
- It is a matter of deep regret that such a major development could be contemplated with such self-evident design faults and inadequacies.
126. A pedestrian bridge across the railway to link the town centre with the Conservation Area beyond has been a key feature of the proposal. It has been seen by CABE and LBH's consultant as a vital component of the scheme. Its construction would benefit Dandara. A through route would be beneficial for the shops in the scheme – and would enable higher rents to be charged. But it is difficult to see what benefit there might be for the community in general. In particular, there would be no sorely-needed disabled access to the railway station. In the circumstances, CBHE objects strongly to the use of money from the section 106 obligation being used for the bridge.
127. Local people are opposed to this scheme. There have been over 200 letters of objection and 9 petitions, the largest having 3,525 signatures – but just 11 letters of support. There is cross-party objection from elected representatives.
128. The Dandara scheme would do little to help regeneration of the town centre or the future prosperity of Harrow, which needs more and better shops, a theatre and other performance and exhibition spaces, and a new site for a town centre

^A Document H8, Appendix 10.

library. Above all, it needs nicely-designed places for people to meet and sit, preferably with views of the Hill. Dandara's proposed square is simply not good enough. It seems to have come as an after-thought, after squeezing as many flats as possible on to the site. Local aspirations, on the other hand, are in complete accord with Government policy on town centre development and economic regeneration.

129. CBHE submits that the Government policies it has referred to provide an overwhelming case against the proposed development and requests that the application be refused.

THE CASES FOR OTHER INTERESTED PERSONS

130. **Gareth Thomas MP**, representing Harrow West since 1997 and a local resident all of his life, criticised the design of the proposal, its scale and mass, its impact on the Conservation Area, its inadequate affordable housing and its impact on the emerging Core Strategy.
131. The image of St Mary's Church spire on Harrow Hill is an iconic view. The Harrow Weald Ridge is also important. The proposal would impact on both. If the skyline is to be challenged or disrupted, it should at least be by a building of outstanding architectural quality. The EH/CABE guidance seeks that. The brief for the site looks for a 'signature' building to raise the profile of the town centre. The proposed development would fail those requirements.
132. The scale, mass and density of the proposed scheme offer only a visual muddle – and an oppressive one at that. Its mass would block significant views of parts of Harrow Hill and compromise the importance and prominence of St Mary's spire. It would be perceived as an urban encroachment upon areas characterised by their openness, including Conservation Areas.
133. Harrow is an expensive area in which to live. There is a huge waiting list for housing. But the proposal would provide only a very small proportion of affordable flats, notwithstanding the agreement between Dandara and the GLA.
134. It is perhaps not wholly to do with Dandara but there appears to be no clear strategy for the town centre from LBH. Consultation on the Core Strategy is proceeding. To permit this scheme at this time would be premature.
135. **Cllr Bill Stephenson**, a resident of Harrow for 34 years and a Councillor for 12, noted the political consensus of opposition to the proposal.
136. The scheme would be a gross visual intrusion. It is an ordinary design intruding into a precious skyline. It would ruin the iconic image of St Mary's spire on Harrow Hill, from numerous viewpoints. It would harm but offer nothing in return. The town centre needs a signature development but this is not it.
137. The town centre needs to be looked at in an integrated way. In that context, the proposal is premature. The footbridge needs to be integrated with other proposals to ensure it is actually provided. Present doubts about the footbridge must put the whole scheme in doubt. The transport hub originally sought is no longer part of the scheme, which would be almost wholly residential and contribute little to the vitality and viability of the town centre. There has been no proper consideration of the impact on services, such as medical facilities.

138. **Cllr Marilyn Ashton** has been LBH Planning Portfolio Holder since 2006 and Chair of the Planning Committee, which she considers an experienced one. She wrote the reason for refusal.
139. The reason for refusal clearly identifies the excessive mass, bulk and intensity of the proposal. Views of St Mary's spire are of the utmost importance. It is crucial that the scheme, so close to this landmark, is dismissed. Looking from the Grove Open Space, the proposal would breach the Harrow Weald Ridge skyline by a significant amount. The harm the development would do was enough to refuse the application; because of that, prematurity was not thought necessary as a reason for refusal. LBH does not have an aversion to tall buildings in principle but, if they would not fit with their context, or would look overbearing, they are inappropriate.
140. **Abe Hayeem** has lived in Harrow since 1969, set up the Harrow Architects' Forum and also represents the Canon's Park Residents' Association. The Forum was set up in response to the poor quality of development in the town centre.
141. The scheme would be overdevelopment of a very restricted site, obtrusive from afar and with a massive impact from close up. The density of development is far too high for what is really a suburban area. The scheme bears little relationship to its site and its context. The Art Deco style is purely cosmetic. Neither English Heritage nor CABE is satisfied with the design. It shows no understanding of the historic value of the surrounding area.
142. The two tallest blocks would overshadow surrounding buildings and spaces. The site itself is unsuited to housing, with the railway on one side. That said, the housing mix is too much towards small flats and away from family dwellings. The spaces between the buildings seem 'left over'. There has been no real consideration of the proper sequence forms and shapes relating to site and location. The tallest building occupies what ought to be open space with views to Harrow Hill.
143. The scheme is "past its sell-by date". It does not achieve what is sought by Government guidance, the London Plan or the brief for the site. It fails to inspire or delight. It is also premature, for reasons expressed by others.
144. The approval of the Harrow College scheme was a mistake. Its failure allows reconsideration of what is best for that site. Equally, it is time to reconsider this proposal and this site. There is no justification for such tall buildings. Development should be no higher than the neighbouring existing buildings. The accent should be on interesting town centre spaces and more buildings for public use. Opportunities for the town centre are being lost.
145. **Tony McNulty MP** has been associated with Harrow for most of his life, was a councillor for 11 years and then MP for Harrow East, though he will go to Harrow West in the election. He was formerly Minister for Planning. He agreed wholeheartedly with the reason for refusal and the views expressed by others on the mass, scale and intensity of the proposal, including the impact on the adjacent Conservation Area.
146. The site is a reasonable one for housing but the density of the scheme – its mass, scale and intensity – is too high. It is a question of wider context as well as town centre location. It should be a development of outstanding architectural quality if it is both to stand comfortably in its context and raise the profile of the town centre – but it is not. Its height need not be a problem if it were a development of exceptional design quality – but it is not. It fails to

satisfy what is sought by the EH/CABE Guidance, PPS1 and other design guidance. It is faintly depressing when it should be inspiring. There is enough mediocrity in Harrow town centre already.

147. It is unfortunate that the Harrow College scheme will not now proceed. There was a synergy between it and the appeal scheme but, if one is taken away, the other must fail as well.
148. **Cllr Navin Shah** has been a Harrow resident for 32 years, a LBH Councillor for 16 and a GLA member for two. He thought that the three key planning issues not properly addressed by the application scheme were the 2005 brief for the site, conservation and heritage, and urban design.
149. The brief proposed innovative and striking images – “a real opportunity to create something special”. The proposal fails to achieve that. Harrow has a character of its own, deriving from the Hill, St Mary’s spire, open spaces and Conservation Areas. English Heritage sums it up well. The proposal fails to comply with PPG15, the London Plan, the UDP and the brief for the site.
150. The site requires a low-rise solution. It also needs stunning architecture. There is not a single modern building of any architectural significance in Harrow, making it even more important that development on the appeal site should make a positive architectural and urban design contribution. The changes made to the appeal scheme during the application process were purely cosmetic; they did not address the main criticism that the architectural quality is simply not high enough.
151. It should have been clear from all of the policy guidance what Dandara should have done. But it has failed to produce an appropriate design solution. The appeal scheme could go anywhere. If it went ahead, it would be a missed opportunity for Harrow.

WRITTEN REPRESENTATIONS

152. There were some 60 letters of objection at the appeal stage. A large majority was concerned about design – in itself, its effect upon the town centre environment, its effect on the nearby Conservation Area and, in particular, its effect upon views towards Harrow Hill and St Mary’s spire and also towards the Harrow Weald Ridge. Some thought high-rise buildings inappropriate in principle. Many were concerned about the effects on traffic and congestion, some believing that the small amount of car parking to be provided can only have an adverse spin-off effect on nearby roads. Impact on local services was regularly mentioned; so too was the footbridge; and also the need for housing, or the need for the particular type of housing proposed.

CONDITIONS AND OBLIGATION

153. Suggested conditions, were the appeal to be allowed, are set out in the Statement of Common Ground.^A I distributed my own comments/queries on those conditions^B (though made on the basis of a draft of the Statement of Common Ground) so that they might be considered before discussion at the

^A Document O2, Appendix B.
^B Document O3.

inquiry. An amended list of suggested conditions was submitted during the adjournment of the inquiry,^A with the result that no further discussion during the inquiry was necessary. Annex C to this report sets out the conditions, based on the amended list, which I recommend be attached to planning permission should the appeal be allowed.

154. Also on the resumption of the inquiry, an executed section 106 obligation was submitted. It is a unilateral undertaking but its content was discussed with LBH, which announced itself content that the construction of the obligation would enable its covenants to be secured. In very simple terms, the obligation covenants:
- public transport improvement contributions to a maximum value of £5,000,000, with an initial payment of £1,000,000 and subsequent annual payments based on average net sales proceeds for the market housing over the previous year;
 - provision for the pedestrian bridge to be constructed at some later date (up to 20 years hence);
 - public realm works within the site, including 'reasonable endeavours' to carry out works on that part of the site forming part of the curtilage of 17-33 College Road and not under the appellant's control;
 - a travel plan;
 - affordable housing, with related constraints on first occupation of the market housing and mechanisms to ensure initial and subsequent occupation of the affordable housing as such;
 - a neighbourhood police office;
 - employment and training, based on a Recruitment and Training Plan to be approved by LBH, and
 - the use of renewable energy within the development, to achieve a 20% reduction in CO₂ emissions.
155. LBH expressed concern about the final draft of the obligation on three counts. Two of those were incorporated in the final document. The third, involving the ratchet mechanism by which public transport improvements payments would be calculated year-on-year, was modified in the final document, though not to achieve the increase in contributions initially hoped for by LBH.

^A Document O5.

CONCLUSIONS

Superscript numbers in these Conclusions refer to earlier paragraphs of this report. I use alphabetical footnotes where a direct reference would be helpful.

156. I let it be known when attempting to establish a programme and likely duration for the inquiry that I thought there was but a single issue between Dandara and LBH – in essence, visual impact. LBH replied that there were three main issues – non-compliance with the Development Plan, the appropriateness of the appellant’s urban design approach and the landscape and visual impact of the proposal in various views. My opinion, which I explained, was that these were aspects of what I saw as the single ‘visual impact’ issue.
157. In addition, I explained my view when opening the inquiry that the reason for refusal of the application,^A read carefully, implied objection to the quality of the architectural design and not just the visual impact the buildings would have in various views. The reason for refusal does not imply objection to the detail of the design – rather to how the “bulk, mass, scale and intensity” (put very simply, the form) of the design would affect the development’s visual impact.
158. Thus, the main consideration in the appeal is a two-stage one. First, there is the question of whether tall buildings on the appeal site are appropriate in principle. If they are, the second question is whether this particular proposal is an acceptable one in its context. There are other important considerations – most notably, the Station Planning Brief, the footbridge across the railway line from the site, the covenants in the unilateral section 106 obligation and the housing situation (recovery being because of the number of dwellings to be provided). I deal with those subsequently.

Visual impact ^{53-67, 95-112, 119-125, 131-132, 136, 139, 141-143, 146, 149-151, 152}

The acceptability in principle of tall buildings on the site

159. I visited all of the viewpoints identified in Mr Smith’s evidence for LBH^B on 29 and 30 March 2010. Evidence to the inquiry concentrated on Views 7-11 and 23, the six views on which Mr Smith concludes that the proposals would have a significant adverse impact. I can concentrate on those views after first summarising my conclusions on the other 20.
160. Views 1-4 are essentially town centre views.^C I find nothing inherently wrong in being able to see a piece of high quality architecture, even a tall one, within a densely urban scene. Nor is there anything in the views so sensitive that tall buildings appearing in them would necessarily seem inharmonious. Certainly, there would be a significant change in these views – but it is important not to confate visibility and harm.
161. Views from the arc from south-west to north – Views 5, 13-18 and 20-22 – may be summarised together. In all of them, tall buildings on the appeal site would be to the left of St Mary’s spire on Harrow Hill, sometimes well to the left. Their

^A Document CD-LBH6.

^B Document H6 – dwg. no. JNS/CRH/4 is the viewpoint location plan.

^C The method used to present View 1 in Document H6, with the proposed building a bright green monolith, seems to me to give an erroneous impression of the bulk, mass and scale, and even position, of what is actually proposed. A not dissimilar criticism applies to View 2. Indeed, it may be raised against the presentation method in almost all of the images. In addition to rendering all buildings as simple blocks, the method does not allow for the representation of trees and often omits foreground features which would be helpful in comparing the images with the existing views.

upper parts would be visible to varying degrees above the nearer buildings or skyline but I do not consider that they would challenge or distract from the prominence of the spire. Views when approaching from the north-north-west along the A4008 road would be sometimes dominated by foreground buildings not seen in the photographs (the Kodak site to the left of View 17, for example; and sometimes buildings on the appeal site would be obscured even by modest foreground buildings. In views from within the Harrow Recreation Ground (as opposed to the precise viewpoint from the Cunningham Park entrance), other buildings, primarily the under-construction Bradstowe House at the western end of the town centre, would be more prominent the further south one was.

162. In Views 25 and 26, from far to the east, Harrow town centre is evident and tall buildings on the appeal site would be clearly within it. Other large buildings, Northwick Park Hospital in particular, are more clearly seen than in the photographs. St Mary's stands some way to the left of the town centre. Again, I do not consider that the prominence of the spire on the Hill would be challenged or diminished.
163. View 19, from George Gange Way, is identified in the UDP. I am uncertain why. The viewpoint is on a heavily-trafficked bridge. Drivers are unlikely to be able to enjoy what view there is. Neither are pedestrians, because it is such a bleak (a bridge with relatively high parapets) and vehicle-dominated environment; indeed, I saw very few pedestrians on the occasions I crossed the bridge (both on foot and in a car). Moreover, views of St Mary's spire are fleeting, between and above buildings, and dominated by the large mass of the Civic Centre. Tall buildings on the appeal site would add another prominent element to the view but I do not believe that, in the context, they would undermine the status of St Mary's and the Hill.
164. View 23, from the footpath at Mountside/Vernon Drive, is also identified in the UDP. It has changed significantly since the UDP was adopted, with the addition of a large extension to the dwelling immediately to the left and the removal of a substantial evergreen tree from the south side of the road.^A The former constrains the view on one side; the latter opens it up on the other. Tall buildings on the appeal site would be seen in close association with St Mary's spire, broadly speaking below it and nearer – but they would not obscure the Hill or the spire. Also, the view is seen from only a very few yards of a steeply sloping footpath; higher and one is in trees, lower and Harrow Hill cannot be seen above the roofs of the houses opposite. I cannot give significant weight to the view in considering the principle of tall buildings on the appeal site.
165. View 24 is not from the same footpath but from the private land of Stanmore golf course. The footpath passes through the golf course, enclosed by chain link fencing, and the surrounding vegetation means that there is no clear view at all from it towards St Mary's. I do not consider that any particular importance can be ascribed to this view.
166. That leaves the views considered most significant by Mr Smith.
167. Views 7, 8 and 9 are from three points on the Grove Open Space over the Lowlands Recreation Ground towards the town centre, the appeal site in particular. There are similar views to be had from all over the open space.

^A Compare the views in Documents CD-APP12 (UDP View 6), D5 (Figure 5E) and H6 (Viewpoint 23).

Much better images by which to assess the impact of the appeal scheme were provided by the appellant.^A None is protected by the UDP.

168. I think the key here is separation. It is evident when standing at the viewpoints nearer to Lowlands Road that the appeal site is on the opposite side of the railway line^B and in the town centre. Tall buildings would certainly change the view but I fail to see why well-designed tall buildings should be harmful to character or setting, or the enjoyment by the public, of the Lowlands Recreation Ground and the Grove Open Space.
169. From higher viewpoints on the Grove, the extent of obstruction of views of the Harrow Weald Ridge skyline by tall buildings on the appeal site would not be great. It would be self-evident that the Ridge ran continuously behind the buildings. I consider that well-designed buildings, marking the town centre rather better than any of the existing buildings, could enhance rather than diminish the value of views from the higher parts of the Grove Open Space.
170. Views 10 and 11 are from the Harrow College playing fields to the south-east of the town centre. They are not protected by the UDP. They are from publicly accessible routes but are representative of views from large parts of the playing fields. Clearly, there would be a significant change in these views – tall buildings marking the town centre would be visible where there are none at present. The photographs do not, however, give a true impression of the context; one cannot be unaware of the urban development all around, Northwick Park Hospital on the east side of the A404 in particular. St Mary's spire is prominent on the top of Harrow Hill. Tall buildings on the appeal site would seem far from it and would clearly be on lower ground, beyond the nearer skyline. They would be visible to differing extents according to whether the trees within and around the playing fields were in leaf but, even when bare, I cannot see that well-designed buildings on the appeal site would challenge or distract from the prominence of the spire.

Conclusion on the principle of tall buildings

171. In short, I find no objection in principle to tall buildings on the appeal site. In coming to this conclusion, I have assumed a building no taller than proposed in the appeal scheme; taller than that and St Mary's spire might become obscured in some views. The acceptability in principle of a tall building was agreed by most of those speaking at the inquiry. It is also implicit in the Planning Brief,^C which looks for a "signature development", "something that adds a new dimension to Harrow", "something that creates a new landmark and focal point within the town centre". It also describes the site as "highly visible", demanding "buildings of outstanding architectural quality". This last quotation leads me now to assess the architectural quality of what is proposed.

The architectural quality of the proposed development

172. Adopted policy in the London Plan and the UDP^D places high demands on the quality of architecture required of proposals for tall or large-scale buildings. So

^A Document D5, Figures I, J and K.

^B It might not be evident to a stranger that it was the railway line but it is generally obvious that there is a break of some sort between the viewer and the town centre.

^C Document CD-LBH7 – p.31 in particular.

^D Documents CD-GLA1 and CD-LBH1.

too does accepted guidance, particularly the Guidance on Tall Buildings produced by English Heritage and CABE.^A

173. In the London Plan, Policy 4B.1 promotes "high quality inclusive design", respect for "local context, history, built heritage ..." and development that would be "attractive to look at and, where appropriate, [would] inspire, excite and delight". Policy 4B.2 promotes world class architecture and design. Policy 4B.9 specifically addresses tall buildings; I consider that the appeal site is a location that would act as a catalyst for regeneration – but it is also a requirement that tall buildings on such a site should be "acceptable in terms of design and impact on their surroundings". Policy 4B.10 requires large-scale buildings to be "of the highest quality of design" in particular being "suited to their wider context in terms of proportion and composition" and being "attractive city elements viewed from all angles". Policy 4B.11 seeks to "protect and enhance London's historic environment" and Policy 4B.12 to ensure "the protection and enhancement of historic assets"; and the surroundings of the town centre mean that both must be considerations in the design of tall buildings on the appeal site.
174. In the saved policies of the UDP, Policy D4 expects, in general, a high standard of design and Policy D31 resists development that would have "an adverse impact on important local views ...". I have already quoted the most relevant extracts from the Planning Brief, as supplementary guidance to the UDP.
175. The EH/CABE Guidance sets out eleven criteria for the evaluation of tall building proposals. They include the "relationship to context" (including the effect on the skyline), the "effect on the historic context" (including historic skylines) and the "architectural quality of the building" (scale, form, massing, proportion and silhouette). I do not dismiss the other eight criteria; they are all relevant – but less so to the impact of the appeal scheme on views towards St Mary's spire on Harrow Hill and views towards the Harrow Weald Ridge.
176. Against this strong policy background, I consider that the appeal scheme fails.
177. The Art Deco influence in the design was suggested by officers of LBH – but that does not make it an acceptable style. Art Deco was a decorative design movement and, in architecture, something of a cosmetic style. It was most popular in the 1920s and 1930s. It is characterised by "unfunctional 'modernism' – eg, streamlining motifs in architecture".^B In principle, I see nothing wrong in adopting the style – though its appropriateness to Harrow, the only other well-known building in that style being the railway station (one of many such in London), may be thought tenuous.
178. If it is to be used, however, one could reasonably expect some of the external features to identify internal aspects of the plan layout or changes in use – but they do not. The most obvious example is the vertical feature on the south elevation of Block A, which might reasonably be assumed to indicate vertical circulation internally; in fact, it is achieved by projections or recesses in the plan layout – not between flats but within flats, which appears both arbitrary and unnecessary in pure layout planning terms. It thus appears contrived and diminishes the integrity of the architecture. Art Deco may often be an applied cosmetic but its best buildings, and the aim here must be for the highest quality of architecture, combine that style with a logical plan layout.

^A Document H8, Appendix 9.

^B I quote from the Penguin Dictionary of Architecture.

179. The overall floor layouts in Block A lead me to a further criticism. The building seems to have three segments – 8 storeys high facing College Road, 13 storeys centrally and 19 storeys nearest the railway line. But the form of the building leaves one uncertain whether it is intended to appear as three linked buildings or one continuous building. The general design would lead one to expect the principal elements of accommodation in the three main segments and ancillary accommodation in the linking elements. But that is not so. Some of the changes in building line come seemingly arbitrarily within individual flats, even within individual rooms, when, at the very least, one would expect the breaks to define separate flats. Again, that diminishes the integrity of the architecture.
180. That leads to a criticism of mass, proportion and composition generally. Block A is uncertain whether it is one building or three linked buildings. The tallest element is about 18m square, which does not, on the face of it, seem unduly bulky. However, the building's height means that, for a tower, which is what it would appear to be from directly south, its width is proportionally greater than appears comfortable. Seen from the arc to the west, Block A would appear as a large-scale building rather than a tower. The lowest of the three elements would be obscured by the adjoining building but the taller two would read as one building rather than two linked towers; the width of the taller element would therefore be seen as part of a much larger building and would not be perceived in that context as particularly slender.
181. Moreover, seen from the arc to the east, the closeness of Blocks A and B (their upper storeys about 20m apart, ignoring balconies, their lower seven storeys about 12.5m apart) would lead to their apparent coalescence in some views. The effect would be of a still larger building, L-shaped, with its highest point at the junction of leg and foot.

Conclusion on architectural quality

182. My conclusion is not entirely clear-cut. Despite what I say above, I consider that the appearance of this development would be relatively attractive, certainly when compared with what already exists in Harrow. If built as one would expect from the drawings and specifications, it would have a clean, crisp and even distinctive appearance. From some angles, however, it would appear as a large-scale building, much larger than anything else in the town centre, with its overall form and massing actually exaggerating its bulk.
183. On balance, therefore, I do not see the scheme as possessing any "outstanding" qualities. Its Art Deco styling seems to me a cosmetic, not evolving naturally from the building form but applied to a form that seems, in places, to have been arbitrarily manipulated to accommodate it. I cannot see that the development would "inspire, excite and delight". I do not consider that the buildings would qualify as "world class architecture". These are tough tests to satisfy – but they are the tests set out in adopted policy and ought to be met by a development that would be so prominent.

The Station Planning Brief^A 92-94, 131, 137, 143, 147, 149

184. The Station Planning Brief was drawn up in 2005 and includes substantial areas of land on both sides of the railway line. The intention then was to have a "21st century mobility hub" on the appeal site, with new and improved access to the

^A Document CD-LBH7.

railway station and a relocated bus station. Part of the vision for the site disappeared with Transport for London's (TfL's) decision that a complete rebuild of the underground station should be ruled out and that the bus station should stay in its present location.^A A footbridge across the railway line from the appeal site was still seen as providing significant benefits in relation to the redeveloped college site and the MOL beyond and in helping to relieve footfall through the railway station. Now, though, the proposed Harrow College redevelopment has fallen foul of financial constraints and seems unlikely to proceed in the foreseeable future.^B

185. Thus, what is sought in the Brief for the appeal site can no longer be achieved and the weight that can be given to that document must be significantly diminished. The future for the appeal site remains, however, to be considered. It is presently a site with no use and is occupied by what must have been unprepossessing buildings when they were in use, never mind now when they are boarded up. It is crying out for redevelopment for an effective new use, something that would not only enhance the site itself and this part of the town centre but would also, in LBH's opinion, with which I agree, help to regenerate the town centre. On that basis, I cannot conclude that the provisions of the Planning Brief, however laudable when it was prepared, should compel dismissal of this appeal.

The footbridge ^{45-49, 80, 113-116, 126, 137, 147, 152}

186. The footbridge across the railway line remains an achievable part of the Planning Brief. Part of its *raison d'être*, a link to the town centre from the new College buildings and enabling residential development of the adjoining land, has now fallen away, at least for some years. Even so, I see benefit in a footbridge link between the town centre and the open spaces of the Lowlands Recreation Ground and the Grove. The existing route through the station is an important link but not an attractive one. A footbridge would be a benefit not only for the residents of the appeal scheme but also for other town centre users. That is illustrated by LBH's indicated intention to seek a contribution towards its provision from other town centre developments.^C A through route would, I am sure, be seen as far more beneficial than a cul-de-sac by occupiers of the ground floor retail and commercial units in the appeal scheme – and thus also by the appellant. What is certain, though, is that a footbridge is not essential for development of the appeal site alone – which brings me to the provisions of the section 106 obligation.

The planning obligation ^{47, 71-73, 113-114, 126, 154-155}

187. A major element of the unilateral obligation is that it covenants a 'public transport improvements contribution'. The 'improvements' include, but are not limited to, the erection of a footbridge, replacement/refurbishment of the bus station and modernisation of the railway station. The first payment would be £1 million. Payments in subsequent years would be based on net sales proceeds, with a ratchet mechanism so that, put simply, the higher sales prices (per sqft) of the flats were to rise, the greater the payment would be. The maximum total payment would be £5 million but LBH is concerned that it would likely be much less, despite an earlier offer of that amount. That earlier offer was, however,

^A Document O2, Tab 6.

^B Documents H11 and H12.

^C Document CD-LBH3, Policy 5.

made before the recession. My judgement is that the formula in the executed obligation satisfies the tests in Circular 05/2005. In particular, I consider it necessary to make the development acceptable in planning terms, directly related to the proposed development and fairly and reasonably related in scale and kind to it.

188. The cost estimate for a footbridge in April 2008 was in the range £4.2-£4.7 million plus a contingency figure required by TfL of around £1.5 million.^A There are no readily identifiable cost estimates for the other possible works. However, the appeal scheme is just one town centre development proposal, even if no other contributor is presently identified, and the Harrow College scheme, were it to be resurrected in the years to come, would be an important contributor to the footbridge. It is on that basis that I judge the provisions of the obligation acceptable on this particular matter.
189. There are no other aspects of the section 106 obligation that cause concern in relation to Circular 05/2005. Its provisions for public transport improvements contributions, the future construction of the footbridge, the land at 17-33 College Road outside the appellant's control, the travel plan, affordable housing and renewable energy are all important to an acceptable scheme for the site and meet the tests set out in the Circular.

Housing ^{31, 86, 133, 142, 146, 152}

190. There is no issue in relation to housing. There is no need for the number of units proposed in terms LBH's housing requirements. However, the London Plan housing numbers are targets, not maxima, and the addition of 410 units cannot be objected to because of an absence of need, all the more so as they would be on brownfield land in a highly accessible location. The proportion of affordable units may appear low at just 12% but has been agreed with the GLA taking into account the other costs involved in the scheme.

Other matters

EH/CABE Guidance criteria ^B

191. The EH/CABE Guidance contains eight criteria not discussed above. There is no *world heritage site* in the vicinity. The *relationship to transport infrastructure* is almost as good as it could be. There is no criticism of the *sustainability of the scheme's design and construction* apart from an undefined thought from CBHE that more might have been done, particularly in terms of renewable energy. The *credibility of the design*, in technical and financial terms, is not in question. The scheme would contribute to *public space and facilities* through the public realm within the site, the ground floor uses around that space and the future possibility of a footbridge giving access to the south side of the railway. CBHE and others said that Harrow needed more or better community facilities but there was no such argument from LBH and no specific proposal. Some thought that the scheme would have a *harmful effect on the local environment*; a tall building is bound to cause some overshadowing but what would be caused by this proposal I do not consider unduly harmful; also, given that the site is ideally located for public transport use, I have no reason to believe that traffic or parking generated by the scheme would cause congestion in nearby streets.

^A Document H8, Appendix 12.

^B There was no specific debate at the inquiry about these criteria although there was some overlapping evidence, for example, CBHE's view that the scheme would not provide any of the facilities that Harrow needs (para. 128).

The public space within the site and the potential for the footbridge across the railway both contribute to *permeability*.

Internal and external space standards and quality^{69, 125}

192. The final criterion in the EH/CABE Guidance seeks the provision of a well-designed environment. There was criticism at the inquiry of the internal space standards and of the quality of the public and private external spaces.
193. LBH has no internal space standards in, or as supplementary guidance to, its UDP. The GLA has tentative proposals. Such standards as are in draft at present apply only to publicly-subsidised housing, though the aspiration is for standards that apply to all housing.^A I did point out at the inquiry that some London Boroughs do have space standards and that the areas of some of the flats would fail those standards. That does not mean, however, that what is proposed is unacceptable. Neither LBH nor the GLA has criticised the appeal scheme on this score. Nor, looking at the general layout and disposition of the proposed flats, am I inclined to criticise on a matter accepted by others.
194. The quality of the external spaces, both public and private, was criticised on the grounds of being too narrow not to be overwhelmed by the mass of the proposed buildings on either side. It is true that they would enjoy little sunlight beyond mid-afternoon – but that does not make them unacceptable. This is a densely developed urban area. Occupiers of the flats would know that when they bought them and would presumably weigh the amount or quality of outdoor space in the balance against other things, such as the urban location. Also, the private communal garden is augmented by roof terraces, meaning that occupants would have a choice. They would also, with a footbridge, have the choice of crossing the railway to the Lowlands Recreation Ground or the Grove (though I accept that that is looking well into the future). Overall in my opinion, the quality of the outdoor spaces is appropriate for the location.

Density^{68, 84-85, 132, 141}

195. I have not mentioned density in my reasoning above. That is because I do not believe that density should, on its own, be a reason for approving or rejecting a proposal. If the design and visual impact of a proposal is acceptable then it follows, in my opinion, that the density of the scheme is acceptable. If they are unacceptable, then I consider that the scheme should be rejected whether or not its density would be within acceptable limits.

Prematurity^{70, 134, 139, 144}

196. LBH discounted prematurity as a reason for refusal of the application but Cllr Ashton said at the inquiry that such a reason was unnecessary because the flaws the Committee found in the proposals were sufficient in themselves to warrant refusal. Others raised prematurity as an objection. I disagree.
197. The Station Planning Brief has lost, at least for the time being, three important elements in its vision – TfL cannot afford the cost of the previously envisaged railway station reconstruction, it wishes the bus station to remain on its existing site and Harrow College is unable to finance the redevelopment proposals which LBH had resolved to approve. There was no suggestion of an amended brief to take its place. In the meantime, the appeal site is a prime town centre site in an unused and unattractive state.

^A Document D10, Appendix 32.

198. In my opinion, its redevelopment may be encouraged because there is now, in effect, no achievable masterplan for the wider area with which it should comply. The caveat is that reasonable options for that area should not be closed off. Replacing the bus station on the appeal site and reconstructing the railway station are no longer reasonable options. A footbridge over the railway is still a reasonable option, even if the anticipated development on its south side will not now go ahead – and that option is catered for in the appeal scheme.

Conditions ¹⁵³

199. Having distributed my own comments and queries on the originally suggested conditions,^A an amended list agreed by the appellant and LBH was submitted during the inquiry.^B As a result, further discussion proved unnecessary. I set out in Annex C to this report the conditions I recommend should be attached to any planning permission that may be granted. Although the precise wording of the conditions I recommend may vary from that suggested, I consider that all of the conditions satisfy the tests set out in Circular 11/95.
200. To summarise, a phasing plan is necessary because that is how construction would proceed and other conditions may sensibly be related to the start or occupation of a phase rather than the development as a whole; a construction methodology condition is required to ensure acceptable conditions for neighbouring occupiers and road users throughout the development period; and all of the other conditions are necessary to ensure an appropriate functional and/or visual standard of development, including acceptable residential amenity standards. I have omitted two of the suggested conditions because their provisions seem to me adequately covered elsewhere.

Overall conclusion

201. In summary, I find no objection in principle to a tall building (or buildings) on the appeal site (up to the height proposed in the appeal scheme) but I conclude that the proposed development lacks the very high quality of architecture required for tall buildings by adopted policy. I find no other objection to what is proposed – but that absence of objection does not outweigh my concerns about architectural quality.

RECOMMENDATION

202. I recommend that the appeal be dismissed.
203. If the Secretary of State disagrees with this recommendation, then the conditions I recommend be attached to planning permission are set out in Annex C below.

Inspector

^A Document O3.
^B Document O5.

ANNEX A: APPEARANCES

FOR THE LONDON BOROUGH OF HARROW (LBH)

Rhodri Price Lewis QC instructed by the Director of Legal and Governance Services, LBH.

He called

Peter Stewart MA(Cantab) DipArch RIBA Peter Stewart Consultancy.

Jeremy Smith BSc DipLA Director, SLR Consulting Limited.

Steven Sensecall BA(Hons) DipTP MRTPI Partner, Kemp and Kemp Property Consultants.

FOR DANDARA LIMITED

Christopher Katkowski QC Instructed by Dandara Limited.

He called

Ian Apsley BA(Hons) DipArch DipBRS RIBA Director, Broadway Malyan Limited.

Andrew Williams Managing Director, Capita Lovejoy Birmingham.

Paul Wilmott OBE BSc(Hons) FRGS MRTPI Director, CB Richard Ellis.

FOR THE CAMPAIGN FOR A BETTER HARROW ENVIRONMENT (CBHE)

Miss Irene Wears

She gave evidence herself, assisted in some matters by

Mrs Jane Galbraith

INTERESTED PERSONS

Richard Thomas MP

Cllr Bill Stephenson

Cllr Marilyn Ashton

Tony McNulty MP

Cllr Navin Shah

Abe Hayeem, for Canon's Park Residents' Association and Harrow Architects' Forum

ANNEX B: DOCUMENTS

CORE DOCUMENTS (CD-)

Documents accompanying the planning application

- APP1 Design and Access Statement.
- APP2.1 Environmental Statement (ES), Volume 1, Main Text.
- APP2.2 ES, Volume 2, Appendices.
- APP2.3 ES, Non-Technical Summary.
- APP3 Transport Assessment.
- APP4 Planning Statement.
- APP5 Affordable Housing Statement and 'Residential Tool Kit' (not submitted – superseded by Document APP15).
- APP6 Sustainability Statement.
- APP7 Energy Strategy Report.
- APP8 Supplementary Design and Access Statement.
- APP9 Supplementary Planning Statement.
- APP10 Supplementary Transport Statement.
- APP11 Addendum to Sunlight, Daylight and Shadow Survey.
- APP12 Addendum to Landscape and Views Section of ES.
- APP13 Supplementary Sustainability Report.
- APP14 Revised Accommodation Schedule.
- APP15 Revised Affordable Housing Statement and 'Residential Tool Kit'.
- APP16 Documents associated with chronology (not submitted – superseded by Document O2, Appendix A).
- APP17 Statement of Community Involvement.
- APP18 Bound A3 set of May 2008 scheme drawings.
- APP19 Bound A3 set of October 2008 scheme drawings.
- APP20 Full-size set of revised application plans.

Government Guidance (not submitted with report)

- CG1 PPS1: Delivering Sustainable Development.
- CG2 PPS3: Housing.
- CG3 PPS3 Companion Guide: Delivering Affordable Housing.
- CG4 PPS12: Local Development Frameworks.
- CG5 Circular 05/2005: Planning Obligations.

Greater London Authority (GLA) Documents

- GLA1 London Plan, consolidated with alterations, 2008.
- GLA2 Draft London Plan.
- GLA3 Stage I Report.
- GLA4 Stage II Report.
- GLA5 London Plan Annual Monitoring Report 6, February 2010.

London Borough of Harrow (LBH) Documents

- LBH1 Unitary Development Plan, 2004.
- LBH2 Secretary of State's Direction safeguarding policies.
- LBH3 LDF – Draft Core Strategy Preferred Option.
- LBH4 Officers' report to Committee 24 May 2009.
- LBH5 Officers' report to Committee 24 June 2009.
- LBH6 Decision notice.
- LBH7 Harrow on the Hill Station Planning Brief.
- LBH8 LBH Annual Monitoring Report 2008-09.

DANDARA DOCUMENTS

- D1 Ian Apsley's proof of evidence.
- D2 Ian Apsley's summary proof of evidence.
- D3 Ian Apsley's rebuttal proof of evidence.
- D4 Andrew Williams' proof of evidence (incl. Appendices A & B).
- D5 Andrew Williams' Appendix C.
- D5a Amended Figure 4F in Appendix C.
- D6 Andrew Williams' rebuttal proof of evidence.
- D7 Paul Wilmott's proof of evidence.
- D8 Paul Wilmott's summary proof of evidence.
- D9 Appendices 1-19 to Paul Wilmott's proof of evidence.
- D10 Appendices 20-35 to Paul Wilmott's proof of evidence.
- D11 Opening submissions.
- D12 Summary of issues outstanding from GLA Stage II Report (Document CD-GLA4) and response.
- D13 Design and Access Statement for Harrow College application.
- D14 Drawings and photomontage illustrating approved Neptune Point scheme, Harrow.
- D15 Ian Apsley's PowerPoint presentation.
- D16 Note on rights over part of appeal site in favour of some of adjoining buildings at 17-33 College Road.
- D17 Note on PPS5 (published during the adjournment of the inquiry).
- D18 Copy of engrossed section 106 obligation (unilateral undertaking), with
- D18a Final draft of undertaking;
- D18b Letter of 1 March 2010 to LBH;
- D18c Note on ratchet mechanism.
- D19 Closing submissions.

LBH DOCUMENTS

- H1 Peter Stewart's proof of evidence.
- H2 Peter Stewart's summary proof of evidence.
- H3 Appendix to Peter Stewart's proof of evidence.
- H4 Jeremy Smith's proof of evidence, with
- H4a Errata sheet.
- H5 Jeremy Smith's summary proof of evidence.
- H6 Appendices to Jeremy Smith's proof of evidence, with
- H6a Amended drawings for Viewpoint 10.
- H7 Steven Sensecall's proof of evidence.
- H8 Appendices to Steven Sensecall's proof of evidence.
- H9 Opening submissions.
- H10 Committee report for Harrow College proposals.
- H11 Draft press release and email trail re. likelihood of Harrow College scheme proceeding.
- H12 Email dated 16 March 2010 re. likelihood of Harrow College scheme proceeding.
- H13 Supplement to Steven Sensecall's proof of evidence re. planning obligation.
- H14 Supplement to Steven Sensecall's proof of evidence re. PPS5.
- H15 Extract from Guidelines on Landscape and Visual Impact Assessment.
- H16 Closing submissions.

CBHE DOCUMENTS

- C1 Proof of evidence (incl. appendices).
- C2 Summary proof of evidence.
- C3 Annotated list of documents (Appendix 3) with
 - C3a CBHE11 – Decision on application APP/A5270/V/09/2097739;
 - C3b CBHE13 – draft Housing Design Guidance, LDA, July 2009;
 - C3c CBHE14 – ‘New Homes are too small’, CABE, 11 August 2009;
 - C3d CBHE15 – ‘All in the mind’, extract from Inside Housing, 5 December 2008;
 - C3e CBHE18 – extract from Harrow Observer, 12 November 2009.
- C4 Opening submissions.
- C5 Closing submissions.
- C6 Excerpts from GLA People’s Question Time, 3 March 2010.

OTHER INQUIRY DOCUMENTS

- O1 Letter of notification of inquiry and distribution list.
- O2 Statement of Common Ground.
- O3 Inspector’s comments/queries on draft suggested conditions (from a draft Statement of Common Ground and not numerically consistent with the conditions in Document O2).
- O4 Draft condition – retail unit.
- O5 Revised suggested conditions, with responses to Document O3.

ANNEX C: CONDITIONS

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the drawings listed in the attached Schedule of Application Drawings.
3. The development hereby permitted shall not begin until a phasing scheme has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme.
4. The development hereby permitted shall not begin, other than to carry out demolition and site investigation works, until a drainage strategy and details of drainage works, which shall include storm water attenuation and details of any phasing, has been submitted to and approved in writing by the local planning authority. None of the dwellings or commercial units shall be occupied until the drainage strategy and scheme of works have been implemented in accordance with the strategy and details approved.
5. The development hereby permitted shall not begin until a Construction Methodology Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall comply with the provisions of the Considerate Contractor scheme and shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) the loading and unloading of plant and materials;
 - iii) the storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - viii) working hours, and
 - ix) the control of activities that may impact upon adjoining land occupiers.
6. No phase of the development, as approved under condition no. 3 above, shall be occupied for any of its permitted uses until the means of vehicular and pedestrian access to that phase has been constructed in accordance with details first submitted to and approved in writing by the local planning authority.
7. The flats in the development hereby permitted shall be built to at least Code for Sustainable Homes Level 3 and to Lifetime Home Standards. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.
8. No phase of the development, as approved under condition no. 3 above, shall begin until details of the provision to be made for people with mobility impairments to gain access to and egress from the buildings without the need to negotiate steps have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented before the occupation of that phase for any of its permitted uses and shall be retained thereafter.
9. The development hereby permitted shall not begin until full details of both hard and soft landscape works and a programme of implementation have been submitted to and approved in writing by the local planning authority. The works shall be carried out as approved. The details to be submitted shall relate to both ground level landscaping and green roofs. In respect of ground level landscaping, the details shall include proposed finished levels, means of enclosure, hard surfacing materials, circulation areas, lighting and protection measures associated with segregating shared vehicle/pedestrian areas from pedestrian-only areas. Details of soft landscape works shall include planting plans

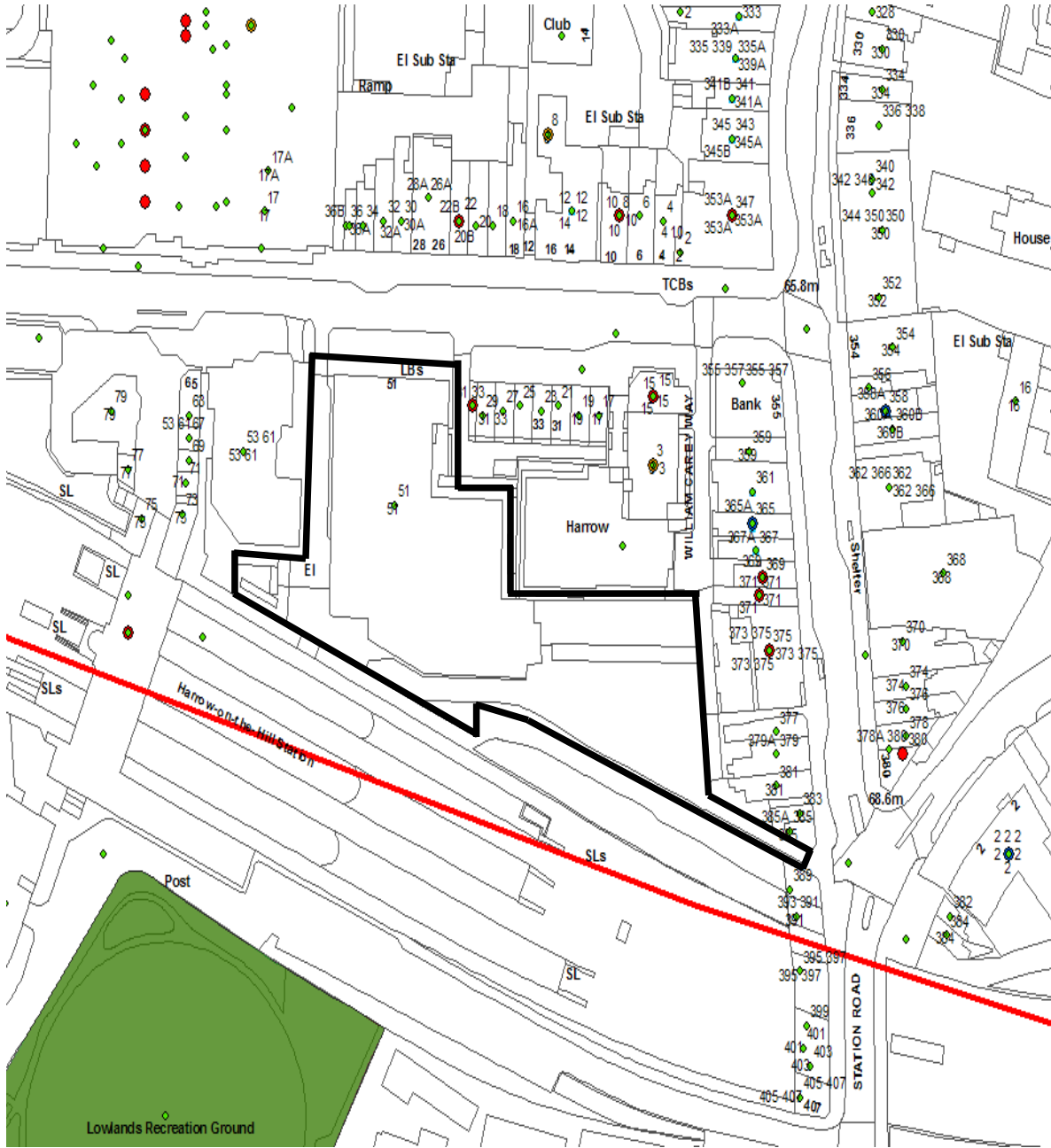
and schedules of plants, noting species, plant sizes and proposed numbers or densities. Details relating to green roof areas shall include full soft landscape specifications, hard surfacing materials and details associated with the incorporation of bird boxes, bat roosts and other landscape features.

10. The development hereby permitted shall not begin until details of measures for the protection during construction of trees and other landscaping located outside the development site, adjacent to the southern boundary, have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented before the commencement of development and retained throughout the construction period unless otherwise agreed in writing by the local planning authority in the light of the approved phasing plan.
11. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the local planning authority prior to the occupation of any part of the development for its permitted uses. The landscape management plan shall be implemented as approved.
12. The development hereby permitted shall not begin until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
13. The development hereby permitted shall not begin until details of sound insulation for the residential units affected by noise from the railway line have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
14. No phase of the development, as approved under condition no. 3 above, shall begin until details of car and cycle parking and servicing arrangements for that phase have been submitted to and approved in writing by the local planning authority. No part of that phase shall be occupied for any of its permitted uses until the approved measures have been implemented.
15. No phase of the development, as approved under condition no. 3 above, shall begin until details of measures for the storage and disposal of refuse and waste have been submitted to and approved in writing by the local planning authority. No part of that phase shall be occupied or brought into use until the approved measures have been implemented. The measures shall be retained thereafter for that purpose.
16. The retail uses hereby permitted shall not be open to customers outside the following times: 08.00-23.30 hours, Monday to Fridays; 09.00-23.30 hours on Saturdays; 09.00-22.30 hours on Sundays.
17. The development hereby permitted shall not begin until planning permission has been granted for the provision of a single-storey unit between Blocks A and B for use within Class A1, A3 or A4 of the Town & Country Planning (Use Classes) Order 1987, or any provision equivalent to those classes in any statutory instrument revoking and re-enacting that Order with or without modification. The unit shall be constructed and be available for occupation no later than any other commercial unit within the development. The unit shall be retained until a contract has been let for the construction of a pedestrian bridge from the site over the railway line, at which time the unit shall be removed.
18. The erection of the pedestrian bridge shall not begin until details of its design and appearance, its landing area and the method of construction have been submitted to and approved in writing by the local planning authority. The bridge shall be constructed in accordance with the approved details.
19. No phase of the development, as approved under condition no. 3 above, shall be occupied or brought into use until details of CCTV security provision within that phase have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal ref. APP/M5450/A/09/2115461
Application ref. P/1620/08CFU
51 College Road, Harrow, HA1 1AA
Schedule of Application Drawings

Existing	A-PL-03-111A	A-03-LTH-100
A-PL-07-01	A-PL-03-112A	A-03-LTH-101
A-PL-07-02	A-PL-03-113A	A-03-LTH-102
A-PL-07-03	A-PL-03-114A	A-03-LTH-103
A-PL-07-04	A-PL-03-115A	A-03-LTH-104
A-PL-07-05	A-PL-03-116A	A-03-LTH-105
A-PL-07-06	A-PL-03-117A	A-03-LTH-106
A-PL-07-07	A-PL-03-118A	A-03-LTH-107
A-PL-07-08	A-PL-03-119A	A-03-LTH-108
	A-PL-03-120A	A-03-LTH-109
		A-03-LTH-110
	A-PL-04-001A	A-03-LTH-111
Proposals	A-PL-04-002A	A-03-LTH-112
A-PL-02-101B	A-PL-04-003A	A-03-LTH-113
		A-03-LTH-114
	A-PL-05-500A	A-03-LTH-115
A-PL-03-99A	A-PL-05-501A	A-03-LTH-150
A-PL-03-100A	A-PL-05-502A	
A-PL-03-102A	A-PL-05-503A	
A-PL-03-103A	A-PL-05-504A	Landscaping
A-PL-03-104A	A-PL-05-505A	D1647.L.101C
A-PL-03-105A	A-PL-05-506A	D1647.L.200F
A-PL-03-106A	A-PL-05-507A	D1647.L.201C
A-PL-03-107A	A-PL-05-508A	
A-PL-03-108A	A-PL-05-509A	
A-PL-03-109A	A-PL-05-510A	
A-PL-03-110A	A-PL-05-511A	

51 COLLEGE ROAD, HARROW



ITEM NO: 1/02

ADDRESS: CUMBERLAND HOTEL, 1 - 3 ST JOHNS ROAD, HARROW

REFERENCE: P/0586/15

DESCRIPTION: DEMOLITION OF EXISTING HOTEL BUILDINGS (USE CLASS C1) AND PHASED REDEVELOPMENT OF THE SITE TO PROVIDE 123 RESIDENTIAL FLATS (USE CLASS C3) INCLUDING AFFORDABLE HOUSING WITHIN TWO BLOCKS WITH BASEMENT AND RANGING FROM FIVE TO NINE STOREYS IN HEIGHT; A PEDESTRIAN LINK BETWEEN SHEEPCOTE ROAD AND ST JOHN'S ROAD WITH ASSOCIATED LANDSCAPING, RAISED PLANTERS, BOUNDARY TREATMENT, ENTRANCE GATES; NEW VEHICLE CROSSOVER WITH ACCESS DRIVE ON SHEEPCOTE ROAD (REINSTATEMENT OF EXISTING VEHICLE ACCESS POINTS), ASSOCIATED MECHANICAL AND VENTILATION PLANT, REFUSE STORES, BICYCLE AND CAR PARKING SPACES; PV PANELS

WARD: GREENHILL

APPLICANT: ORIGIN HOUSING

AGENT: SAVILLS

CASE OFFICER: SUSHILA BHANDARI

EXPIRY DATE: 12/06/2015

RECOMMENDATION

INFORMATION

RECOMMENDATION A

GRANT permission subject to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and issue of the planning permission and subject to minor amendments to the conditions or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- i)** Provision of 27 affordable rented flats and 56 shared ownership flats (67% of overall development)
- ii)** The submission of a Training and Employment Plan
- iii)** Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- iv)** Planning Administration Fee: Payment of £500 administration fee for the monitoring of and compliance with this agreement.

REASON

The proposed redevelopment of the site would provide a high quality residential development which would be a positive contribution to the town centre environment. The site is currently occupied by a dated hotel which is characterised by a varied configuration of built forms depicting the era that they were constructed. The loss of the hotel itself, given its size, is afforded no protection in the adopted development plan. The redevelopment of the site would enhance the urban environment in terms of material presence, attractive streetscape, and good routes, access and makes a positive contribution to the local area, in terms of quality and character.

The proposed would secure the provision of onsite affordable housing at a level that exceeds the minimum affordable housing target set out in the development plan. Overall, the number of units proposed would positively add to the Council's housing delivery targets.

The proposed redevelopment of the site would result in a modern, contemporary design that responds positively to the local context, and would provide appropriate living conditions which would be accessible for all future occupiers of the development.

The layout and orientation of the buildings and separation distance to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers and the development would contribute towards the strategic objectives of reducing the carbon emissions of the borough.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan (consolidated with all alterations since 2011)2015, the Harrow Core Strategy 2012, the Harrow and Wealdstone Area Action Plan 2013 and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

RECOMMENDATION B

That if the Section 106 Agreement is not completed 30th September 2015 then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to provide appropriate level of affordable housing on site that directly relate to the development, would fail to comply with the requirements of policies 3.11 and 3.12 of The London Plan 2011 and policy CS1.J of the Harrow Core Strategy 2012, which seeks to maximise the provision of affordable housing delivery within the borough.

INFORMATION

This application is being reported to committee as the proposal constitutes development of more than 2 dwellinghouses and one that falls within a major category and therefore falls outside of Category 1(b) of the Scheme of Delegation.

Statutory Return Type: Major Development

Council Interest: None

Gross Floorspace: 12,433sqm

Net additional Floorspace: 8,576sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £300,160

Harrow CIL(provisional): £943,360

NB: Affordable housing relief has not been applied to these amounts. This will be applied when upon submission of the liability notice.

Executive Summary

The subject site is located within the Heart of Harrow which encompasses the two towns centres of Harrow and Wealdstone, Station Road corridor linking the two centres, and the industrial land and open spaces surrounding Wealdstone, including the Kodak site, Headstone Manor and the Harrow Leisure Centre. Following the 2015 consolidation of the alterations to the London Plan since 2011, the designation of Heart of Harrow has been changed from that of an Intensification Area to an Opportunity Area. This new designation offers significant opportunity for urban renewal and regeneration providing a stimulus to regenerate Wealdstone and rejuvenate Harrow town centre. The Opportunity Area designation is expected to, through higher density residential and mixed-use development on key strategic sites to contribute to the delivery of 3,000 jobs and a minimum of 2,800 new homes within the Area. Pursuant to the delivery of the spatial strategy for London, Policy 2.13 *Opportunity Areas and Intensification Areas* of the London Plan requires proposals to:

- *support the strategic policy direction for the Area;*
- *optimise residential and non-residential output and provide necessary infrastructure;*
- *contribute to meeting (or exceeding where appropriate) the Area's employment and housing outputs;*
- *promote inclusive access including cycling and walking; and*
- *support wider regeneration.*

In June 2014, the GLA produced a prospectus on Housing Zones which was informed by the then draft Mayors London Housing Strategy (LHS) (which was formally adopted in October 2014). These Housing Zones would help boost housing supply in London in recognition of the projected population growth anticipated during the plan period. In all there would be a total of 20 Housing Zone over the a ten year period which would help deliver 50,000 new homes as part of the Mayor's efforts to double house building in London, including supporting 250,000 Londoners into low cost home ownership, through part rent, part pay, over the next decade. Priority will be given to bids that deliver significant amounts of intermediate and low cost market housing to buy. The Government and the GLA are jointly committing funding of £400m (in form of repayment investment, flexible funding and grant) for the 20 Housing Zones to help realise this vision. The consolidated London Plan 2015 sets out under policy 8.1B that the Mayor will work with the Government on implementing initiatives to realise the potential of large development areas through these Housing Zones.

Bids from London Authorities were invited in September 2014. In February 2015, the Mayor announced London's first 9 Housing Zones, of which the London Borough of Harrow was a successful bidder.

Following the Council's successful bid to the GLA, the entire Heart of Harrow Opportunity Area is designated as a Housing Zone, which will help unlock the potential to deliver more than 5,000 new homes over the next ten years. Housing Zones are designed to work flexibly depending on the local circumstances, however all new developments would need to be built to high quality standards and in compliance with all relevant policies contained within the development plan, including conformity to the London Housing Design Guide.

In particular, proposals will need to demonstrate how new homes will come forward in a master planned approach, delivering strong communities through urban design and achieving coherent neighbourhoods.

Origin Housing is one of the Council's delivery partners and with the support of the GLA seeks to unlock and accelerate significant housing delivery within the Heart of Harrow Housing Zone.

The Cumberland Hotel site is part of a wider Masterplan to regenerate and bring forward a high quality residential led redevelopment and comprises the sites south and south-west of Saint John Baptist Church (a Grade II Listed church). Whilst the Masterplan sets out the context and the potential regeneration opportunity for this area, the site comprising the Cumberland Hotel is being proposed as a standalone scheme with the emphasis of providing a high quality residential redevelopment of this hotel site but also delivering a scheme that would have the capability to deliver a cohesive redevelopment of the overall Masterplan area should the adjoining land be unlocked for redevelopment in the future.

The appraisal below demonstrates that the scheme under consideration would be in accordance with the visions and aspirations set out in the adopted development plan. The proposal would be in line with the Housing Zone designation whereby unlocking the potential of the site through the provision of a high density scheme with excellent proportion of on-site affordable housing provision, in particular intermediate housing, which is a key priority within the Housing Zone.

Site Description

- The application site comprises a group of buildings ranging from single to three storeys in height and currently in use as a hotel with ancillary bar, restaurant and conferencing facilities.
- The site contains a number of Victorian and post war buildings of various configurations, with the main entrance to the hotel from St Johns Road.
- The site is bounded by St Johns Road to the south west and Sheepcote Road to the north east.
- Nightingale Court is situated on Sheepcote Road and is located to the south of the subject site, and comprises residential flats within two buildings of four storeys in height.
- Also immediately to the south of the subject site and fronting St Johns Road is Gayton Road Library which is a five storey building.
- Adjacent to this library is an office building known as 'Bank House' which is a four storey building which also adjoins the lower south west boundary of the application site.
- To the north of the hotel buildings fronting St Johns Road is a service road serving the retail premises located at Nos.276 to 284 (odds only) Station Road.
- To the north of the buildings fronting Sheepcote Road (east of the main entrance) is Victoria Hall and Victoria Close. Victoria Hall is a two storey, late 1960's built community hall which connects to Victoria Close which comprises four, three storey terraced dwelling houses.
- To the northeast of the main hotel building is St Johns Church which is a Grade II listed church building. As such the subject redevelopment would be within the setting of this heritage asset.
- Directly opposite the main hotel entrance is St Johns Road public car park and

Platinum House which is a residential development ranging in height from five to eight storeys in height with an additional two floors at ground and first floor levels forming part of the under-croft parking for the flats and additional play and display spaces at ground floor level.

- To the south west of the main hotel building is the Lyon Road redevelopment site which formerly comprised offices buildings known as Equitable House and Lyon House. The site has an extant planning permission to construct a mixed use development comprising a range of building height, with the maximum height being 14 storeys at the junction with Lyon Road and St Johns Road. As part of this development, section 106 contributions have been secured for comprehensive public realm works in the area of land fronting this new redevelopment, which would encompass the public car park at the start of St Johns Road and would also front the subject site. The Lyon Road redevelopment will fund the development of a public square at the junction of Lyon Road and St Johns Road to draw people towards the proposed commercial sections of the redevelopment along Lyon Road.
- The subject site is located within Harrow Town Centre East and within the Harrow and Wealdstone Opportunity Area (as upgraded following the consolidation of the amendments to the London Plan in 2015).
- The site is also located within a high public transport accessibility area (6a).

Proposal Details

- The application proposes to demolish the existing building on this site and construct two buildings ranging in height from five to nine storeys in height to provide 123 self-contained flats. It is proposed to construct basements to each of the buildings, which will provide for parking spaces for the development (53 spaces), cycle parking (258 spaces in total across both basements) and mechanical plant rooms.

Block A

- Block A would front Sheepcote Road and would comprise a total of 54 units, of which 27 units should be shared ownership and the remaining 27 would be social rented.
- This block would have a maximum height of 6 storeys, stepping down to 5 storeys fronting the new pedestrian link and on the corner facing Sheepcote Road.
- The basement to Block A would have parking for 51 cars of which 5 spaces would be disabled spaces.
- Block A would have two cores to the building each serving the different tenure mix and two enclosed refuse stores.
- A communal amenity area is proposed for Block A.

Block B

- Block B would front St Johns Road and would comprise a total of 69 units, of which 29 would be shared ownership and 40 would be market housing.
- This block would have a maximum height of 9 storeys, stepping down to 7 storeys facing the rears of the buildings fronting Station Road.
- 2 surface level parking spaces are proposed in front of Block B, which would be accessed from St Johns Road.
- Block B would be served by a single core and would have a large enclosed refuse store.
- Small visual amenity area is proposed for Block B.

Overall Site

- Each unit would have access to a private balcony, with the ground floor units having

an additional court yard garden.

- A new vehicle access point is proposed along the southern most section fronting Sheepcote Road, which would provide a ramped access to the basement parking area. The new vehicle access would have an approximate width of 5.7m. The existing access on Sheepcote road would be closed.
- It is also proposed to construct a new pedestrian link between Sheepcote Road and St Johns Road with associated landscaping, raised planters and boundary fencing. Entrance gates are proposed at either end of this pedestrian link, which would be set back from the pavement end and would restrict access through during the late evening/nighttime.

Revisions to Previous Application

- n/a

Relevant History

The subject site has an extensive planning history relating to the hotel building, including various additions and alterations. However, there is no relevant history relating to the redevelopment of this site through a Planning Performance Agreement.

Pre-Application Discussion (Ref.)

- **P/4352/14/PREAPP**

The applicant had engaged extensively with the LPA in pre-application discussions with respect to the redevelopment of this site.

Applicant Submission Documents

Planning Statement
Design and Access Statement
Travel Plan
Transport Assessment
Drainage Report and Flood Risk Assessment
Energy Statement
Code for Sustainable Homes (Pre-Assessment Report)
Daylight and Sunlight Report
Acoustic Planning Report
Air Quality Assessment

Consultations

Environmental Health Team

Air Quality

A comprehensive air quality assessment has been carried out covering all the issues I requested in a prior discussion with the consultants, and I am satisfied with this. Assessments have been carried out for impact of the new development on local air quality, the effects of existing local air quality on residents of the proposed dwellings, in relation to the Mayor's Air Quality Neutral policy, and in respect of the Mayor's SPG on air quality and dust from construction sites.

All the assessments indicate there will be no significant impacts, except the construction assessment shows that, without suitable mitigation, the risk will be significant. However, with mitigation the risk will be reduced to an acceptable level. Mitigation methods and monitoring arrangements are to be detailed in an "Air Quality and Dust Management

Plan” which should be submitted to and agreed with the local planning authority before works start. I would therefore recommend that a planning condition be imposed requiring this.

In addition, as the exact types of boiler etc. plant has not yet been specified, the report recommends suitable emission levels for whatever plant is installed. I therefore recommend a condition be imposed requiring a report detailing the exact plant to be installed, and demonstrating it meets the required standards set in the air quality assessment, to be submitted to and agreed by the local planning authority before the development commences.

Noise

A noise assessment report has been submitted, and I am satisfied with the methodology used. In terms of impact of external noise on the future residents, the report says that external noise levels are such that noise control measures are required for the development to be acceptable. The report goes on to recommend building and glazing specifications (again details of specific types are not available at this stage), noting the Sheepcote Rd façade will be the worst affected. It also makes the point that trickle ventilation will not be sufficient for adequate general ventilation, so windows will need to be opened for this unless suitable MVHR (mechanical ventilation and heat recovery) is provided. As obviously open windows will negate the noise insulation provided by suitable glazing, I consider MVHR will be necessary. I therefore suggest a planning condition be imposed requiring a noise insulation plan for the dwellings, demonstrating compliance with the standards required by the noise assessment, to be submitted to and agreed by the local planning authority before developments commences.

Again, as the exact types of mechanical plant and machinery cannot yet be specified, the consultants have recommended noise specifications to be complied with so such noise does not cause problems to existing or future occupiers of the development or nearby properties. I therefore suggest a planning condition be imposed requiring a noise insulation plan for the plant and machinery to be installed, demonstrating compliance with the standards required by the noise assessment, to be submitted to and agreed by the local planning authority before developments commences.

Travel Plan

This refers to the requirement for charging points for electric vehicles. However, there is no mention of any actual provision of charging points made. I could not see any indicated on the basement car park plan. I therefore recommend charging points should be provided unless there are good planning reasons not to require this.

Drainage Authority

Confirm that the submitted drainage strategy and the report are acceptable however, following design details are still required:

- TW consent to connect,
- High level overflow should be 100 mm dia pipe laid at 1 in 150 gradient to restrict discharge to 5 l/s,
- Storage calculations,
- Storage tank for Block B should be installed below the lowest point in the system.

Therefore suggest our three standard drainage conditions.

Housing Enabling Team

The affordable housing offer from Origin Housing Group represents 67.49% or 83 of the

total of 123 homes. There are 27 affordable rented homes and 56 shared ownership homes. The homes are distributed over two apartment blocks A & B.

This level of affordable housing provision is welcomed and whilst it is marginally non-compliant when looked at as a 40% target it is acceptable because the applicant has made an effort to provide 3 bedroom five person accommodation, five in number, and has also provided seventeen 2 bedroom four person homes. The Council has considerable demand for homes of these sizes.

Given that the scheme may potentially benefit from value engineering of the design and construction components, an uplift in sales values and input of grant (if not already included) we would like the S106 agreement to include a review clause prior to 50% occupation of homes for sale to ensure Housing Enabling secures further affordable rented housing on site should viability improve.

What should be applauded is that, against the backdrop of zero offers of affordable housing from other developers on the basis of “non viability”, or offers which include significant numbers of 1 bedroom homes for rent, this applicant has managed to provide an excellent level of affordable housing and has also strived to deliver homes to meet the Council’s priority need. In addition the applicant has provided more than 6 x 2b 4p wheelchair homes within the rented tenure again meeting a priority need.

The applicant’s affordable housing for rent offer will assist the Council in reducing its reliance on costly temporary and bed and breakfast accommodation and illustrates real commitment, not only to developing sustainable communities but also a professional approach to delivering affordable housing as a planning obligation and in factoring this into the early design of buildings.

We repeat below, for easy reference, Housing Enabling’s e mail of the 27th March 2015. It may be that these queries have been dealt with during the planning process. The comments were aimed at ensuring that during the planning process the development’s public realm and the individual homes for wheelchair users were designed to facilitate as much independent living as possible. They also had the objective of minimising the risk of the Council having to spend considerable sums of money removing or adapting new work such as taking out baths and replacing them with level access showers, and installing rise and fall kitchens. It also enables the developer/architect to consider whether the development layout is genuinely accessible by a wheelchair user without a carer e.g. route to mailboxes, car parking etc.

Subject to the above Housing Enabling support this application and hope that the level of affordable housing being delivered is seen as a benchmark for future applications.

Highways Authority

The car parking arrangements are satisfactory in terms of car park layout and numbers. The relatively low level of provision is acceptable given the high PTAL and options for alternative travel modes. The provision of electric charging points and disabled parking space provision are welcomed. The cycle parking numbers exceed London Plan minimum requirements – this shows positive encouragement towards cycling.

The recommendations from the road safety audit should be complied with to ensure that safety is maintained at the new access on Sheepcote Road.

The development is within controlled parking zone E and permits are not provided to residents within this zone. How is the limited parking to be allocated? In order to avoid displacement parking in the public car parks, pay & display and overnight, it would be beneficial to have a system in place to ensure that car parking is limited to reflect the number of spaces within the car park.

The public walkway should have a notice displaying access hours – this could be applied as an informative.

Historic England

This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Advertisement

Major Development
Setting of Listed Building

Posted: 02.04.2015

Expiry: 30.04.2015

Notifications

Sent: 642

Replies: 5

Expiry: 13.04.2015

Addresses Consulted

Please refer to attached site plan.

Summary of Responses

- 9 storey building not in keeping with the heights of adjacent buildings
- Suburban character of this part of the road is going to be destroyed permanently
- Council concerned with catering to new residents than considering the impact on the existing one
- Not an allocated site
- Amenity space insignificant for such a large proposal – simply not enough room for all the residents, particularly children who require play areas
- Given the level of affordable housing it is reasonable to assume many residents would be younger families
- Parking for cycles and cars wholly inadequate for 123 households
- Disrupt views and privacy of existing occupiers as well as the dwellings under construction in Lyon Road
- Impact on light reaching St Johns Church and Gayton Library
- No consideration made for the impact of noise on Gayton Library
- Consider the impact on large deliveries to St Johns Road and Station Road
- Local amenities, public services and transport links will need to be increased to deal with the increased demand
- Could the requirement of affordable housing not be incorporated into the College Road and Lyon Road scheme or alternatively convert old office buildings into affordable housing
- Existing hotel should be kept

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 2015 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 the Development/ Loss of Hotel (use class C1)
Affordable Housing
Housing Density and Unit Mix
Design, Character and Appearance of the Area/ Setting of Listed Building
Residential Amenity/ Noise
Traffic, Safety and Parking
Development and Flood Risk
Accessibility
Sustainability
Air Quality
Environmental impact Assessment (EIA)
Statement of Community Involvement
Planning Obligations
Equalities Impact
S17 Crime & Disorder Act
Consultation Responses

Principle of the Development/ Loss of Hotel (use class C2)

Policy Context

The National Planning Policy Framework (NPPF) was published by the Government on March 27th 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 (consolidated with alterations since 2011) 2015
- The Local Development Framework [LDF] comprising:
 - o The Harrow Core Strategy 2012
 - o Development Management Policies Local Plan 2013
 - o Harrow and Wealdstone Area Action Plan 2013
 - o Site Allocations Local Plan 2013

The NPPF sets out policies and principles that local planning authorities should take into account, when both preparing local plans, and determining planning applications. The policies within the NPPF are a material consideration that should be given significant weight.

At the heart of the NPPF is the presumption in favour of sustainable development. Under paragraph 7 it sets out three dimensions to sustainable development: economic, social and environmental. It goes on to state under paragraph 8 that these roles should not be taken in isolation as they are mutually dependant and thus to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life (Para. 9). In terms of decision taking set under paragraph 14 gives effect to

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted, for example (as set out under footnote 9) those policies relating to inter alia land designated as Green Belt or designated heritage assets.

The Further Alterations to the London Plan were the subject of examination-in-public during 2014. In March 2015 the Mayor of London published an updated version of the Plan consolidated with the adopted further as well as previously adopted alterations.

The spatial strategy for London is set out at chapter 2 of the London Plan. It uses a number of strategic designations to identify areas for more accelerated levels of change, pursuant to the objective of accommodating London's objectively assessed development needs. Among the designations are 'Opportunity Areas' and 'Intensification Areas'. As part of the now adopted further alterations to the Plan, the strategic designation of Harrow & Wealdstone's has changed from that of an Intensification Area to an Opportunity Area, with an expectation that higher density residential and mixed-use development on key strategic sites will contribute to the delivery of 3,000 jobs and a minimum of 2,800 new homes within the Area. Pursuant to the delivery of the spatial strategy for London, Policy 2.13 *Opportunity Areas and Intensification Areas* of the London Plan requires proposals to:

- support the strategic policy direction for the Area;
- optimise residential and non-residential output and provide necessary infrastructure;
- contribute to meeting (or exceeding where appropriate) the Area's employment and housing outputs;
- promote inclusive access including cycling and walking; and
- support wider regeneration.

Harrow's spatial strategy for the plan period 2009-2026 is set-out in the Core Strategy (2012) and is predicated on a new, pro-active approach to growth management and

place-making. The strategy focuses on the [now] opportunity area designation of central Harrow and Wealdstone to deliver growth through higher-density residential and mixed-use development, it being a location with high levels of public transport accessibility and where there is capacity to accommodate and benefit from major change. Pursuant to the spatial strategy, the Core Strategy incorporates an objective to create 3,000 jobs within the opportunity area and a policy commitment to deliver a minimum of 2,800 new homes on sites to be identified and allocated in an area action plan.

The Harrow and Wealdstone Area Action Plan (AAP) (2013) seeks to establish the opportunity area as the 'Heart of Harrow', reassert Harrow's visibility as the capital of Metro-land in London and to reaffirm Harrow town centre's role as a Metropolitan Centre. As required by the Core Strategy, the AAP identifies and allocates sites with a combined capacity of 3,684 new homes and estimates that there is potential to deliver over 3,000 jobs across the opportunity area.

Appraisal

There are no specific policies contained within the AAP that directly relate to the loss of hotels, although it is noted that Policy AAP16 does refer to the provision of major hotel developments within the Harrow Town Centre. Similarly, there is no specific policy within the Development Management Policies Local Plan (DMP) that would apply. Strategic policy 4.5A(b) of the London Plan seeks to achieve 40,000 net additional hotel bedrooms by 2036, of which at least 10 per cent should be wheelchair accessible, sub section (c) sets out the strategic location where new visitor accommodation would be appropriate. At local decision level, policy 4.5B of the London Plan sets out that development should contribute towards the hotel provision, be consistent with the strategic location principles set out under 4.5A(c) and not result in the loss of strategically important hotel capacity.. For outside Central London locations, strategically important hotel capacity would typically comprise development exceeding 15,000 square metres.

Cumberland Hotel has a floor area of just under 3860 square metres with a total of 84 bedrooms and it is therefore well below the threshold of a strategically important hotel as defined in the London Plan. The hotel itself is dated in appearance comprising a number of Victorian and post war buildings which have been extended over time. Whilst it is noted that a loss of a further hotel within the town centre is regrettable (in light of the closure of The Harrow Hotel on Pinner Road), it is acknowledged that the current premises due to its dated nature is unlikely to draw a high level of patronage when compared to a more modern and similar standard of hotel. In the absence of any specific policies within the development plan to safeguard this type of hotel accommodation, it is considered that the loss of the hotel could be supported in principle.

The application site falls within the sub area of Harrow Town Centre East as set out in the AAP. Whilst the site is not an allocated development site as defined within the adopted Site Allocations Local Plan (2013), the site is regarded as previously developed land for the purposes of the policies contained within the National Planning Policy Framework and the Harrow Core Strategy which seeks to redirect all new development the Harrow and Development Opportunity Area, to town centers and to previously developed land in suburban area. On this basis, the proposal to develop this site for residential purposes is considered to be acceptable in principle.

The loss of the hotel is further reinforced by the fact that the redevelopment would bring forward the delivery of affordable housing on this site which would add to the Council's housing delivery targets.

Conclusion

In conclusion, having regard to the fact that there is no presumption against the loss of this hotel and taking into consideration that the site is regarded as previously developed land, the proposed residential redevelopment of the site is considered to be acceptable within this town centre context. On this basis, the proposal is considered to be acceptable in principle with regard to the above policies.

Affordable Housing

Policy Context

Policy CS1.J of the Harrow Core Strategy 2012 sets an aim for 40% of new housing development in the borough to be affordable housing and states that the Council will seek the maximum reasonable amount of affordable housing on all development sites with a capacity to provide for ten or more units having regard to various criteria and the viability of the scheme. Such requirements are in line with London Plan policy 3.12.A/B which requires the maximum reasonable level of affordable housing to be provided. The reasoned justification to policy 3.12.A/B of The London Plan 2015 states that boroughs should take a reasonable and flexible approach to securing affordable housing on a site by site basis. As noted under section 1 of the appraisal, the consolidated London Plan 2015 designates Harrow and Wealdstone as an Opportunity Area and seeks to increase the minimum annual housing target for Harrow from 350 to 593 per annum.

Policy 3.11A of The London Plan sets out that of the 60% of the affordable housing should be for social and affordable rented accommodation and 40% for intermediate rent or sale of the overall affordable housing provision on any given development site. Policy 3.11B sets out that individual boroughs should set out in their LDF the amount of affordable housing provision needed. This is reinforced under policy AAP13(C) which states that within Wealdstone Central sub area, an affordable tenure split which favours intermediate housing will be sought. Throughout the rest of the Heart of Harrow an affordable housing tenure split of 60% social/affordable rent homes and 40% intermediate homes are required.

Appraisal

The applicant is Origin Housing, and according to the supporting documents submitted, it is an affordable housing provider with a proven track record in delivering and managing mixed tenure and mixed-use developments. As noted, above Origin Housing is one of the Council's preferred partners in bringing forward essential housing development within the Heart of Harrow following the successful bid and designation of the Opportunity Area as a Housing Zone. The subject site was one of the 10 sites across the Heart of Harrow where accelerated high density housing could be brought forward, with priority given to achieving maximum possible of affordable housing delivery on any given site.

The applicant has submitted a financial viability appraisal for the development site, which is based on the provision of 63% affordable housing of the overall housing scheme. This is broken down as 46 private market units, 50 shared ownership units and 27 social rented units.

The viability submitted for the 63% affordable housing scheme shows that based on the assumptions made in terms of the gross development value and the cost of the development, the residual land value when taking into consideration the benchmark value of the existing land would generate a deficit of just above £3m. The Council tendered an external review of this viability, which after adjusting some of the

assumptions made and increasing the average sales value achieved per square foot to reflect the market conditions at the time of this review, still generated a deficit in excess of £2m.

The viability report produced by JLL has been based on the provision of 63% affordable housing comprising of 46 market units and 77 affordable units. However, it appears that the Planning Statement submitted by Savills states that the level of affordable housing would be 67% comprising of 40 market units and 83 affordable housing (27 rented and 56 shared ownership). Savills have confirmed that the figures provided in the Planning Statement are the most up to date. This would imply that the level of market housing would reduce from that submitted in their viability produced by JLL.

Officers are of the opinion that a further reassessment is not required in this case, as the value of the shared ownership units (increase of 6 above that shown in their viability) would be less than open market units and therefore the overall baseline figure based on the assumptions made in the viability appraisals submitted by JLL and reviewed by BNP on behalf of the Council is unlikely to generate a surplus. The viability assessments undertaken by JLL and BNP both conclude that if the scheme was to deliver a policy compliant tenure split of 60% affordable rent and 40% shared/ intermediate housing would reduce the overall provision of affordable housing on this site and would further worsen the viability position of this scheme.

If the scheme delivered 40% affordable housing based on total number of units (123), this would give 49 units to affordable, of which if applying the policy compliant split of 60/40, this would give 29 affordable units and 20 shared ownership units. As it stands, the proposal would provide 27 affordable rented and 56 shared ownership units. This would amount to a difference of 2 affordable rented units (less) had this come forward as 40% affordable housing scheme.

The Council's Housing Enabling Team are satisfied with the level of affordable housing tenure split being proposed, however have stated that a review clause should be included as part of the section 106 agreement which would secure further affordable rented housing on the site should viability improve.

Given that the level of shared ownership would be much higher and given that the overall provision of affordable would be in excess of the minimum 40% (over 20% more), it is considered that a review mechanism would not be required in this instance. Indeed, such an approach would be considered unreasonable. This is further reinforced under paragraph 3.75 of the reasoned justification to policy 3.12 of The London Plan which sets that boroughs should consider whether it is appropriate to put in place provisions for re-appraising the viability of a scheme prior to its implementation. In particular, to take into account of economic uncertainties and in respect of schemes presently anticipated to deliver low levels of affordable housing. As the scheme would deliver a level of affordable housing well in excess of the minimum of 40%, there is no policy basis to require a further review of the scheme through a section 106 obligation.

Conclusion

Whilst it is noted that the proposed tenure split of would not strictly comply with the 60/40 tenure split set out in the London Plan and the AAP, it is concluded that the level of total affordable housing at 67%, which would be secured by a section 106 agreement would exceed the minimum policy requirement of 40%. Furthermore, the higher proportion of shared ownership housing would meet the key objective of the Housing Zone to deliver

low cost home ownership.

Based on the above factors, it is considered that the development would accord with policies 3.11 and 3.12.A/B of The London Plan 2015, policy CS1.J of the Harrow Core Strategy 2012 and policy AAP13 of the AAP.

Housing Density and Unit Mix

London Plan policy 3.8 and policy AAP13 of the AAP require new development to provide a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. London Plan policy 3.4 sets out a range of densities for new residential development.

Density

The site is considered to be within a Central Location and has a high Public Transport Accessibility Level [PTAL] of 6a. Although, it is noted that predominantly buildings within Harrow Metropolitan Centre are at the lower scale of the four to six storey height reference below.

NB: Central area are defined as areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an international, Metropolitan or Major town centre.

The London Plan sets out at Table 3.2 appropriate densities for various different areas. Table 3.2 sets out that a density of 650-1100 units per hectare and 215-405 habitable rooms per hectare would be most appropriate for this site. The development proposes a density of 324 u/ha and 1,026 hr/ha, which is within the levels set out in The London Plan 2015. In the context of the design and layout of the development and other site constraints, it is considered that such a density is appropriate in this location.

Unit Mix

The development would largely provide one-bed and two-bed units, with a small proportion of three-bed units as set out in the table below:

	1 bed two person	2 bed four person	3 bed five person	3 bed six person	Total
Private	18	21	0	1	40
Rented	5	17	5	0	27
Shared	32	23	1	0	56
Total	55	61	6	1	123

For a scheme of this scale and location in a town centre location which is likely to be attractive to small family or professional groups, it is considered that the units would be appropriate and would accord with development plan policies.

Design, Character and Appearance of the Area/ Setting of Listed Building

Policy Context

The NPPF describes the setting of heritage assets (page 56) as 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'.

Paragraph 129 of the NPPF states that: 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise'.

Paragraph 132 of the NPPF states:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'.

Paragraph 134 of the NPPF states:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'.

Policy 7.4 (B) of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass.

Core Policy CS1.B specifies that 'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.'

Policies AAP1 and AAP4 of the AAP seeks to a high standard of development within the Harrow Town Centre and throughout the Heart of Harrow. Policy AAP1 states that development within all three sub areas of Harrow town centre will be required to strengthen its character, legibility and role as a Metropolitan Centre. Policy AAP4 sets out that inter alia, development should use high quality, durable and serviceable materials to the external finishes and should seeks to conserve and enhance the significance of heritage assets, including their settings.

Appraisal

The surrounding area has a strong urban character, without any significant coherence or commonality of design, with the exception of the three-storey Victorian terraced buildings to the north west of the site on Station Road. Buildings such as the Natwest Bank building, a Grade II Listed Building and St Johns Church, also Grade II Listed provide significant landmark buildings in the immediate area and the differences in form and design of these buildings is indicative of the variety of built form in the locality. Whilst the scale and form of the buildings along Station Road are predominantly terraced and to a maximum height of four storeys, along Lyon Road to the east of Station Road, the height of building increase, with Platinum House being one of the tallest within the vicinity reaching to eight storeys in height. Congress House to the south of Platinum House is building of seven storeys. Both these buildings occupy a substantial built footprint, in particular Platinum house which occupies nearly half the width of Lyon Road itself.

To the south west of the main hotel building is the Lyon Road redevelopment site which formerly comprised offices buildings known as Equitable House and Lyon House. The sub-structure of the former office buildings shows that the buildings were seven storeys in height. The site has an extant planning permission to construct a mixed use development comprising a range of building height, with the maximum height being 14

storeys high on the junction with Lyon Road and St Johns Road.

Setting of Listed Building

As noted above, this proposal is within the setting of the grade II listed St Johns Church and the grade II listed war memorial. The list descriptions are contained on page 29-30 of the planning statement submitted.

In terms of significance, currently St Johns Church is an attractive architectural landmark building defining this corner plot. It is the largest building in the immediate area, so there are good views towards it and around it that are not blocked or undermined by larger buildings in the background. This helps ensure focus on this landmark building.

The Block on Sheepcote Road would be sympathetic in scale and design, as shown by the key view within the Design and Access Statement (page 23). However, the scale of Block B on St Johns Road currently (due to its height) would impact upon the views towards St John's Church, particularly from Sheepcote Road looking towards the church, since this new development would now be clear in views towards it, in the background somewhat detracting from its landmark, corner quality. This is clear, for example, from the photograph on page 23 of the Design and Access statement.

Given the above it is considered that the proposed scheme would cause some limited harm to the setting of this designated heritage asset. The harm should therefore be weighed against the public benefit of the proposal. The necessity and definition of giving 'special regard' to the desirability of preserving the setting of designated assets, as laid out in Section 66(1) of the Planning Act 1990, has been clarified by the Barnwell Manor High Court judgement of 2014. The judgement stated that the intention of the clause is that local authority decision-makers should give 'considerable importance and weight' to the desirability of preserving setting when weighing this factor in the balance under paragraph 134 of the NPPF. It also clarifies that 'preservation of setting is to be treated as a desired or sought-after objective'.

The Council's Conservation Officer, in light of the above has recommended that this block should be either be reduced in scale by two storeys, or at least one in order to preserve the setting of the designated heritage asset, otherwise the public benefits would need to be carefully weighed against the harm.

It is acknowledged that the height of Block B, would be visible behind the key views of this Church, however, the tallest element of this Block would be set away from at a sufficient distance so as not to cause a significant harm and would retain space around the Church so as not to appear over-towering.

In balancing the public benefit of this proposal, this is considered to be two fold. Firstly the benefit of delivering much needed affordable housing is considered to be a public benefit. The scheme as discussed above, would despite a deficit, deliver 67% affordable housing, which Officers consider a significant public benefit, in light of the fact that a number of schemes recently approved having not achieved the minimum 40% required by the London Plan due to site viability. Secondly, the creation of a public pedestrian route, albeit to a lesser extent is also considered to be of some public benefit. It is considered that the delivery of significant affordable housing on this site, on balance outweighs the harm on the setting of St John Church. Officers also consider that the principle views of the church on this prominent corner location would not be significantly harmed to the extent to set aside the clear public benefit of this development. In light of

this justified public benefit, the proposal would give to no conflict with the guidance set out in the above policies.

Scale and Siting

Due to the site configuration, the development proposal would comprise two separate buildings of varying heights, but as discussed in detail below the appearance and materials for the buildings would be contiguous and would read as a single development. The scale of each of the buildings has been designed to respect the scale, siting and massing of the surrounding buildings that each proposed building would relate to.

Block A fronts Sheepcote Road and would have a maximum height of 6 storeys. Whilst the height of this building would be comparably higher than the buildings immediately surrounding the site, in particular when seen in context of the neighbouring two storey building Victoria Hall, it is considered that the siting of the building and the creation of a public pedestrian route would create a sense of space around the buildings to help reduce the perception of scale between the subject building and Victoria Hall. Furthermore, the different scale of the buildings would create an interesting juxtaposition between both buildings, which is not uncommon in built up Metropolitan Centres such as this town centre.

When seen in context of the building to the south and east of Sheepcote Road and taking into account that the building heights range from three to four storeys in height, with traditional hipped roofs in most cases, the scale of the building (Block A) on Sheepcote Road would sit comfortably within the context and scale of the existing pattern of development. The scale of the buildings would also address the changes in levels coming down the hill at this end of Sheepcote Road and St Johns Road.

The creation of the public pedestrian access would help break the massing of both Blocks A and B and provide key views through to the proposed Lyon Road redevelopment and public square. As such, the scale and massing along Sheepcote Road would set the context for the much taller aspect of this scheme and that of the Lyon Road existing (Platinum House) and proposed development (corner of Lyon Road). In this regard the height and scale of Block B, fronting St Johns Road is considered to respond positively to the scale of the established pattern of development and the forthcoming redevelopment on the corner junction of Lyon Road and St Johns Road. Whilst it is acknowledged that the height of buildings on this side of St Johns Road range to a maximum height of five storeys and the small block of retail premises fronting Station Road (No.276-284 Station Road) is three storey in height, having regard to the fact that the proposed development would be located at what would be deemed as an end of street location and taking into consideration the future proposal to create a public square at this end of St John Road, which will now be realised through the implementation of the Lyon Road redevelopment, it is considered that the scale and massing albeit at nine storeys would be acceptable at this junction of St Johns Road. It would sit comfortably in context of the much taller (fourteen storeys) redevelopment at the corner of Lyon Road and St Johns Road.

The separation between proposed Block B and the existing building fronting Station Road, together with the proposed stepped building height (seven to nine storeys) would create an interesting backdrop against the Station Road buildings. Whilst the scale of the building would be apparent at the junction of Station Road and St Johns Road, the siting of taller buildings (having regard to the Lyon Road redevelopment) at this triangular junction would be pivotal to the Council's aspirations to create a public square at this

location. Furthermore, through the creation of higher built form at this location would help draw the public to this square. Notwithstanding these factors, the proposal when considered in isolation to the Lyon Road development and the proposed public square would still provide an acceptable form and massing of development at this end of street location.

Design and Appearance

In terms of the appearance of the development, the proposal seeks to use a high quality brick finish to the building throughout. The proposed window reveals and recessed balconies would provide articulation to the façade of the building, helping the building to achieve its own identity in an area which is characterised by a varied pattern of development. The use of simple recessed modelling to the façade would add further articulation to the building's appearance and help delineate each of the apartments.

The proposed buildings have been designed to achieve an architectural cohesion with the proposed development on Lyon Road. The appearance would be modern and the palette of materials (which would be secured by condition) would seek to compliment the nearby buildings, but at the same time establish their own character in the urban environment. The palette of external materials would be controlled by way of an appropriate condition. Overall, it is considered that the modern design and appearance of the development would make a positive contribution to the wider urban environment.

Landscaping and the Public Realm

The proposal is supported with an indicative landscape plan for the site. It is intended to line the public pedestrian routes with raised planters which would serve a dual purpose in creating a soft/ green landscaped corridor with low level shrub planting and to also provide a defensible area between the proposed public realm and the ground floor units. It is also proposed to use a mix of raised planters and ground level planting along the perimeter of both buildings which would soften the frontages along Sheepcote Road and St Johns Road and would enhance the overall appearance of the development. Given the site constraints and town centre location, it is considered that any form of landscape feature would enhance the development at this location, which at present has little or no formal landscaped areas. The proposal would also include an area of communal garden (circa 250sqm for Block A) and greens roofs to the lower sections of both buildings which would also create a visual landscaped feature within the development site. Subject to a detailed landscape strategy, it is considered that the proposal would be in accordance with the policies stated above. A condition is recommended to this effect which shall include details for the ground surfacing and boundary treatment.

Refuse and Servicing

The proposal shows that each block would have designated refuse stores to accommodate the number of bins required for the development. The proposal also shows a designated holding area for the bins from Block A for collection day. This will be managed by the dedicated caretaker for this site. It is considered that the location and provision of refuse stores would be compliant with the above stated policies.

Solar Panels

The applicant is proposing to install solar panels on the roof of the proposed building. These are unlikely to be perceptible at street level as such panels would be set in from the roof edges and the applicant has shown a parapet detail to provide some additional screening. It is considered that the proposed solar panels would not have adverse impact upon the character of the area or the appearance of the completed development.

In conclusion, the proposed development would provide a high quality development on the site which would appropriately address the public realm. The contemporary design of the buildings would add positively to the built form within the town centre, setting out a high quality contemporary design that other developments in the town centre will set as a standard. It is considered that the development proposal would be appropriate and would accord with the NPPF, policies 7.4.B and 7.6.B of the London Plan 2015, policy CS1.B of The Harrow Core Strategy 2012 and policies AAP1 and AAP4 of the Harrow and Wealdstone Area Action Plan 2013.

Residential Amenity/ Noise

Residential Amenity of Future Occupiers

Policy 7.6B, subsection D, of The London Plan (2015) 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.

There are no specific policies within the AAP which deal with safeguarding residential amenity but it states that development proposals would be required to meet policy DM1 of the Development Management Policies Local Plan (2013), which seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.

Policy 3.5C of The London Plan requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people’s needs. In this regard, minimum gross internal areas (GIA) are required for different types of accommodation, and new residential accommodation should have a layout that provides a functional space. Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA’s as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. This is supported by policy AAP13 of the AAP. Further detailed room standards are set out in the Mayors Housing Supplementary Planning Guidance 2012. Whilst the Mayor’s Housing SPG provides guidance for public sector housing the internal rooms standards set out in this guidance provides a good benchmark for the delivery of good quality homes

Minimum GIA and room standards (as set out in the London Plan, Mayors Housing SPG and the adopted Residential Design Guide SPD (Appendix 1))

Type and GIA	Kitchen/Living/Dining	Bedroom
1 bedroom – 2 person unit 50sqm	23sqm	12sqm (Double)
2 bedroom – 4 person unit 70sqm	27sqm	12sqm (Double)
3 bedroom – 5 person unit 86sqm	29sqm	12sqm (Double) 8sqm (Single)
3 bedroom – 6 person unit 95sqm	31sqm	12sqm (Double)

The rooms sizes are set out in the tables below, broken down by Block and then by floor.

Block A – Total 54

Ground Floor = 8 units

Type and GIA(sq ^m)	Kitchen/Living/Dining (sq ^m)	Bedroom (sq ^m)
1B/ 2P – 52.3	23.7	12.1
1B/ 2P – 52.3	23.7	12.1
2B/ 4P – 76.1	30.9	14.0 12.5
2B/ 4P – 93.0 (Wheelchair)	35.2	14.7 15.1
2B/ 4P – 72.5	29.6	12.5 12.8
1B/ 2P – 52.3	23.7	12.1
3B/ 5P- 91.2	32.3	13.2 13.9 7.9
1B/ 2P – 52.3	23.7	12.1

First/ Second/ Third/ Fourth Floors = 40 units

Type and GIA(sq ^m)	Kitchen/Living/Dining (sq ^m)	Bedroom (sq ^m)
2B/ 4P	89.3	13.4 12.2
1B/ 2P – 52.3	23.7	12.1
1B/ 2P – 52.3	23.7	12.1
1B/ 2P – 52.3	23.7	12.1
2B/ 4P – 76.1	30.9	14.0 12.5
2B/ 4P – 93.0 (Wheelchair)	35.2	14.7 15.1
2B/ 4P – 72.5	29.6	12.5 12.8
1B/ 2P – 52.3	23.7	12.1
3B / 5P – 91.2	32.3	13.2 13.9 7.9
1B/ 2P – 52.3	23.7	12.1

Fifth Floor = 6 units

Type and GIA(sq ^m)	Kitchen/Living/Dining (sq ^m)	Bedroom (sq ^m)
2B/ 4P – 74.7	28.8	15.7 12.5
1B/ 2P – 52.3	23.7	12.1
3B/ 5P – 91.2	32.3	13.2 13.9 7.9
1B/ 2P – 52.3	23.7	12.1

2B/ 4P – 72.5	29.6	12.5 12.8
2B/ 4P – 93.0	35.2	14.7 15.1

Block B –Total 69

Ground Floor = 8 units

Type and GIA(sqm)	Kitchen/Living/Dining (sqm)	Bedroom (sqm)
2B/ 4P – 72.5	29.6	12.5 12.8
1B/ 2P – 52.3	23.7	12.1
2B/ 4P – 93.0 (Wheelchair)	35.2	14.7 15.1
2B/ 4P – 76.1	30.9	14.0 12.5
1B/ 2P – 52.3	23.7	12.1
2B/ 4P – 72.5	29.6	12.5 12.8
1B/ 2P – 52.3	23.7	12.1
1B/ 2P – 52.3	23.7	12.1

First/ Second/ Third/ Fourth/ Fifth/ Sixth Floor = 54 units

Type and GIA(sqm)	Kitchen/Living/Dining (sqm)	Bedroom (sqm)
2B/ 4P – 84.7	32.9	17.8 15.5
2B/ 4P – 72.5	29.6	12.5 12.8
1B/ 2P – 52.3	23.7	12.1
2B/ 4P – 93.0 (Wheelchair)	35.2	14.7 15.1
2B/ 4P – 76.1	30.9	14.0 12.5
1B/ 2P – 52.3	23.7	12.1
2B/ 4P – 72.5	29.6	12.5 12.8
1B/ 2P – 52.3	23.7	12.1
1B/ 2P – 52.3	23.7	12.1

Seventh Floor = 4 units

Type and GIA(sqm)	Kitchen/Living/Dining (sqm)	Bedroom (sqm)
2B/ 4P – 84.7	32.9	17.8 15.5
2B/ 4P – 72.5	29.6	12.5 12.8
1B/ 2P – 52.3	23.7	12.1
2B/ 4P – 86.7	35.3	15.1 15.1

Eighth Floor = 3 units

Type and GIA(sq m)	Kitchen/Living/Dining (sq m)	Bedroom (sq m)
2B/ 4P – 84.7	32.9	17.8 15.5
3B/ 6P – 130.9	39.2	17.7 18.4 17.8
2B/ 4P – 86.7	35.3	15.1 15.1

The proposal demonstrates that each of the different unit types would each meet the respective minimum GIA standards set out in the London Plan and the adopted Residential Design Guide SPD. All of the units are shown to exceed the minimum standard. In assessing the internal space standards of the individual rooms, with the exception of the 3 bedroom 5 person unit located within Block A, all of the other units would exceed the minimum standards set out in the Mayors SPG. With regard to the 3 bedroom units/ person units, the single bedroom to each of these units are shown to have an internal area of 7.9sqm, which is nominally short of the 8sqm set out in the Mayors SPG. This is a minor transgression in what are otherwise generously sized units, with all other rooms shown to exceed the minimum standards and the overall GIA exceeding the minimum of 86sqm set out in the London Plan and adopted Residential Design Guide. As such it is considered that the proposed 3 bedroom/ 5 person units would still deliver high quality living environment for the future occupiers of this development.

The Mayors Housing SPG seeks a minimum floor to ceiling height between finished floor level and finished ceiling height in habitable rooms of 2.5 metres. Cross sections shown on the application drawings confirm that this would be achieved.

Layout, Stacking and Privacy

Paragraph 4.55 of the Residential Design Guide SPD specifies that ‘the vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. Where possible, the horizontal arrangement of rooms between flats in a block should also avoid bedrooms adjoining neighbouring living rooms, kitchens and bathrooms, as well as communal areas such as halls and stairs’.

The proposed development would stack appropriately in a vertical fashion therefore there would be no vertical stacking issues.

All of the units located within the corners of both building would be dual aspect. However it is noted that a large proportion of the units would be single aspect given the constraints of the site. Whilst the preference would be for dual aspect units, the proposed units would have south-east/ west and north-west/ east facing aspects and thereby each unit would receive adequate levels of natural daylight. It is considered that the single aspect nature of this development would be off-set by the good internal layout and circulation for each of the units.

The layout of the units would in general ensure that the privacy of individual units would be maintained. All balconies would be recessed and in general, the return stepped element of these balconies would provide screening for these private amenity areas.

Where there are instances when two balconies adjoin, these would be provided with privacy screens to protect the privacy of the occupiers of each respective unit. The detail for the privacy screens can be conditioned to ensure that an appropriate form of material is used and that the correct level of obscenity is achieved.

The layout of the blocks have been designed to ensure that any return stepped element does not give rise to any undue overshadowing/ loss of outlook to any adjoining unit. To avoid any perception of overlooking only secondary windows are proposed in the return south-western elevation of Block A.

In terms of privacy between the two blocks, a distance of at least 9.5m would be maintained between the nearest corners of each of buildings and the buildings would be staggered. This relationship would still exhibit some degree of overlooking of the buildings in the western elevation to Block A and the southern elevation to Block B, however, the staggered layout of the development would in largely permit overlooking between each of the buildings at oblique angles only, and would not result in direct overlooking.

It is noted that the ground floor windows located in the western elevation of Block A would front a narrow path and the site boundary and therefore the aspect and outlook to these windows would to some degree be affected. However, these windows serve bedrooms located within units that have dual aspect, with primary living areas being served with windows overlooking the public realm and the private communal amenity area. In this regard, the layout would be considered acceptable, given that the units achieve a good level of circulation on all other grounds.

Circulation

The entrance to each of the buildings is well defined by incorporating entrance lobbies to each core. Block A would have two cores to separate the different tenure mix within this block, but from the external appearance the building would still read as the same development. Block B would have a single core as this block would comprise both private and shared ownership units. Both buildings would be served by a minimum of two lifts, with Block A having three lifts.

Due to the layout of each of the buildings, the main circulation areas to each floor would need to be artificially lit and mechanically vented. However, the scheme has been designed with an off-set arm to the internal corridor linking back to the main façade to provide some natural light into the corridor of each floor.

Overall, the internal circulation areas would achieve a good standard of layout for the future occupiers of tis development.

Outdoor Amenity Space

Policy DM1 of the DMP seeks to *inter alia* ensure that development proposals provide an appropriate form of useable outdoor space. This is further reinforced under paragraph 4.64 of the SPD requires that residential development should provide appropriate amenity space. In case of town centre locations, alternative forms of outdoor amenity such as balconies should be explored.

Each of the units would have access to a private balcony area, with all the ground floor having access to a courtyard in addition. The balconies would all exceed the minimum 5sqm set out in the Mayors SPG and each is shown to have a minimum width and depth

of 1.5m. In addition to this, the proposal would include a landscaped communal garden within the site for each of the block. Furthermore, the town centre location provides other forms of amenity. On this basis, the proposed development is considered to be acceptable in this regard.

Open Space

Policy 3.6 of the London Plan requires that development proposals for housing to make provision for play and informal recreation, based on the expected child yield for the development.

Policy AAP11(B) *Provision of Open Space* requires major developments within town centres to secure the provision of appropriate civic space and sets out criteria for the local and layout of new open space.

Policy AAP11(C) requires all major development to provide sufficient play space on site to meet the needs of the development, whilst policies AAP13 B(d) and DM 28 *Children and Young People's Play Facilities* reiterate the need for children's play space. The Council's Planning Obligations SPD, informed by Harrow's PPG 17 Study, sets a quantitative standard of 4 square metres play space per child.

The supporting Design and Access Statement acknowledged the fact that there is little public open space around St John Road frontage and makes reference to the fact this will change in the advancement of the Lyon Road redevelopment. However, the subject development itself does not set out the provision for any open space within the development site or the likely play space required for the anticipated child yield arising from the proposed development. Arguably, the provision of the public pedestrian route with its landscaped features and seating area could be a form of public open space, albeit not in a traditional civic square form, but rather a linear space linking into the future public square associated with the Lyon Road redevelopment.

The proposal, as noted above does not set out the provision for any play space required for the anticipated child yield arising from the development, nor has any form of section 106 obligations been made in lieu for off-site provision of play spaces as required by the adopted Planning Obligations SPD. It is acknowledged that the adopted CIL would provide some public subsidy towards public open spaces and recreation grounds.

Having regard to the viability submitted by the applicant, the independent assessment of this viability, which has been discussed in detail above, it is unlikely that any additional contribution towards play space is likely to be realised through the section 106 mechanism and overall a balanced approach needs to be employed in bringing forward much needed affordable housing and the impact on existing infrastructure arising from the increased population of the development. Notwithstanding this, the proposal does set aside an area for communal amenity space, which could be adapted to provide play space for a younger population (Typically a LAP (Local area of play)) would require a minimum activity zone of 100sqm). Generally it is recommended that LAP's are located within 1 minute walk from the home, maintain a minimum of 5 metre buffer zone from the nearest dwelling facing the LAP, is overlooked by nearby houses and located on a pedestrian footway which is well accessed by pedestrian. It is considered that the communal garden would satisfy these requirements. Accordingly, the detailed LAP design could be conditioned to ensure that the space works in terms of providing a secure and meaningful activity zone for children with adult supervision. In this regard as the proposal could provide a form of outdoor play area on site, this would negate the

requirement for a section 106 obligation in this regard. As each unit would have access to a private balcony, it is also considered that the designation of this community area for play space would not have any detrimental impact upon the future occupiers of this site. On this basis, the proposal would satisfy the requirement of the above stated policies.

Noise Impact

Policy DM1 of the DMP, states under sub-section D (h) that when assessing privacy and amenity it will have regard to the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution. This is further supported under The London Plan policy 7.15B.

Due to the siting close to a busy road, the applicant has submitted a noise assessment report to determine whether any mitigation is necessary to achieve reasonable internal and external noise levels.

The acoustic report assesses the acoustic performance of the proposed external building fabric and plant noise limits. Noise monitoring was undertaken between the 9th and 12th March 2015 and a total of three positions were measured as part of the survey (Sheepcote Road elevation, St Johns Road elevations and the car park). The results showed that the noise levels to the Sheepcote Road frontage are likely to be higher due to the busy trunk road. The survey indicates that in insolation of the adjoining traffic noise, the scheme is relatively quiet with the exception of the plant noise from the site and that from the adjoining sites. As such, the rear facades of each of the building are likely to experience relatively low noise levels.

Whilst, the report recommends the targets that need to be achieved through building and glazing specifications, it does state that the use of trickle ventilation alone will not be sufficient for adequate ventilation purposes. In the event that windows will need to be opened, this would negate any noise insulation provided by suitable glazing. Based on these factors, the Council's Environmental Health Officer (EHO) considers that the installation of a mechanical ventilation and heat recovery system would be necessary and accordingly has advised that this should be secured by way of a suitable condition.

In addition to the above assessment, the report notes that St Johns Church holds concerts on alternative Thursdays commencing around 12.30pm and finishing 13.45pm. The nature of the concert will have amplified music. However, it assessment concludes that this does not give rise to particularly adverse noise impact on the future development. Given the frequency and time of this community event, it is considered that there would be no detrimental impact upon the future occupiers of this site.

With regard to the proposed mechanical plant for the building, the report recommends that the proposed plant should not cumulatively exceed recommended noise levels when assessed at the nearest noise sensitive location. As the exact type of mechanical plant and machinery has not be specified, the Council's EHO has requested that a condition be imposed requiring this information and that the proposed mechanical equipment complies with the standards required by the noise assessment.

In conclusion, subject to the imposition of appropriate planning conditions, it is considered that the impact of noise could be mitigated through the design of the buildings and employing appropriate installation of the mechanical plant.

Impact on neighbouring properties

The applicant has submitted a sunlight and daylight assessment which has assessed the potential impact of the proposed development upon the adjoining buildings. The following buildings were assessed:

St John the Baptist Church
1-4 Victoria Close
Kensington Heights
Nightingale Court
St John's Court
Platinum House
276-282 Station Road

In assessing the impact on the Church, it is noted that the windows in the south east elevation of the Church would not be afforded the same level of protection as windows that service a residential premises. However, the sunlight and daylight assessment can be a useful tool to assess development impact upon adjoining buildings in terms of scale, massing and dominance. In assessing the Vertical Sky Component (VSC) (which measures the amount of sunlight to the centre of a window), the results show that majority of the windows tested would continue to receive adequate sunlight, or by retaining at least 0.8 times its former value, i.e. a reduction in 20% reduction. However, the windows located in the southern most corner of the Church would experience some loss of VSC greater than 20%, the lowest being 0.63. Having regard to the fact that the windows to the Church serve non-habitable areas and given that there would be a distance of at least 12m it is considered that the impact would not be adverse. In addition to the results show that majority of the window would adequate levels of sunlight.

In assessing the impact upon Nos. 1 to 4 Victoria Close, it is noted that Block B due to its height and siting would intercept a 45 degree horizontal splay taken from the nearest corner of this terrace. The sunlight and daylight assessment shows that a number of windows would see a reduction in the VSC, lower than 0.8 times its former value, the lowest being 0.67 to a first floor window of No.1 Victoria Close, whilst other windows retain above 0.7 above their former value. It is noted that some of the rooms have dual aspect windows and therefore the main living rooms would have two sources of skylight/daylight. Other windows in the south elevation appears to serve bedrooms to each of the dwellings, which are considered to be areas that are primarily only used for sleeping and therefore are not likely to be used for great extent of times during the daytime as it would be in the case for a living room. However, all the south facing windows would still receive adequate sunlight retaining at least BRE guideline of 0.8 times their former value.

It is inevitable that there will be some impact upon Victoria Close. Block A which would directly front the southern elevation of Victoria Close would retain a distance of at least 28m. Block B which is located at a 90 degree angle to Victoria Close would retain a distance of at least 10m. It is considered that the distances maintained would ensure that there would be no unreasonable level of impact so as to warrant a refusal on such grounds. In addition to this, the distances maintained and the siting of the proposed blocks would give rise to no unacceptable loss of privacy to Victoria Close. It is noted that the existing terrace already exhibits some loss of privacy given its relationship with Victoria Hall and the car parking serving this hall. Furthermore, it is also considered that in built up areas within the Town Centre location that some level of mutual overlooking would exist given the compact nature of the urban built form.

Kensington Heights is located on the opposite side of Sheepcote Road and to the east of

Block A. Block A would maintain a separation distance of at least 26m from Kensington Heights and the sunlight and daylight assessment shows that all the windows facing the development site would still retain a VSC of at least 0.8 times its former value. In this regard the proposed development would have no detrimental impact upon the residential amenities of the occupiers of this building in terms of loss of light, privacy or outlook. It is noted that the increase in the height and scale of built form would be perceptible from this building, however, the distance retained would off-set any perceived impact.

In assessing the impact upon the neighbouring building Nightingale Court which is located to the south of Block A, a minimum distance of at least 21m would be maintained between the flank elevation of the proposed Block A and the facing flank wall of Nightingale Court. The sunlight and daylight assessment shows that all the windows facing the development site would still retain a VSC and sunlight of at least 0.8 times its former value. The proposal does show a number of habitable room windows and balconies that would face Nightingale Court. However, given that these windows and external balconies would effectively overlook what as communal garden and parking area serving Nightingale Court and taking into consideration the distances retained to the common boundary it is considered that the proposal would not give rise to any unacceptable loss of privacy.

In assessing, the impact of Block B on the Nos.276 to 284 Station Road, this block predominantly comprises commercial uses at ground, first and second floor levels, with the exception of No. 276 Station Road which comprises 2 flats located on the first and second floors. The rear elevation of Nos.276 to 284 comprises a number of windows that serve the commercial premises and the two flats located at No.276. Majority of the windows serving the commercial premise are obscure glazed and therefore for the purposes of the Council's guidelines these windows would not be considered protected. It is however noted that the report appears to refer to the windows to Nos.278 to 284 as serving residential unit. A site visit has established this not to be the case and therefore the data for these windows has not been given significant weight. However, the original report failed to include the two habitable room windows in the rear elevation of No.276 Station Road. Having queried this, the applicant has provided an addendum to the original daylight and sunlight report which now corrects the status of these windows. The results show that the VSC level and the daylight distribution levels will be below the recommended guidelines (VSC – 0.55 and 0.62 respectively/ Daylight distribution – 0.68 and 0.74 respectively). Whilst this is not ideal, and the fact that Block B would be sited to the south of this neighbouring building would give rise to some level of impact upon these windows, it is considered that the proposal would not give rise to an unreasonable level of impact to these windows to warrant a refusal on such basis. This is aided by the fact that the windows serve bedrooms which are considered to be areas that are primarily only used for sleeping and therefore are not likely to be used for great extent of times during the daytime as it would be in the case for a living room.

In terms of loss of outlook and privacy, Block B would be sited a minimum distance of at least 14m from the rear elevation of No.276 Station Road. It is inevitable that in built up areas that there would be some mutual overlooking between buildings. However, it is considered that the distance of 14m would still provide some separation between the existing and proposed buildings.

In assessing the impact upon Platinum House, the report demonstrates that all the windows that were assessed would all adhere to the BRE guidelines by continuing to achieve at least 27% VSC or by retaining at least 0.8 times its former value and would

enjoy a good level of daylight distribution to all habitable rooms. Block B would retain a distance of at least 38m. Given this distance, it is considered that the proposed development would not give rise to any unreasonable impact upon the occupiers of Platinum House in terms of loss of outlook, light and privacy.

It is noted that the report does not include an assessment on the impact upon the neighbouring library or the office building known as 'Bank House'. As the rear facing windows to the library and Bank House would not be given the same level of protection as in the case of a residential building and therefore there are no policy grounds to warrant a refusal on the grounds of the impact to these windows. Notwithstanding this, Block B would be sited to the north of the library and Bank House. Block A would maintain a distance of at least 16.5m. There will be some level of mutual overlooking between the buildings. However as noted above in a built up/ urban environment, this is to be expected given the close proximity of building and high density environment.

It is noted that a representation has been received in respect to concern over the noise from the construction activity and its impact upon the library. Whilst it is acknowledged that the construction on this site is likely to have an impact on the library, the construction activities would be classified as being a temporary form of noise disturbance and accordingly there are no grounds to refuse permission in this regard.

In terms of the impact on St Johns Court, this site is currently under construction, following the demolition of the former 1960's buildings and redevelopment to provide a 4 storey building comprising 15 flats (pursuant to permission granted under P/1723/14). Block A would be located to the north-east of this site and therefore the proposal would have no impact in terms of loss of light or outlook. Overlooking between both sites would be at an oblique angle and therefore there would be no unreasonable impact in this regard. Block B would be largely screened by the library and Bank House.

In conclusion, the proposed development whilst would introduce a high density form of development within close proximity to existing building, it has been demonstrated that the proposal would not give rise to an unacceptable level of harm to any residential amenities of neighbouring site so as to warrant a refusal on such grounds. It is considered that the proposal would give rise to no conflict with the development plan policies stated above.

Traffic, Safety and Parking

The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use.

The London Plan Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan sets out maximum parking standards for new development dependent upon their use and level of public transport accessibility. It is noted that at supporting paragraph 6A.3A to the Parking Addendum sets out that there is scope for greater flexibility to the parking standards in different parts of London having regard to patterns of car ownership and use, levels of public transport accessibility, the need for integrated approaches to on-site and off-street parking, efficiency in land use and overall impact upon environment and the transport network.

Policy AAP 19 of the AAP seeks to limit on site car parking and development proposals to support the use of sustainable modes of transport, in particular in areas that have a high level of public transport accessibility. Policy AAP 20 (Harrow and Wealdstone Green Travel Plan) seeks to ensure that all major developments produce a site specific travel plan to demonstrate how the development would meet the wide Green Travel Plan provisions.

The application site is located within Harrow Metropolitan Centre, which has the highest PTAL rating (6a). The maximum parking standard from a Central Zone would be up to one space per unit. The applicant has provided a transport assessment (TA) in support of their proposal, which concludes that the proposal would give rise to no highway or transportation reasons to object to the proposal. The TA *inter alia* includes an assessment of the existing nodes of transpiration, the existing and proposed uses and the associated trip generation associated with both uses, the impact of construction traffic, servicing, deliveries, pedestrian routes and cycling. The applicant has also submitted an initial Travel Plan to support the development, which sets a list of objectives and targets, and sets out the measures that will be introduced in order to meet these.

The subject site is located within a control parking zone operating from Mondays to Saturdays 8.30am to 6.30pm. The proposal would provide a total of 53 spaces, of which 7 spaces would be accessible bays. This equates to 0.43 of a parking space per unit. It is noted that the TA makes reference to the development being car free, which appears to be an error. In general, within town centre location that have a high level of accessibility to public transport, a car free development would be highly supported and the above policies are geared towards promoting this approach and towards reducing on-site parking provision in such a central location and the desire of achieving a model shift away from private car ownership. Notwithstanding this, the level of parking proposed would not exceed the maximum parking standards set out in the London Plan.

The TA notes that the existing level of on-site parking to be at 55 spaces (surface parking). The proposal would see a slight reduction to the number of spaces to 53 spaces, of which 51 spaces would be located within the basement car park. It goes on to state that the motorised trips to and from the site is anticipated to increase by 23 movements in a AM peak hours (0800 – 0900) and additional 16 movements in PM peak hours (1700-1800) above the existing use trips. The TA concludes that overall the impact would be minimal.

The applicant has shown the provision of secure cycle storage for the occupiers of the site in line with the requirements set out in the London Plan, achieving at least two cycle parking spaces per unit. It is envisaged that this level of provision would encourage residents to use an alternative mode of travel to the private car.

Refuse collection and servicing would take place from St Johns Road to ensure that there is no impact on the free flow of traffic along Sheepcote Road.

The proposal would see the existing northern most vehicular access point on St John Road to be closed and the two forecourt disabled parking bays would be accessed via the existing dropped kerb. The existing vehicular access on Sheepcote Road would also be closed and a new wider vehicular access is proposed to the southern end, which would permit access to and exit from the basement car park in a forward gear.

The TA noted that a Construction Logistic Plan will be required to ensure that the construction traffic to the site and storage of materials does not adversely impact upon the free flow of traffic along sheepcote Road.

The Council's Highways Authority are satisfied with the level of parking being proposed and welcome the level of cycle parking being provided. The Council's Travel Plan Coordinator (TPC) has reviewed the submitted Travel Plan and the objectives and targets contained within. The TPC has recommended a number of changes to the Travel Plan and has recommended that the monitoring of this to be secured through a section 106 obligation. In addition to this, recommendation has been made to impose financial penalties should the target agreed in the travel plan not be met within the monitoring period. At the time of writing this report, Officers are to discuss with the applicant on the best method to monitor the travel plan (i.e. through a planning condition or section 106 obligation) and this will be reported to the Planning Committee by way of an addendum.

In conclusion, it is considered that the proposed development, subject to the imposition of appropriate conditions and/ or section 106 obligations would have no adverse impact up parking or highway safety and consequently would give rise to no conflict with the above stated policies.

Development and Flood Risk

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 AAP9 of the AAP calls for major development to: reduce surface water run-off; utilise sustainable drainage systems; ensure adequate arrangements for management and maintenance of on-site infrastructure; use appropriate measures to prevent water pollution; and where appropriate, demonstrate that the proposal would be resistant and resilient to flooding from all sources.

London Plan Policy 5.13 states that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates and this objective is reiterated in Policy AAP9. Policy 5.13 of the London Plan sets out a drainage hierarchy to manage surface water run-off as close to its source as possible.

A small portion of the site it is within Zone FZ3a - risk of flooding from surface water. This proposal is supported with a Drainage Report and FRA, and an initial drainage layout/design. The drainage strategy confirms that the discharge rate of the proposed development would be 5 litres per second, achieved through on-site attenuation storage which would be in two separate underground storage tanks. The Council's Drainage Team has advised that 5 litres per second is acceptable as the appropriate greenfield run-off rate for the site. It is considered that the proposed run-off rate may be secured as a condition of any planning permission. Notwithstanding this, the Council's Drainage Team has also advised that the detail drainage design be secured by condition. In this regard, and subject to the imposition of suitable conditions, the proposal would give rise

to no conflict with the above stated policies.

Accessibility

Policy AAP4 of the AAP, policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2015) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document *Accessible Homes* 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'.

The Design and Access Statement and the submitted plans demonstrate that all residential units would be Lifetime Homes and 13 units would be wheelchair homes (a mix of social rented and private housing). This exceeds the minimum 10% wheelchairs homes set out in the adopted policies. It is noted that the Council's Housing Enabling Team have raised queries with regards to the affordable wheelchair units and have requested some amendment and further clarification to the layout of these units. It is considered that overall the applicant has demonstrated that the internal layout of the wheelchair units would be compliant with the adopted policies and further detailed layout of the internal units can be secured by way of a suitable condition.

On this basis, the proposed development will give rise to no conflict with the above stated policies.

Sustainability

Policy 5.1 of The London Plan (2015) seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent by 2025. For 'major' developments (i.e. 10 or more dwellings) Policy 5.2A/B of The London Plan (2015) sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A. The London Plan carbon dioxide reduction target for residential and non-domestic buildings during the period 2013-2016 is to achieve a 40% improvement on the 2010 Building Regulations (BR) (which equates to 35% above 2013 BR).

Core Policy CS1.T and policy AAP4 of the AAP requires development proposals to incorporate sustainable building design and layout.

The applicant has submitted a pre-assessment report on Code for Sustainable Homes (CSH). CHS Level 4, which achieves a 25% improvement on 2010 Building Regulations falls within the London Plan target period of 2010-2013. However, the current target period (2013-2016), requires a Target Emission Rate (TER) of 40% improvement to the 2010 Building Regulations.

In addition to the CHS pre-assessment report, an Energy Strategy has been submitted to assess the proposal against the Mayor's 'lean, clean and green' hierarchy. The Energy Strategy sets out the following approaches to be taken to achieve the London Plan CO₂ target reduction:

"Be Lean" – construct the buildings to a high thermal performance exceeding minimum BR fabric standards.

"Be Clean" – installation of gas powered community heating and hot water. Be clean

would typically be associated with Combined Heat and Power (CHP). However, the Energy Strategy has found that a CHP is not considered appropriate as the requisite demand is unlikely to be achieved. Connection to existing CHP is also not feasible due to the lack of proposed or existing CHP. However, the design would be 'future proofed' to enable potential future connection. In light of this, the Energy Strategy sets out that a conventional community gas heating and hot water system as the most suitable and more efficient and would achieve an overall CO₂ reduction of 3.5%.

"Be Green" – installation of photovoltaic (PV) solar panels to the flat roofs. Having assessed various different forms of renewable technology, the Energy Strategy concludes that PV solar panels as the most appropriate form of renewable technology for this development.

Whilst a detailed design will be necessary to demonstrate that the proposed development will achieve the overall CO₂ reduction, it is anticipated that through the above measures the proposal will achieve an overall CO₂ reduction of 40% in regulated emissions and a 20% reduction directly from the introduction of renewable technology.

Policy 5.11 of the London Plan seeks Major development proposals to be designed to include roof, wall and site planting, especially green roofs and walls where feasible. The proposal would include green roofs to the building to meet the aspirations of this policy.

In conclusion, the development would accord with development plan policies. To ensure compliance with these standards, a condition is attached requiring a post occupation assessment of energy ratings, demonstrating compliance with the submitted energy report.

Air Quality

Policy 7.14B of the London Plan seeks to minimise exposure to existing poor air quality and make provision to address local problem of air quality. It goes onto stated *inter alia* measures to reduce emissions during demolition and construction; proposals to be 'air quality neutral' and not to lead to further deterioration in air quality; ensure on-site provision of measures to reduce emissions; and assessment of the air quality implications of biomass boilers. Policy DM1 (D.h) of the DMP also reinforces the view of assessing the impact of proposal on *inter alia* vibration, duct and air quality.

A comprehensive air quality assessment has been carried out covering all the issues. The Council's Environmental Health Officer (EHO) is satisfied with this assessment. Assessments have been carried out for impact of the new development on local air quality, the effects of existing local air quality on residents of the proposed dwellings, in relation to the Mayor's Air Quality Neutral policy, and in respect of the Mayor's SPG on air quality and dust from construction sites.

All the assessments indicate there will be no significant impacts, except the construction assessment shows that, without suitable mitigation, the risk will be significant. However, with mitigation the risk will be reduced to an acceptable level. The Council's EHO has recommended that mitigation methods and monitoring arrangements should be detailed in an "Air Quality and Dust Management Plan" which should be submitted to and agreed with the local planning authority before works start. Accordingly, a planning condition should be imposed requiring this.

In addition, as the exact types of boiler etc. plant has not yet been specified, the report

recommends suitable emission levels for whatever plant is installed. The Council's EHO has recommended a condition be imposed requiring a report detailing the exact plant to be installed, and demonstrating it meets the required standards set in the air quality assessment, to be submitted to and agreed by the local planning authority before the development commences.

Subject to the imposition of the recommendation conditions, the proposed development would give rise to no conflict with the above stated policies.

Environmental Impact Assessment (EIA)

The application has been screened under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 (as amended) and it is considered that the development does not constitute Environmental Impact Assessment (EIA) Development as the development would have relatively low impact on the wider environment.

Statement of Community Involvement

The NPPF, Localism Act and the Council's Statement of Community Involvement encourage developers, in the case of major applications such as this to undertake public consultation exercise prior to submission of a formal application.

Prior to the submission of this application, the applicant did hold Public Information Events on the 22nd and 23th January 2015. The applicant had sent out 200 leaflets of invitation to local residents that residing close to the site. The applicant also advertised the public event in the local newspaper. A total of 52 people attended this public event, which included ward Councillors and from this event only two written responses were received. One response was in support of the proposal and the second raised concerns over where the residents would go to school, find a doctor, dentist and room for more public transport.

The Council also sent out letters of consultation to local residents in the surrounding area inviting them to make representations on the proposed development.

The applicant has sought to encourage public consultation in respect the proposal in line with the guidance set out in the NPPF and the Localism Act.

Planning Obligations

The heads of terms of the section 106 agreement have been set out above. These are considered necessary to make the application acceptable, in accordance with policy 3.2 of The London Plan 2015 and policies CS1.Z/AA and CS2.Q of the Harrow Core Strategy 2012.

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.

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 this application does not raise any equality implications.

S17 Crime & Disorder Act

Policies 7.3.B and 7.13.B of The London Plan and policy AAP 4 of the AAP require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal.

The applicant has not specifically referred to the prevention of crime in the design proposal, other than that the proposal would be built to Secure by Design principles, but it is considered that the development design would not result in any specific concerns in this respect. The main entrances to each of the buildings would benefit from natural surveillance. The ground floor flats have been designed with defensible area to ensure security and privacy. The public pedestrian route through the site would be controlled by gates at either end which would operate dawn to dusk to allow free flow of pedestrian access during the daytime and restrict access at night-time to safeguard the security of the future occupiers. This pathway would be lit.

Nonetheless, it should be demonstrated that the development would accord with 'Secured by Design' principles. It is considered that this requirement could be secured by condition. Accordingly, and subject to a condition, it is considered that the proposed development would not increase crime risk or safety in the locality, thereby according with the policies stated above.

Consultation Responses

All material planning considerations have been addressed above

CONCLUSION

The proposed redevelopment of the site would provide a high quality residential development which would be a positive contribution to the town centre environment. The site is currently occupied by a dated hotel which is characterised by a varied configuration of built forms depicting the era that they were constructed. The loss of the hotel itself, given its size, is afforded no protection in the adopted development plan. The redevelopment of the site would enhance the urban environment in terms of material presence, attractive streetscape, and good routes, access and makes a positive contribution to the local area, in terms of quality and character.

The proposed would secure the provision of onsite affordable housing at a level that exceeds the minimum affordable housing target set out in the development plan. Overall, the number of units proposed would positively add to the Council's housing delivery targets.

The proposed redevelopment of the site would result in a modern, contemporary design that responds positively to the local context, and would provide appropriate living conditions which would be accessible for all future occupiers of the development.

The layout and orientation of the buildings and separation distance to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers and the development would contribute towards the strategic objectives of reducing the carbon emissions of the borough.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan (consolidated with all alterations since 2011)2015, the Harrow Core Strategy 2012, the Harrow and Wealdstone Area Action Plan 2013 and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

CONDITIONS

General 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 Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the approved drawings listed below.

M665_EL/B/01; M665_EL/B/02; M665_EL/B/03; M665_EL/B/04; M665_EL/B/03;
M665_CEL/01; M665_CEL/02; M665_CEL/03; M665_CEL/04 R1; M665_TUL/01;
M665_TUL/02; 1501/01; D1759-C-01 Rev. A; M665_ES/01; M665_ES/02; M665_ES/03;
M665_ES/04; M665_ES/05; M665_ES/06; M665_ES/07; M665_ES/08; M665_TPD/01;
M665_TPD/02; M665_TPD/03; M665_GA-A-09; M665_S/A/01; M665_S/A/02;
M665_EL/A/01; M665_EL/A/02; M665_EL/A/03; M665_EL/A/04; M665_GA/B/01;
M665_GA/B/02; M665_GA/B/03; M665_GA/B/04; M665_GA/B/05; M665_GA/B/06;
M665_GA/B/07; M665_GA/B/08; M665_GA/B/09; M665_GA/B/10; M665_GA/B/11;
M665_GA/B/12; M665_S/B/01; M665_S/B/02; M665_GA/A/01; M665_GA/A/02;
M665_GA/A/03; M665_GA/A/04; M665_GA/A/05; M665_GA/A/06; M665_GA/A/07;
M665_GA/A/08; M665_SP/01; M665_SP/02; M665_SI/01

Reason: For the avoidance of doubt and in the interests of proper planning, and to ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Local Plan (2013).

Pre-Commencement Conditions

3 No development shall take place, including any works of demolition, until an Air Quality and Dust Management Plan has been submitted to, and approved in writing by, the local planning authority. The plan shall detail measures for the control and reduction of dust emissions associated with demolition, earthworks, construction and track out, and arrangements for monitoring air quality during construction. The development shall be carried out in accordance with the plan so agreed.

REASON: To ensure that measures are put in place to manage and reduce dust emissions during demolition and construction and to safeguard the amenity of neighbouring occupiers, in accordance with Policy 7.14 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

4 No development shall take place, including any works of demolition, until a construction management plan has been submitted to, and approved in writing by, the local planning authority. The plan shall detail measures for the control and reduction noise and vibration associated with demolition, earthworks and construction. The development shall be carried out in accordance with the plan so agreed.

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of

neighbouring occupiers, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

5 No development shall take place, including any works of demolition, until a construction logistics plan has first been submitted to, and agreed in writing by, the local planning authority. The plan shall detail the arrangements for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in construction the development;
- d) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- e) wheel washing facilities; and
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

REASON: To ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy 6.3 of the London Plan (2015).

6 The development hereby approved shall not be commenced until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include green roofs, storage tanks, investigation of (and, if feasible, proposals for) rainwater harvesting and measures to prevent water pollution. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that opportunities drainage measures that contribute to biodiversity and the efficient use of mains water are exploited, in accordance with London Policies 5.11, 5.13 & 5.15 of the London Plan (2015) and Policy AAP 9 of the Harrow and Wealdstone Area Action Plan (2013).

7 The development hereby approved shall not commence until a foul water drainage strategy, detailing any on and/or off site works that may be needed to dispose of foul water from the development and to safeguard the development from foul water flooding, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the drainage strategy, including any on and/or off site works so agreed, has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, in accordance with Policy 5.14 of the London Plan (2015) and Harrow Core Strategy Policy CS1, and to ensure that the development would be resistant and resilient to foul water flooding in accordance with Policy AAP 9 of the Harrow and Wealdstone Area Action Plan (2013).

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring

residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with Policies AAP 1, AAP 4, AAP 9, and AAP19 of the Harrow and Wealdstone Area Action Plan (2013) and policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013).

9 Prior to the commencement of the development hereby approved, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the development shall be installed in accordance with details to be submitted to and agreed in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant design guides published on the Secured by Design website: <http://www.securedbydesign.com/guides/index.aspx>.

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

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policies 7.3.B and 7.13.B of The London Plan (2015) and policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

Progression-Point Conditions

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

- a) facing materials for the building
- b) windows/ doors
- c) balcony screens including balustrade detail and privacy screens
- d) boundary fencing including all pedestrian/ access gates
- e) ground surfacing (which not included under Condition No.10)
- f) raised planters
- g) external seating
- h) proposed metal screening to refuse/ servicing area

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

Reason: To safeguard the appearance of the locality and to ensure a satisfactory form of development in accordance with policy 7.4B of The London Plan 2011, policy CS.1B of the Harrow Core Strategy and policies AAP 1 and AAP 4 of the Harrow and Wealdstone Area Action Plan 2013.

11 The development hereby approved shall not progress beyond basement level until a scheme for the hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, raised planters and external seating, has been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer. The hard and soft landscaping details shall demonstrate how they would contribute to privacy between the approved private terraces and the public pedestrian route, and communal garden areas. The scheme shall also include circulation areas, minor

artefacts and structures (such as play equipment, furniture, temporary refuse storage area and signs). The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy 7.4B of The London Plan (2015), policy CS.1B of the Harrow Core Strategy (2012) and policies AAP 1 and AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

12 The development hereby approved shall not progress beyond basement level until details of privacy screens to be installed to the balconies have first been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings, in accordance with Policy 7.6 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

13 The development hereby permitted shall not progress beyond basement level until details of all mechanical ventilation, air conditioning units and fume extraction, including details for the type of community heating boiler to be used and any other form of mechanical ventilation which may be required to enable the use of any part of the development hereby approved, have been submitted to, and approved in writing by, the local planning authority. The details shall demonstrate that the proposed installations will meet the required standards as set out in the approved Air Quality Assessment. The buildings on each relevant phase shall not be occupied or used until all works (relevant to that phase) have been completed in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To safeguard the amenity of future/ neighbouring occupiers against any unreasonable air pollution and to ensure a high quality and standard of finish for the development, in accordance with Policies 7.4, 7.6 and 7.14 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

14 The development hereby approved shall not progress beyond basement level until a report identifying those residential premises within the development that require mitigation of external noise levels and detailing the mitigation required to achieve satisfactory noise levels within those premises (and to their private balcony areas, where relevant) has first been submitted to, and agreed in writing by, the local planning authority. The report shall also detail the arrangements for ventilating the residential premises so identified. The development shall be carried out in accordance with the report so agreed, and shall be retained as such thereafter.

REASON: To ensure that potential adverse noise impacts to residential premises within the development are mitigated in accordance with Policy 7.15 of the London Plan (2015), and to ensure a high standard of amenity for future occupiers in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

15 The existing vehicular accesses on Sheepcote Road and St. John's Road shall be closed when the new vehicular accesses hereby permitted are brought into use, and the highway shall be reinstated in accordance with details to be submitted to, and agreed in writing by, the local planning authority. The development within each relevant phase shall not be occupied until the reinstatement works associated to that part of the phase have been completed in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway in accordance with Policy 6.3 of the London Plan (2015).

16 The development hereby approved shall not progress beyond basement level until details of the lighting of all public realm and other external areas (including buildings) within the site has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles and achieves a high standard of residential quality in accordance with Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

17 The development hereby approved shall not progress beyond basement level until a report identifying those residential premises within the development that require mitigation of external noise levels and detailing the mitigation required to achieve satisfactory noise levels within those premises (and to their private balcony areas, where relevant) has first been submitted to, and agreed in writing by, the local planning authority. The report shall also detail the arrangements for ventilating the residential premises so identified. The development shall be carried out in accordance with the report so agreed, and shall be retained as such thereafter.

REASON: To ensure that potential adverse noise impacts to residential premises within the development are mitigated in accordance with Policy 7.15 of the London Plan, and to ensure a high standard of amenity for future occupiers in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

18 The development in relation to each relevant phase hereby approved shall not progress beyond basement level until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces in accordance with Policy 7.4 of the London Plan (2015), Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013) and DM 49 of the Development Management Policies Local Plan (2013), and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

19 Notwithstanding the details shown on the approved plan, the development of each

relevant phase shall not progress beyond basement level until detailed layout/specifications for the proposed 'Wheelchair Homes'(relevant to that phase) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

All other 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 'Wheelchair and Lifetime Homes' standard housing in accordance with policies 3.8 and 7.2 of The London Plan (2015), Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013) and the Council's adopted Supplementary Planning Document: Accessible Homes (2010).

Pre Occupation Conditions

20 All hard landscaping shall be carried out prior to the occupation of any part of the development or in accordance with a programme first agreed in writing by the local planning authority. All soft landscaping works including planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out no later than the first planting and seeding seasons following the final 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, diseased or defective, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy 7.4B of The London Plan (2015), policy CS.1B of the Harrow Core Strategy and policies AAP 1 and AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

21 The residential premises hereby approved shall not be occupied until a Parking Provision Plan has first been submitted to, and agreed in writing by, the local planning authority. The plan shall: identify the electric vehicle charging point spaces that are to be provided as 'active' spaces and those as 'passive'; detail the allocation of a disabled person's parking space to each wheelchair home within the development; and detail the provision of cycle parking for residents and visitors to the development. The development shall be carried out in accordance with the plan so agreed and shall be retained as such thereafter.

REASON: To ensure that the development provides sufficient electric vehicle charging points and adequate, secure and (where appropriate) weather protected cycle parking in accordance with London Plan Policies 6.9 and 6.13 and Policy AAP 19 of the Harrow and Wealdstone Area Action Plan (2013), and contributes to the achievement of a lifetime neighbourhood in accordance with London Plan Policy 7.1 and Policy DM 2 of the Development Management Policies Local Plan (2013).

22 Prior to the first occupation of the relevant phase and notwithstanding the details shown on the approved drawings, revised details shall be submitted to and agreed in writing by the local planning authority to show the communal amenity area for Block A redesigned as a local area of play for the future occupiers of this development. Details shall include layout and specification of all play equipment to be installed including provision for children with disabilities and special sensory needs; a specification of the

surface treatment within the play areas; and arrangements for ensuring the safety and security of children using the play areas. The local area of play shall be completed in accordance with approved details and shall be made available for use prior to the final occupation of the development, and shall be retained thereafter.

REASON: To ensure that the development makes appropriate provision for play and informal recreation in accordance with Policy 3.6 of the London Plan (2015) and Policies AAP 11 of the Harrow and Wealdstone Area Action Plan (2013) and DM 28 of the Development Management Policies Local Plan (2013).

23 Prior to the first occupation of any phase of the development hereby approved a scheme for the on-going management and maintenance of the soft landscaping within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy 7.4B of The London Plan (2015), policy CS.1B of the Harrow Core Strategy and policies AAP 1 and AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

24 Before the development hereby permitted is occupied, arrangements shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within the Controlled Parking Zone.

REASON: To ensure that the scheme adequately addresses parking pressures locally and sustainability requirements of policy AAP 19 of the Harrow and Wealdstone Area Action Plan (2013).

25 Prior to occupation of each relevant phase, details of the arrangements for the distribution of mail (including any mail boxes) and other deliveries to residents within the development shall be first submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development contributes to the achievement of a lifetime neighbourhood and a high standard of design and layout, in accordance with Policies DM 1 and DM 2 of the Development Management Policies Local Plan (2013).

26 Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of each relevant phase a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Energy Statement (March 2015 Rev A – Ref: 15-022-ES-01-0); which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework 2012, policies 5.2.B/C/D/E of The London Plan (2015) and policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

General Conditions

27 The refuse bins shall be stored at all times, other than on collection days, in the

designated refuse storage area, as shown on the approved drawing plans.

REASON: To safeguard the appearance and character of the surrounding area, in accordance with policy 7.4.B of The London Plan 2011 and ensure a high standard of residential quality in accordance with Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

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

REASON: To ensure that the development preserves the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Harrow and Wealdstone Area Action Plan (2013).

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (consolidated with alterations since 2011) 2015

Policies 2.13, 3.3, 3.4, 3.5, 3.6, 3.8, 3.11, 3.12, 5.1, 5.2, 5.3, 5.7, 5.11, 5.12, 5.13, 5.18, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.8, 7.13, 7.14, 7.15, 7.18, 8.2.

The Harrow Core Strategy (2012)

Core Policies CS1

Harrow and Wealdstone Area Action Plan (2013)

Policies: AAP 1, AAP 4, AAP 5, AAP 9, AAP 11, AAP 13, AAP 19, AAP 20

Development Management Policies Local Plan (2013)

Policies DM 1, DM 2, DM 7, DM 10, DM 12, DM 14, DM 28, DM 42, DM 49

Supplementary Planning Document – Residential Design Guide (2010)

Supplementary Planning Document – Accessible Homes (2010)

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

Housing: Supplementary Planning Guidance (2012)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

1. work on an existing wall shared with another property;

2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,
and that work falls within the scope of the Act.

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

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

Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

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

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

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

5 INFORMATIVE:

The applicant is advised that any window in the flank elevation of the development hereby permitted will not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.

6 INFORMATIVE:

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 **£300,160** 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 **£300,160** for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of **8,576 sqm**.

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

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

7 INFORMATIVE:

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 contribution for this development is **£943,360**.

8 INFORMATIVE:

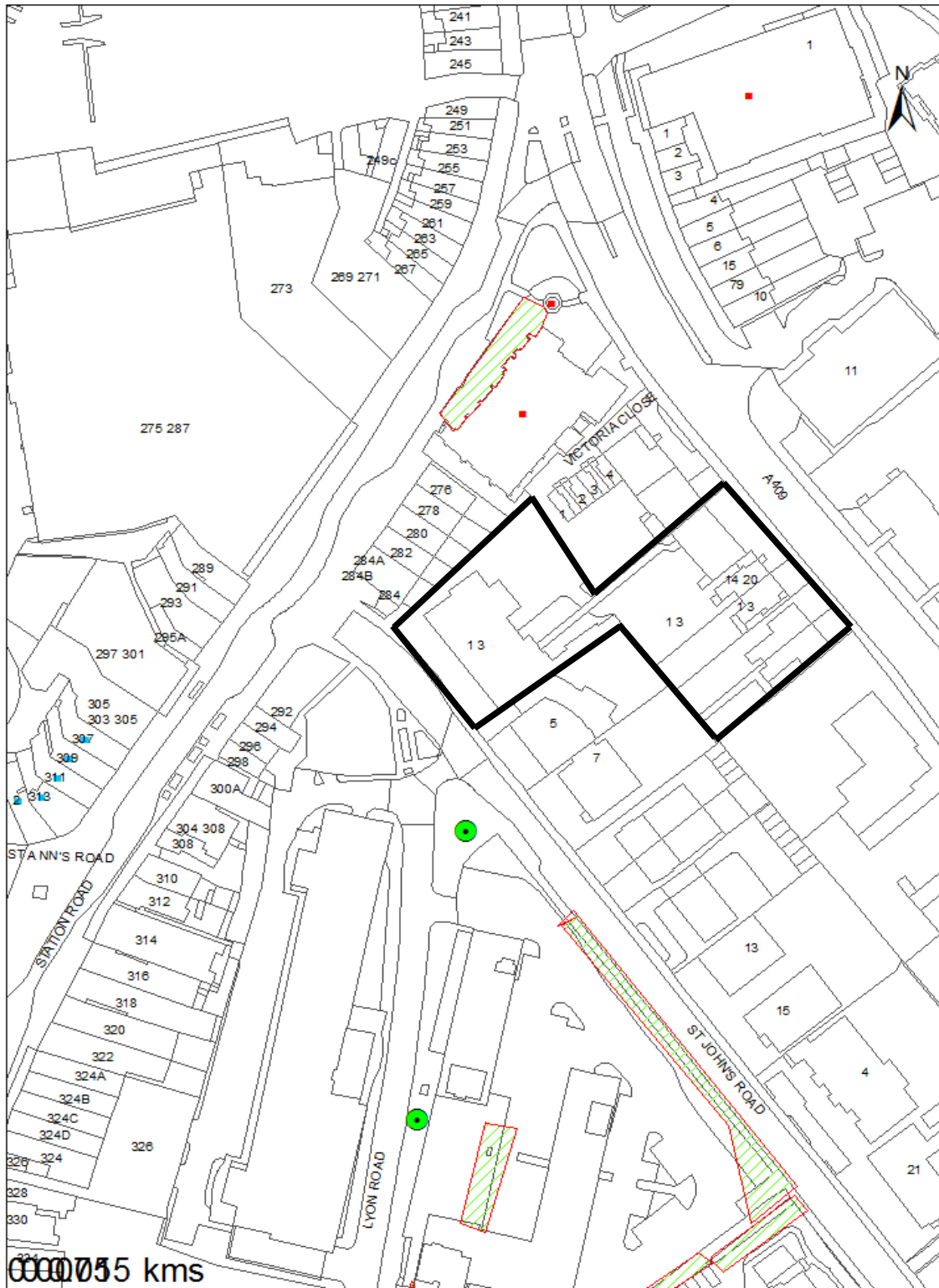
In June 2006 Harrow Council adopted two Supplementary Planning Documents: "Access for All" and "Accessible Homes", containing design guidelines for the provision of safe and convenient access for all disabled groups. Both documents can be viewed on the Planning pages of Harrow Council's website

9 INFORMATIVE:

Notwithstanding the note on your submitted plan(s), this decision has been made on the basis of measurements scaled from the plan(s), unless a dimensioned measurement overrides it.

Plan Nos: M665_EL/B/01; M665_EL/B/02; M665_EL/B/03; M665_EL/B/04;
M665_EL/B/03; M665_CEL/01; M665_CEL/02; M665_CEL/03; M665_CEL/04 R1;
M665_TUL/01; M665_TUL/02; 1501/01; D1759-C-01 Rev. A; M665_ES/01;
M665_ES/02; M665_ES/03; M665_ES/04; M665_ES/05; M665_ES/06; M665_ES/07;
M665_ES/08; M665_TPD/01; M665_TPD/02; M665_TPD/03; M665_GA-A-09;
M665_S/A/01; M665_S/A/02; M665_EL/A/01; M665_EL/A/02; M665_EL/A/03;
M665_EL/A/04; M665_GA/B/01; M665_GA/B/02; M665_GA/B/03; M665_GA/B/04;
M665_GA/B/05; M665_GA/B/06; M665_GA/B/07; M665_GA/B/08; M665_GA/B/09;
M665_GA/B/10; M665_GA/B/11; M665_GA/B/12; M665_S/B/01; M665_S/B/02;
M665_GA/A/01; M665_GA/A/02; M665_GA/A/03; M665_GA/A/04; M665_GA/A/05;
M665_GA/A/06; M665_GA/A/07; M665_GA/A/08; M665_SP/01; M665_SP/02;
M665_SI/01; Daylight & Sunlight Report; Planning Statement; Travel Plan; Drainage Report and Flood Risk Assessment; Transport Assessment; Design and Access Statement; Energy Statement; Code for Sustainable Homes Pre-Assessment Report; Acoustic Report; Air Quality Assessment

CUMBERLAND HOTEL, 1-3 ST JOHNS ROAD, HARROW



© Crown copyright and database rights 2012 Ordnance Survey 100019206
DIGITAL MAP DATA (C) COLLINS BARTHOLOMEW LTD (2010)
Cities Revealed® aerial photography copyright The GeoInformation® Group, 2010



SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

ITEM NO: 2/01
ADDRESS: 94 CROSSHOTT AVENUE, STANMORE
REFERENCE: P/1320/15
DESCRIPTION: FIRST FLOOR SIDE TO REAR EXTENSION; FRONT PORCH;
EXTENSION TO HIPPED ROOF
WARD: BELMONT
APPLICANT: MR DENIS MAHARJAN
CASE OFFICER: NABEEL KASMANI
EXPIRY DATE: 07/07/2015

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans subject to conditions:

INFORMATION

The application is reported to the Planning Committee because it lies on land owned by an employee of the Council, and is therefore excluded by provisions Part 1 C (ii) from the Scheme of Delegation dated 29 May 2013.

Statutory Return Type: 21 Householder

Council Interest: None

Net additional Floorspace: 22m²

GLA Community Infrastructure Levy (CIL) Contribution (provisional): None

Site Description

- The application site comprises a two-storey semi-detached dwelling located on the northern-western side of the Crowshott Avenue near the intersection with Wetheral Drive
- The subject dwelling has been previously extended by means of a two storey front extension, a single storey side to rear extension and a part first-floor side extension
- The forecourt of the dwelling is predominantly hard surfaced with hedges that delineate the shared boundaries. The rear garden features a small paved patio with the remaining garden laid to lawn
- The attached semi-detached dwelling no. 96 (to the south-west) has been extended by means of a single storey front, single and two-storey side to rear extension and features a basement.
- The neighbouring semi-detached dwelling no. 92 (to the north-east) is sited on a higher level than the application dwelling and features a single storey attached garage that projects approximately 2.5m forward of the adjacent front elevation of the subject dwelling and a single storey rear extension.

- No. 79 Wetheral Drive adjoins the application site to the rear and is sited perpendicular to the subject dwelling
- The application site is located within a Critical Drainage Area

Proposal Details

- The application proposes a front porch, first-floor side to rear extension and an extension of the existing hipped roof of the dwelling
- The proposed front porch would protrude 750mm from the original front elevation of the dwelling and would attach to the existing two-storey front extension. It would feature a pitched roof with a maximum height of 2.9m and an eaves height of 2.65m
- It is proposed to extend the main hipped roof of the dwelling over the existing first-floor side extension. The maximum roof ridge height would remain the same
- The proposed first-floor side to rear extension would extend beyond the rear elevation of the existing first-floor side extension and would wrap around the dwelling, protruding 2.35m beyond the original rear elevation of the subject property. The proposed first-floor rear element would have a maximum width of 4.65m and would feature a subordinate hipped roof

Revisions to previous application

- n/a

Revisions during the course of the application

- The width of the proposed first-floor rear extension was reduced by 900mm
- The scale and design of the proposed porch have been amended
- The depth of the first-floor rear extension has been reduced

Relevant History

HAR/11240: Erection of domestic garage with bathroom over
Granted: 14-11-1955

LBH/31605: Single storey rear extension
Granted: 20-02-1987

Pre-Application Discussion (Ref.)

- n/a

Applicant Submission Documents

- n/a

Consultations

- n/a

Advertisement

- n/a

Addresses Consulted

92 Crowshott Avenue, Stanmore, HA7 2PD
96 Crowshott Avenue, Stanmore, HA7 2PD
79 Wetheral Drive, Stanmore, HA7 2HQ

Summary of Responses

none

APPRAISAL

The Government has adopted a National Planning Policy Framework [NPPF] on 27 March 2012 that consolidates national planning policy. This document now carries significant weight and has been considered in relation to this application.

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 under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

In this instance, the Development Plan comprises The London Plan (consolidated with alterations since 2011)(2015) and the Local Development Framework (LDF). The LDF comprises The Harrow Core Strategy (CS) 2012, Harrow and Wealdstone Area Action Plan (AAP) 2013, the Harrow Development Management Policies Local Plan (DMP) 2013, the Site Allocations Local Plan (SALP) 2013 and Harrow Local Area Map (LAP) 2013.

MAIN CONSIDERATIONS

Character and Appearance of the Area

Residential Amenity

S17 Crime & Disorder Act

Equalities and Human Rights

Consultation Responses

Character and Appearance of the Area

The NPPF makes it very clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (paragraph 56). It goes on to state that 'it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes'.

The London Plan (consolidated with alterations since 2011)(2015) 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. Policy 7.6B of the London Plan states, inter alia, that all development proposals should be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion, composition, scale and orientation.

Core 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; extensions should respect their host building.'

Policy DM1 of the Council's Development Management Policies Local Plan states that 'All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or

which are detrimental to local character and appearance, will be resisted'

The Council Supplementary Planning Document – Residential Design Guide 2010 (SPD) requires extensions to dwellinghouses to harmonise with the scale and architectural style of the original building. This SPD carries substantial weight as a material planning consideration.

The proposed single storey front extension would be a modest addition to the dwelling that would be sited away from and would not project beyond the existing front bay window of the dwelling. It would feature a pitched roof with a maximum height of 2.9m and an eaves height of 2.65m and would therefore complement the scale, design and quality of development in the surrounding streetscene in accordance with Paragraph 6.35 of Harrow's Residential Design Guide SPD.

The subject dwelling features a two-storey front and first-floor side extension with a subordinate gable end roof. Paragraph 6.14 of the adopted SPD states that 'it is generally desirable for a two-storey extension to be roofed to reflect both the material and design of the existing roof' and Paragraph 6.42 further states that 'a hipped rather than gable roof is preferable'. It is considered that the existing subordinate gable end roof does not harmonise with and complement the original character of the dwelling and detracts from the prevailing pattern of roofscape in the surrounding area.

It is acknowledged that Paragraph 6.46 of the SPD requires that the front elevation of a first-floor side extension to be set-back by 1m from the adjacent main front elevation of the dwelling and that the extension should feature a subordinate pitched roof, to prevent a terracing effect with the neighbouring dwelling. However, as the proposed two-storey front and first-floor side extension have already been constructed, such a requirement would not be functional on this occasion. Paragraph 6.47 of the SPD states that no set-back would be justifiable if there is a variation in the building line and either a separation distance of at least 1m between the flank wall of the extension and the boundary or a permanent open area of at least 1m width adjacent to the boundary. Whilst there is a staggered building line between the subject dwelling and the neighbouring property, the existing two-storey front and first-floor side extension abuts the shared boundary with the neighbouring dwelling no. 92.

However, the neighbouring dwelling no. 92 is sited on a higher level than the application site, the effect of which is readily visible within the streetscene. For this reason, it is considered that the proposed extension of the hipped roof over the existing two-storey front and first-floor side extension would not give rise to the potential of a terracing effect and would provide a more harmonious relationship between the existing/proposed extensions and the main dwelling that would appreciably improve the character and appearance of the dwelling when viewed from the streetscene.

The proposed first-floor side to rear extension would 'infill' the area to the rear of the existing first-floor side element and would wrap around the subject dwelling, protruding 2.35m beyond the original rear wall. The proposed first-floor rear element would have a width of 4.65m and feature a subordinate hipped roof in accordance with Paragraph 6.64 of the adopted Residential Design Guide SPD. For these reasons, it is considered that the proposed first-floor side to rear extension would be a proportionate addition to the subject property and would respect the scale, character and appearance of the original dwelling and area.

In summary, it is considered that the proposal would comply with the aims and objectives of policies 7.4B and 7.6B of The London Plan (consolidated with alterations since 2011)(2015), Core Policy CS1B of the Harrow Core Strategy (2012), policy DM1 of the Harrow DMP and the adopted SPD: Residential Design Guide (2010).

Residential Amenity

Policy 7.6B, subsection D, of The London Plan (consolidated with alterations since 2011)(2015), 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.

The proposed front porch would be modest in scale and would overlook the forecourt of the application dwelling. As such, it is considered that this element would not have a detrimental impact on the residential amenities of the neighbouring occupiers.

The proposed first-floor side to rear extension would abut the shared boundary with the neighbouring property no. 92. It is acknowledged that the proposed first-floor side to rear extension would cast a shadow over the adjacent flank wall and rear garden area of no. 92 during the mid-afternoon. However, the first-floor flank wall of no. 92 features a window serving a bathroom and would therefore not be 'protected' for the purposes of the Residential Design Guide SPD (Paragraph 4.71). Furthermore, the flank wall window of the single storey rear extension would also not be 'protected' (Paragraph 6.72) of the adopted SPD. Consequently, it is considered that the proposed first-floor side to rear extension would have an amenity impact consistent with the adopted Residential Design Guide.

The proposed first-floor rear element would be set away 4.2m from the shared Party Wall with no. 96 and would not intercept the 45 degree horizontal line taken from the first floor rear corner of this neighbouring dwelling, thereby complying with paragraphs 6.28 – 6.31 of the Councils SPD Guidance.

Paragraph 6.28 of the adopted Residential Design Guide states that the 45 degree code guidance is intended to:

- i. Maintain a reasonable relationship between existing buildings and extensions
- ii. Avoid an overbearing visual impact in terms of bulk and proximity to boundaries both inside adjacent properties and from neighbouring gardens; and
- iii. Reduce potential loss of light and overshadowing to neighbouring dwellings and gardens.

Furthermore, Paragraph 6.29 states that 'the code should not simply be applied on a mechanical basis but always applied as part of an assessment of the site considerations'.

As proposed, the first-floor side to rear extension would breach the 45 degree line on the horizontal plane when measured from the adjacent rear corner of the neighbouring dwelling no. 92 Crowshott Avenue. However, it is important to note there is a staggered building line between the two dwellings and with no. 92 sited approximately 2.5m forward

of the application property. Furthermore, the proposed first-floor side to rear extension would be sited approximately 3.1m away from the flank wall of that neighbouring dwelling as a result of the modest width of the attached side garage. Additionally, the adjacent first-floor window of no. 92 is obscure-glazed and located on the flank wall, serving the bathroom. Therefore, while it is considered that the direct and ambient daylight light into that window may be reduced, the window would not be 'protected' for the purposes of the Residential Design Guide SPD as it does not serve a habitable room (Paragraph 4.71) and would therefore have an amenity impact consistent with the adopted SPD. Given that the proposed first-floor side to rear extension would only protrude 2.35m beyond the original wall of the dwelling, it is considered that the proposed addition would not be disproportionate to the host dwelling.

Whilst it is acknowledged that the first-floor side to rear extension would cast a shadow over the adjacent garden area of no. 92 during the later afternoon, it is considered that the impact of this would be softened by the distance maintained between the flank wall of the proposed first-floor side extension and that of the subject dwelling. In addition, no. 92 features a single storey rear extension which would reduce the visual impact of the proposed first-floor side to rear extension when viewed from the ground floor rear habitable room of that neighbouring dwelling. Although sited adjacent to the boundary with no. 92, the proposed first-floor side to rear extension would be a proportionate addition to the dwelling. For this reason, it is considered that the first-floor side to rear extension would not appear overbearing or unduly bulky when viewed from the adjacent rear garden/patio area of no. 92. As a result of the aforementioned site circumstances, it is considered that the breach of the 45 degree code in the horizontal plane would not unduly harm the residential amenities of the neighbouring occupiers at no. 92 Crowshott Avenue.

No windows are proposed in the flank walls of the proposed first-floor side to rear extension. To preserve the privacy amenities of the neighbouring occupiers, a condition is included prohibiting the insertion of windows into the flank walls of the proposed development.

In view of the above, it is considered that the proposal would accord with Policy 7.6B of The London Plan (consolidated with alterations since 2011)(2015), Policy DM1 of the DMP Local Plan (2013) and the guidance contained in the Council's adopted SPD Residential Design Guide (2010).

S17 Crime & Disorder Act

The proposal would not have any adverse impact on crime and disorder in the area.

Equalities and Human Rights

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

In determining this planning application the Council has regard to its equalities obligations under section 149 of the Equalities Act 2010. For the purposes of this report there are no adverse equalities issues arising from this proposal. However, it is noted that equality impact assessments play an important role in the formulation of planning policies; however their use in respect of this specific application is very much the exception rather than the norm. Taking proper account of the guidance contained in the London Plan Supplementary Guidance on Planning for Equality and Diversity in London (and in particular paragraph 2.6) the Council considers that there is no requirement for a

Consultation Responses

None

CONCLUSION

For the reasons considered above and weighing up the development plan policies and proposals and other material considerations, 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 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: 94CA01/15/01, 94CA01/15/02, 94CA01/15/03A, 94CA01/15/04B, 94CA01/15/09B, 94CA01/15/10B, 94CA01/15/11B, 94CA01/15/12

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

3 The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing adjacent wall(s) of the building.

REASON: To safeguard the appearance of the locality, in accordance with Core Policy CS1 B of the Harrow Core Strategy and 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 2015 (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s) shall be installed in the flank walls of the development hereby permitted without the prior permission in writing of the local planning authority.

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

INFORMATIVES

1 INFORMATIVE: The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (consolidated with alterations since 2011)(2015)

7.4B Local Character

7.6B Architecture

Harrow Core Strategy (2012)

CS1.B Local Character

CS10 Kenton and Belmont

Harrow Development Management Policies Local Plan (2013)

DM1 Achieving a High Standard of Development

Supplementary Planning Documents

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

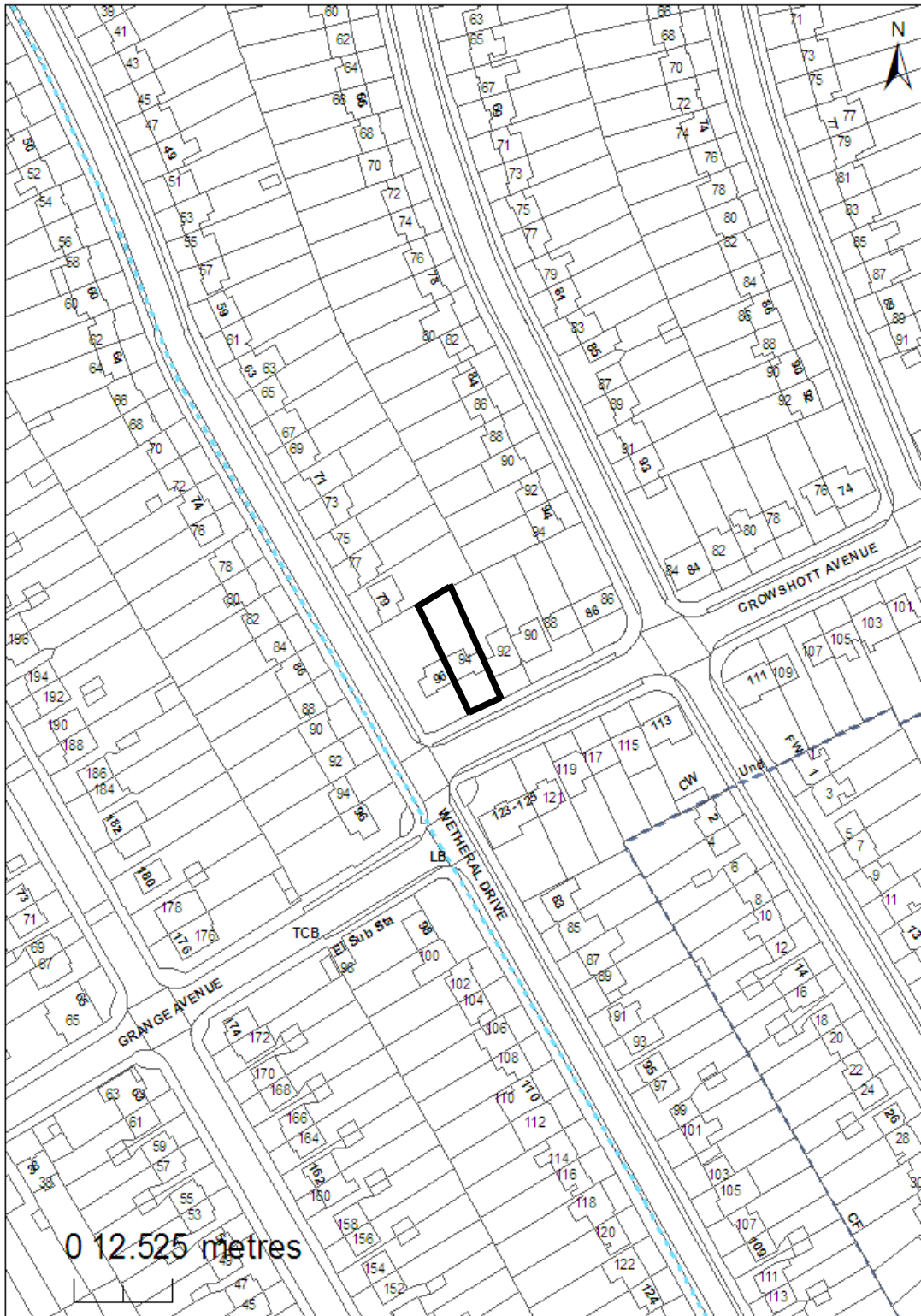
4 INFORMATIVE:

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. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

Plan Nos: 94CA01/15/01, 94CA01/15/02, 94CA01/15/03A, 94CA01/15/04B, 94CA01/15/09B, 94CA01/15/10B, 94CA01/15/11B, 94CA01/15/12

94 CROWSHOTT AVENUE, STANMORE



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecutions or civil proceedings. London Borough of Harrow LA 100019206. 2011. DIGITAL MAP DATA (C) COLLINS BARTHOLOMEW LTD (2010)



ITEM NO: 2/02
ADDRESS: 1 JOHN LAMB COURT, THE BYE WAY, WEALDSTONE
REFERENCE: P/1961/15
DESCRIPTION: CONVERSION WITH TWO STOREY SIDE EXTENSION TO WARDEN ACCOMMODATION TO TWO FLATS (CLASS C3); USE OF EXISTING TWO STOREY PROJECTION ON SIDE OF WARDENS HOUSE AS OFFICE/RECEPTION ON GROUND FLOOR AND RESPITE ROOM ON FIRST FLOOR; LINKED CANOPY OVER TWO CAR PARKING SPACES; BIN & CYCLE STORES; CANOPY OVER ENTRANCE TO FLAT 1A; EXTERNAL ALTERATIONS; LANDSCAPING
WARD: WEALDSTONE
APPLICANT: LONDON BOROUGH OF HARROW HOUSING SERVICES
CASE OFFICER: CONOR GUILFOYLE
EXPIRY DATE: 28/07/2015

RECOMMENDATION

Under Regulation 3 of the Town and Country Planning General Regulations 1992, **GRANT** planning permission for the development described in the application and submitted plans subject to conditions:

Regulation 3 applications are applications for planning permission by an interested planning authority to develop any land of that authority. In this instance, the applicant is the London Borough of Harrow Housing Services and the land at 1 John Lamb Court The Bye Way Wealdstone, HA3 7JJ.

INFORMATION

The application is reported to the Planning Committee because the application involves development on land owned by the Council which does not fall within category 1(h) of Part 1 of the Planning Scheme of Delegation.

Statutory Return Type: E.13 Minor Dwellings
Council Interest: Land owned by London Borough of Harrow
Gross Floorspace: 108.73 sqm
Net additional Floorspace: 157 sqm
GLA Community Infrastructure Levy (CIL) Contribution: £5,495
Harrow Community Infrastructure Levy (CIL) Contribution: £17,270

Site Description

- John Lamb Court is a two storey irregular shaped building built in the 1980's which is home to thirty two one-bedroom flats with on-call warden facilities housing senior residents.

- The application site comprises the warden accommodation (house) and a surrounding area of driveway/garden land on the wider John Lamb Court site.
- It also includes the current ground floor office/reception under the first floor bedroom serving the wardens house.
- The warden services are now provided on-call so the warden's house has remained empty for several years. It has remained empty because it is unsuited for a family residence due to its integration and proximity with the surrounding complex, particularly the warden block where the first floor third bedroom of the house overlaps the reception area below.
- The surrounding residential complex bounds the south-west and north-west of the application site (i.e. bounds the warden's house).
- In front of the warden's house (to the north-east) lies the existing driveway serving the site which is currently configured to provide for 7 car parking spaces (6 + 1 caretaker), and part of the communal gardens (primarily grass and elements of boundary shrubbery) serving the site, the majority of which are located to the south-west beyond the adjoining building, and to the far west of the site. The communal gardens form the south-east side of the site, which along with the entire south-east of the site, bounds open playing fields.
- To the north-east, beyond the driveway/communal gardens, the site is bounded by the rear garden fences of properties (Nos 22, 24 and 26) fronting 'The Bye Way'. Those properties lie approximately 22m - 27m from the existing warden building, and 10m - 12m from their rear garden boundary fences with the application site.
- The north-east boundary of the application site comprises the driveway/parking area serving the wider complex.
- The application site does not feature any TPOs or locally/statutorily listed buildings.
- The driveway/parking element of the site lies within the Environment Agency's 1 in 30, and 1 in 100, year functional flood plains, the latter being equivalent to Flood Zone 3a.

Proposal Details

- It is proposed to extend the existing three bedroom, two storey warden's house adjoining/integral to the main sheltered housing complex.
- The 6.73m depth of the existing house, across two storeys, would be doubled by a further 6.73m towards the south-east elevation, across the same 6.73m width of the building. This depth would align with that of the main building adjacent.
- A corridor runs parallel to, and forms the boundary wall of, the warden's house in the main building, across both floors. It features a balcony on the first floor at its end, facing south-east towards the playing fields. As the proposal would match the depth of that building and corridor, it would enclose the currently exposed side of that balcony, but retain its primary vista south-east towards the playing fields.
- The proposal would also involve roof alterations to accommodate the extension, with a higher ridge height than existing, but lower than elements of the main wider complex and of the same form/design and materials.
- In carrying out the above works, it is proposed to split the upper and lower floors into two separate residential units.
- At ground floor, a one bedroom wheelchair accessible flat would be created. It would feature a front door facing the car port to the north-east, and block in the existing front door facing north-west towards the driveway. The current ground floor office/reception (to the rear of the warden's house and partly under it's the first floor third bedroom), would be converted into a new independent office/reception area.

- At first floor, a two bedroom 'whole life' flat for occupants with special needs would be created.
- At first floor, the existing 'third' bedroom to the warden house, which is a recessed projection above the ground floor office/reception room, would be separated from the newly created flat. That room would serve a new respite room, accessed off the corridor running along its south-western boundary with the main building.
- An adjoining carport would also be created in the existing car park/driveway area which terminates directly in front of the building, with two dedicated accessible spaces created, along with spaces for wheelchair, cycle and bin storage facilities towards the north-east side corner of the carport.
- In front of the warden's house (to the north-east) lies the existing driveway serving the site which is currently configured to provide for 7 car parking spaces (6 + 1 caretaker). The proposal would feature a total of 8 parking spaces on the development through reconfiguration of the existing driveway/parking area, including the two serving the two new flats, and thus would not reduce existing parking provision on the wider site.

Revisions to Previous Application

- N/A

Relevant History

- N/A

Pre-Application Discussion (Ref.)

- (Internal) – Pre application advice for the extension and conversion of the former warden's dwelling at John Lamb Court to two flats – Issued 16/10/2014
 - Recommended support for the principle of the development if a more modest sized extension was proposed (since achieved), which could constitute an 'appropriate enlargement' of the 'garden land' dwelling, and avoid detrimental impacts on the amenities of the gardens of the adjacent dwellings in 'The Bye Way'.
 - Removal of balcony required to protect neighbouring amenity.
 - Design/materials/impacts on character and appearance satisfactory.
 - Proposal should include satisfactory information/mitigation for flooding.
 - Parking arrangements for new flats supported. Application supporting information should demonstrate that the operation parking requirements of the wider John Lamb Court complex would continue to be met.
 - There should be sufficient space for 3x wheelie bins per flat. Proposal should comply with the Council's Code in this regard.
 - Proposal should meet relevant space standards for the two flats.

Applicant Submission Documents

- Design and Access Statement

Consultations:

Highways Authority: No objection

Drainage Engineer: No objection subject to flood statement inclusion outlined at pre-application advice (since submitted and contained within the design and access statement)

Waste Management: No objection

Landscape architect: No objection

Tree officer: No objection

Social Services: No objection

Advertisement

N/A

Notifications

Sent: 74

Replies: 0

Expiry: 23-06-15

Addresses Consulted

74 properties were consulted on the following roads;

The Greenway

The Bye Way

John Lamb Court (The Bye Way)

The Meadow way

Summary of Responses

- None received

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 (consolidated with alterations since 2011)(2015) [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].

MAIN CONSIDERATIONS

Principle of the Development

Character and Appearance of the Area

Residential Amenity

Traffic and Parking

Flood risk and Drainage

Accessibility

S17 Crime & Disorder Act

Equalities and Human Rights

Principle of the Development

The proposal would involve garden land development (as part of the gardens of the wider John Lamb Court site), which is contrary to the aims of Policy CS1 (B) of The Harrow Core Strategy 2012. However, the Council's Supplementary Planning Document (SPD): Garden Land Development (2010) notes (para 3.6) that garden land development excludes certain forms of development, including (d) 'the conversion of an existing dwelling to flats or multiple dwellings, with or without any appropriate enlargement'.

In considering what constitutes 'appropriate enlargements', para 3.7 notes that "*it would be perverse to limit any proposals for the conversion or redevelopment of an existing dwelling or group of dwellings to the original footprint of those dwellings, but to ignore their appropriate enlargement potential*", and "*to reach a workable position on redevelopment proposals, the Council will allow any enlargement in footprint that is equivalent to whichever is the larger of either:*

- i. the footprint of any permitted extensions (excluding outbuildings) that could be exercised for the dwelling(s); or*
- ii. the footprint of an extension (excluding outbuildings) that would be consistent with Harrow's Residential Design Guide SPD."*

Paragraph 3.8 notes that in the consideration of the above scenarios, regard is paid to any increases in footprint already exercised as permitted development, or implemented from planning permission(s), in respect of the existing dwelling(s) to be demolished.

Given that the relationship of the warden dwelling with the rest of the building is not a conventional suburban relationship with a house set within a separate plot, consistent with the officer advice at pre-application state, in this case an appropriate enlargement is considered one that lines up with the rear elevation of the adjacent part of John Lamb Court and does not project beyond the existing flank wall of the warden dwelling, as is proposed. This arrangement would broadly double the footprint/size of the warden dwelling, as noted in the pre-application advice, but as explained in the following section, it is considered acceptable in terms of character and appearance (and thus the Residential Design Guide SPD aims as outlined in (ii) above).

Policy 3.8 of The London Plan (2015) also encourages the borough to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Further to this, Core Policy CS(1) states that "*new residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities*". Having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed conversion of an existing under-utilised housing asset into accommodation specifically designed and tailored for the intended users would in this instance constitute an increase in smaller housing stock, and particularly so that for those with the specific needs within the borough to which it is targeted, and would therefore also be acceptable in principle in this regard.

Accordingly, in this instance, the principle of the development is considered acceptable.

Character and Appearance of the Area

The National Planning Policy Framework (2012) advises at paragraph 58 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials.

The London Plan (2015) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2015) 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. The London Plan (2015) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.

Core Policy CS 1 (B) states that *“all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.”*

Policy DM 1 A of the Local Development Management Policies Local Plan (2013) states that: *“all development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance will be resisted”*. It goes on to say that *“The assessment of the design and layout of proposals will have regard to the context provided by neighbouring buildings and the local character and pattern of development and the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers.”*

The Council has published a Supplementary Planning Document on Residential Design (2010) which sets down the detailed guidance for residential extensions and new residential developments and reinforces the objectives set out under saved policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

Paragraph 6.11 of adopted Supplementary Planning Document (SPD): Residential Design Guide (2010) states that extensions should have a sense of proportion and balance, both in their own right and in relation to the original building and the area, and should not dominate the original building.

The proposal would double the size of the existing main element of the house across both floors. As such is clearly a substantial extension to the existing ‘building’. However that ‘building’ was originally designed, and intended, to be read as a broken down element of massing within the significantly larger main bulk and mass of the wider sheltered complex, and indeed both directly adjoins it, and appears dominated by its mass and bulk. For this reason, as outlined above, given that this existing context and relationship with the wider site, as originally intended/designed, the application site warden dwelling does not feature a conventional suburban relationship with a house set within a separate plot. As such, in in this case, whilst a large increase over existing, the proposed extension, by lining up with the rear elevation of the adjacent part of John Lamb Court, and not projecting beyond its existing flank wall, is considered an appropriately designed extension given its existing context, and whilst at the limits of what could be achieved under the above policy aims, in this case would sufficiently respect the character and appearance and overall design of both the host dwelling (warden house) and wider host sheltered housing building.

In coming to this view, regard is made to the proposed fenestration, materials and external changes such as windows and door insertions/infilling, where the changes

proposed are considered minor and not materially different than existing sufficient to cause discernible harm over existing.

Regard is also paid to the roof design. The ridge height of the roof would be increased over existing (as a result of the doubled depth of the property) which is normally discouraged by the residential SPD which favours a subordinate designed roof, usually articulated through stepped down/back ridges, or at most, a matching roof height. However it would match the ridge height of the existing main building element to the rear (south-west), whose depth it would match. Due to its 'squared off' footprint and roof form of that adjacent roof, increasing its ridge to match and subsume its roof profile into that wider hipped roof form, a more coherent and streamlined appearance is considered to arise, in contrast to attempts to lower the ridge which would require a crown and appear at odds with the wider roof in this regard.

Viewed in the wider built context of the substantially larger main housing complex building and roof, against which the warden house was originally designed and to which it retains an integral relationship, the proposed roof form, along with that adjacent, would still appear subordinate in scale/height and is acceptable in this regard. This subordinate design respectful of the existing built context would be further articulated through matching materials and elevation treatments, which ensure a sufficiently high quality external finish, and could be secured by condition.

In terms of the car port and wheelchair/cycle/bin store structures, these would clearly result in an additional built presence on the site where none currently exists. However in the context of their setting, they would be sited 'stepped back' from the rear depth/elevation building line facing the adjacent open space to their rear, and open 'driveway' space to their front. To the side, they would lie at least 10m from the nearest properties on The Bye Way. In this surrounding built context, and furthered by their single storey scale and stepped ridge height, when read against the two storey scale and roof form of the existing warden house/wider surrounding building complex, these additional built elements proposed on the site are not considered to represent additional bulk, mass and prominence to the detriment of the relatively open and suburban spacious character of this area. Furthermore, as per above, their design, particularly elevation treatment, materials and roof form, would relate to the host structure such that these impacts would be further reduced when viewed from both within the site and the surrounding context, particularly from the rear of properties on The Bye Way and the adjacent open land with regard to the latter.

Policy 7.21 of the London Plan (2015) seeks the maintenance, protection and enhancement of trees and woodlands, and states that when making planning decisions, existing trees of value should be retained and any loss as the result of development should be replaced where appropriate. This is echoed by Policy DM22 (Trees and Landscaping) of the Local Development Management Policies Local Plan (2013), where, in this instance of relevance is its need for trees identified for retention to be protected during construction and to be retained or replaced where necessary following the completion of the development. The paved terrace/paving behind the carport/stores would come in close proximity to the existing tree here, however this is a poor quality specimen which the Council's tree officer did not consider of high amenity value during discussions. No objection was therefore received in this regard, and furthermore, the proposed plans show hard and soft landscaping, including planting of an additional tree in front of the car port. As such, given the limited size of works and the already established landscaping on the site, the proposal is considered sufficient to accord with the above policies in this

regard.

Given the above considerations, in this instance the impact of the proposal on the character and appearance of the surrounding area is considered to satisfy policies 7.1D, 7.4B and 7.6B of The London Plan (2015), core policy CS1.B of the Harrow Core Strategy (2012), policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).

Residential Amenity

Policy 7.6B, subsection D, of The London Plan (2015) 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

Given the siting and depth/footprint of extension proposed, and their scale, the resultant flats would not breach a 45 degree horizontal or vertical plane to the adjacent flats in the wider John Lamb Court complex, namely those to the south-west whose depth it would match. A corridor in that adjacent main building runs parallel to, and forms the boundary wall with the application site, across both floors. On either level, it does not feature habitable rooms fronting it which would be disadvantaged as a result of the extension along the 'open' part of the corridor on the deeper element of that building. However at first floor level it features a balcony at its end, facing south-east towards the playing fields. As the proposal would match the depth of that building and corridor, it would enclose the currently exposed side of that balcony, but retain its primary vista south-east towards the playing fields. Whilst acknowledging that it forms part of a residential complex, given that the balcony does not serve a private residence or habitable room in this wider complex, and given the retention of its primary vista and the fact the proposal would not extend deeper than its main building on that elevation, whilst it would limited views to one side, the proposal is not considered to result in detrimental impacts to users of that balcony.

Behind the warden flat to the north-west, the proposal would not be discernibly different over existing except for its larger roof, which whilst increased in scale, is not considered sufficient to detrimentally impact upon the amenities of other flats in the main complex building.

To the north-east, beyond the driveway/communal gardens, the site is bounded by the rear garden fences of properties (Nos 22, 24 and 26) fronting 'The Bye Way'. Those properties lie approximately 22m - 27m from the existing warden building, and 10m - 12m from their rear garden boundary fences with the application site. Whilst the proposal would extend wider than existing when viewed from the rear of those properties, as it would retain the same fenestration orientation as existing, and would be no deeper or larger in scale than the building to which it would adjoin, it is not considered sufficient to be detrimental to the amenities of the occupiers of those properties.

The car port and ancillary storage buildings within its coverage would extend the built presence on the site noticeably closer to those properties and their rear gardens.

However this element of the scheme would not feature habitable rooms, and would be of single storey scale, albeit with a pitched roof. The overall footprint, mass and bulk of this element of the scheme, taking into account the scale of its roof, would still be limited in the context of its adjoining building and surrounding setting. With regard to this setting, it would be located up to half a metre from the rear boundary fence of a neighbouring property at its closest point. However most of it would be setback further from neighbouring boundary fences. Taking account of this setback, and the above considerations with regard to its size and scale, this element is therefore not considered sufficient to cause detrimental amenity impacts to the occupiers of the those neighbouring properties, or their rear gardens.

The balconies proposed at pre-application stage are no longer proposed, and thus such overlooking/privacy concerns relating to the above neighbouring properties are no longer relevant in this proposal.

Impact on future occupiers/layout, aspect and outlook

The existing house is dual aspect, featuring its main windows and doors on both the north-east front elevation (facing the drive/rear gardens on The Bye Way) and south-east (facing the rear garden/open land beyond. The extended building would continue to feature the same main dual aspect elevations and aspect, with the same opportunities for outlook. Combined with the fact it would match the depth of the main building adjoining it to the south-west, its scale, its retention of the same building form on the other sides, and its siting where it projects off the main building with spacing around three sides, the proposal is not considered to result in discernibly different impacts to the amenities of future occupiers than existing and would continue to provide acceptable impacts for occupiers with regard to the layout, aspect and outlook.

Amenity space

Paragraph 5.16 of the Residential Design Guide SPD seeks to ensure that all flats, with the exception of maisonettes above shops and mid terraced properties, have access to a garden. The garden/amenity area in front of the ground floor, bounding the south-east boundary with the adjacent playing fields would continue to feature, and a paved terrace area surrounding the rear of the carport and ground floor flat would continue to feature. Given the limited scale of the development, and its integral nature and setting within the wider site which features much larger additional areas of purpose designed garden/amenity land, and its setting directly adjacent to a park/playing fields/open space area, the proposal is considered to provide acceptable provision for future occupiers in terms of amenity space.

Room Size and Layout

Table 3.3 of the adopted London Plan (2015) specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan (2015) 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 Council's adopted SPD.

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 (2015) 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 (2015), 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).

When considering appropriate standards of accommodation and quality of design, the Council takes into account the minimum floor areas for new residential properties described in table 3.3 attached to policy 3.5 of The London Plan. The Council also takes into account the Housing Quality Indicators and the guidance in the London Housing Design Guide (2010). These Housing Quality indicators have now been incorporated into the Mayor of London's Housing Supplementary Planning Guidance (SPG) (2012), which requires new residential developments to achieve a high quality of design and living space for future occupiers.

The submitted plans show the ground floor flat as a 1 bedroom, 2 person flat and the first floor flat as a 2 bedroom (one double, one single), 3 person flat.

The relevant GIA's of the proposed flats and rooms, along with the relevant London Plan and / or Design Guide standards are summarised below.

	Gross Internal floor Area (GIA) (m²)	Kitchen/Living/Dining (m²)	Bedroom (m²)
Minimum floor areas	1 bedroom, 2 persons - 50 2 bedroom, 3 persons - 61	2 person - 23 3 person - 25	12 (Double) 8 (Single)
Ground floor flat (1b, 2p)	67	38	12 (Double)
First floor flat (2b, 3p)	77	35	14 (Double) 9 (double)

As noted from the above table, all five flats would have GIAs, bedroom and combined living areas that exceed the required minimum standards and are therefore satisfactory in this regard.

Stacking Arrangements & noise transmission/disturbance

Paragraph 5.12 of the Council's adopted Supplementary Planning Document – Residential Design Guide (2010) states that 'The vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. It is considered that the stacking of rooms would ensure that the proposed flats would not give rise to unacceptable level of noise transmission.

It is noted that the proposed bedrooms and living rooms in the flats would be located directly above one another respectively. The kitchens and bathrooms would not be located above a habitable room.

The flats would be separated by in internal hallway from the separate office/reception (at ground floor level) and the respite room (at first floor level), which would both be sited on the far side of the hallway, via separate access points from the main building, and as such are not considered to be detrimentally affected by the use of those rooms.

The layout of the flats in this regard is therefore considered acceptable.

Refuse provision

Policy DM 1 of the DMP give advice that bin and refuse storage must be provided “*in such a way to minimise its visual impact, while providing a secure and convenient facility for occupiers and collection*”. Policy DM 45 of the DMP requires proposals to make satisfactory on-site provision for waste provision.

The Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties specifies that developers should provide one 240 litre brown wheeled bin (organic waste), one 240 litre blue wheeled bin (recycle waste) and one 240 litre dark grey wheeled bin (refuse) for each household. In this case, a total of six bins for both flats would be required for the proposal.

The pre-application advice stated that there should accord with the above requirements.

The proposal's design and access statement notes that the main block is serviced by an existing bin system, with a domestic waste system proposed for the two new flats to facilitate independent refuse waste storage and recycling (with various recycling storage options) for each flat as follows;

Ground floor flat: the rear garden facilitates wheelie bins whilst small recycling caddy bins can be stored dry under the carport or in the store.

First floor flat: features designated wheelie bin storage at the rear of the carport in a designated bin store and potential caddy bins can be store at the rear of the carport.

The above arrangement allows for a degree of flexibility, such as the ground floor flat being able to store wheelie bins away from the rear garden under the carport if so desired, with space to do without compromising the turning/parking spaces for vehicles and refuse vehicles accessing/servicing/parking. The car park currently accommodates refuse vehicle on bin collection days. The large disabled parking bays under the car port would allow ample circulation for bin retrieval/collection. Therefore given the above, the proposal is considered sufficiently acceptable in accordance with the above policies and the Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties, consistent with the pre-application advice.

Overall, in terms of its impact on the amenities of adjacent and future occupiers, the proposal is therefore considered acceptable and to provide a sufficiently high quality of living accommodation, in accordance with Policy 3.5 of The London Plan 2015, Policy DM 1 and DM45 of the DMP and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010).

Traffic and Parking

The London Plan (2015) Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan (2015) sets out maximum parking standards for new development dependant upon their use and level of public transport accessibility.

In the context of the conversion of the house to two x two bedroom flats (2 person and 3 person), the proposal is not expected to measurably affect overall traffic generation to and from the site and parking demand given the existing baseline of activities and proximity to

existing services. A maximum of 1 parking space to each flat would be required in accordance with the above London Plan requirements.

Two parking spaces are proposed, both being accessible spaces given the target occupiers of the flats, which would satisfy the above policy requirements.

The Council's Highways Authority has not objected to the proposal in this regard. Two cycle spaces for the flats should also be provided, however given the target users of the flats who may not be able to cycle, and the covered nature of the car port and the store rooms provided, these are considered sufficient storage for bicycles in this regard in this instance. No additional car or cycle spaces are considered necessary for the reception/office and respite room in this instance given the target users of those, and the existing established use of the wider host building and site in this regard, with no intensification proposed to take place in this regard which would warrant additional provision.

Accordingly the proposal is considered acceptable in this regard.

Flood Risk and Drainage

The driveway/parking element of the site lies within the Environment Agency's 1 in 30, and 1 in 100, year functional flood plains, the latter being equivalent to Flood Zone 3a.

At pre-application stage the Council's drainage engineer stated that they did not object to the proposal would require a statement outlining adherence to certain criteria in this regard, which has been submitted by the applicant within the design and access statement. They have therefore not objected to this application. If approved, the details in the statement would become an approved document of the permission and as such the proposal would fulfil the objectives of the NPPF concerning managed impacts upon flood risk and satisfy London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policies DM 9 and 10 of the Harrow Development Management Polices Local Plan (2013) in this regard.

Accessibility

The London Plan (2015) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policy 7.2. Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan seek to ensure that all new housing is built to 'Lifetime Homes' standards.

Policy CS1.K of the Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. The Council's adopted Supplementary Planning Document *Accessible Homes 2010* (SPD) outlines the necessary criteria for a 'Lifetime Home'.

The proposal would provide adequate corridor and doorway widths and the layouts would provide adequate turning space as shown on the submitted drawings. Space has been provided for a floor platform lift for future adaptation to service the first floor flat if required at a later date. The topography of the site is gently sloping, making it suited for wheelchair and the ambulant disability providing level access to Part M Building Regulation standards. The ground floor flat would allow for access to the rear garden in this regard.

It is considered that the applicant has suitably demonstrated on the submitted plans that the proposal would be consistent with planning policies requiring the highest standards of

accessibility and inclusion as set out above. Therefore the proposal would comply to policies 3.5C, 3.8B and 7.2C of The London Plan, policy DM 2 of the Harrow DMPLP (2013) and the Council's Supplementary Planning Document: Accessible Homes.

S17 Crime & Disorder Act

Policy 7.3 of The London Plan (2015) seeks to ensure that developments should address security issues and provide safe and secure environments, and that crime prevention should be integral to the initial design process of any scheme.

It is considered that the proposed development would not have any adverse crime or safety concerns.

Equalities and Human Rights

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

In determining this planning application the Council has regard to its equalities obligations under section 149 of the Equalities Act 2010. For the purposes of this report there are no adverse equalities issues arising from this proposal. However, it is noted that equality impact assessments play an important role in the formulation of planning policies; however their use in respect of this specific application is very much the exception rather than the norm. Taking proper account of the guidance contained in the London Plan Supplementary Guidance on Planning for Equality and Diversity in London (and in particular paragraph 2.6) the Council considers that there is no requirement for a Race Equalities Impact Assessment.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, 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 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: HAM-0034 PP1-01 REV 2.3 & HAM-0034 PP1-02 REV 2.3 & design and access statement

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

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

INFORMATIVES

1 The following policies are relevant to this decision

National Planning Policy Framework (2012) (NPPF)

The London Plan (2015):

- 3.1 Ensuring Equal Life Chances For All
- 4.1 Developing London's Economy
- 4.5 London's Visor Infrastructure
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 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
- 7.6 Architecture

Harrow Core Strategy 2012

Core Policy CS 1 Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

- Policy DM 1 Achieving a High Standard of Development
- Policy DM 2 Achieving Lifetime Neighbourhoods
- Policy DM 9 Managing Flood Risk
- Policy DM 10 On Site Water Management and Surface Water Attenuation
- Policy DM 12 Sustainable Design and Layout
- Policy DM 22 Trees and Landscaping
- Policy DM 42 Parking Standards
- Policy DM 44 Servicing
- Policy DM 45 Waste Management

Relevant Supplementary Documents

- Supplementary Planning Document Access for All (2006)
- Supplementary Planning Document Residential Design Guide (2010)
- Mayor Of London, Housing Supplementary Planning Guidance (November 2012)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)

2 INFORM61_M

Please be advised that approval of this application attracts a liability payment of £5,495 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 £5,495 for the application, based on the levy rate for H arrow of £35/sqm and the stated floorspace of 157sqm

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>

3 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: £17,270.

4 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

5 PARTY WALL ACT:

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

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

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

"The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from:
Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB
Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

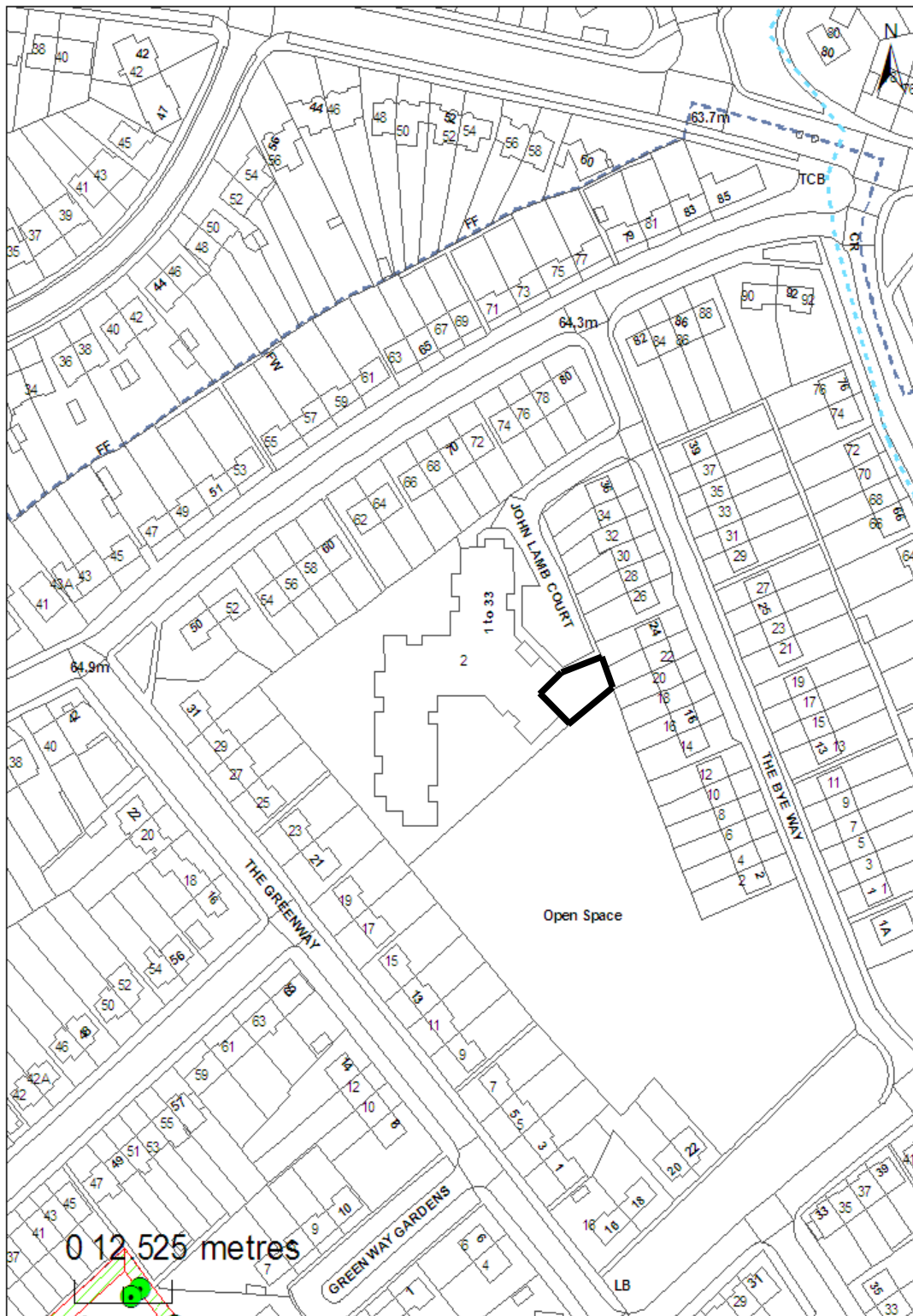
Textphone: 0870 1207 405

E-mail: communities@twoten.com

6 GRANT WITH PRE-APPLICATION ADVICE

Plan Nos: HAM-0034 PP1-01 REV 2.3 & HAM-0034 PP1-02 REV 2.3 & design and access statement

1 JOHN LAMB COURT, WEALDSTONE



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecutions or civil proceedings. London Borough of Harrow LA 100019206. 2011. DIGITAL MAP DATA (C) COLLINS BARTHOLOMEW LTD (2010)



ITEM NO: 2/03
ADDRESS: 28 PANGBOURNE DRIVE, STANMORE
REFERENCE: P/1525/15
DESCRIPTION: CONVERSION OF DWELLINGHOUSE TO TWO FLATS WITH AMENITY SPACE AND PARKING; SINGLE STOREY REAR EXTENSION; EXTERNAL ALTERATIONS
WARD: CANONS
APPLICANT: MR M PATEL
AGENT: CONSTRUCT 360 LTD
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 17TH JUNE 2015

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to conditions:

Statutory Return Type: E.13 Minor Dwellings

Council Interest: None

Gross Floorspace: n/a

Net additional Floorspace: less than 100sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A

Harrow Community Infrastructure Levy (CIL) Contribution (provisional): N/A

INFORMATION

The application is reported to the committee as in the opinion of the Divisional Director of Planning Services the proposals are of significant public interest and the application would therefore fall outside of proviso E of the Councils scheme of delegation.

Site Description

- The application relates to a two storey detached dwellinghouse on the northern side of Pangbourne Drive.
- The property has been extended through the addition of a single and two storey side extension and part single storey rear extension.
- The existing front garden is predominately hard surfaced with a small semi-circular area of shrub planting at the front.
- The rear garden area is grassed and extends to a depth of approximately 15 metres beyond the rear wall of the single storey rear extension.
- The external walls are white render and brick with white UPVC windows.
- The adjacent neighbouring dwellinghouse to the east, No. 26, has been extended with the addition of single and two storey side extensions and a single storey rear

extension.

- The adjacent neighbouring dwellinghouse to the west, No. 30, has been previously extended with the addition of single storey front and rear extensions.
- The surrounding area is characterised by detached properties of medium scale.

Proposal Details

- The application proposes the conversion of dwellinghouse to two flats with amenity space and parking a single storey rear extension together with external alterations.
- The proposed ground floor flat would contain 3 bedrooms, a large kitchen living area and a bathroom.
- The first floor would contain 2 bedrooms, a separate kitchen and living space and a bathroom.
- Access to the flats would be gained via the front porch entrance door. There is a further door on the west side of the front elevation and this would be removed and the existing window extended in its place. The existing door on the eastern flank elevation would be removed and replaced with a window.
- The proposed ground floor would be extended by a part infill single storey rear extension. This would have a depth of 2 metres and a width of 3.3 metres. It would have a flat roof with a height of 2.8 metres.
- The rear garden would be subdivided horizontally to provide two separate amenity spaces which would be accessed from the side passageway adjacent to the eastern flank wall of the property.
- Two parking spaces would be provided on the front driveway.
- Additional landscaping is proposed adjacent to the front elevation.

Amendments since previous planning application:

- N/A

Relevant History

LBH/3198 EXTENSION TO KITCHEN AND SUN LOUNGE
Granted 18-Apr-1968

HAR/408/A BEDROOM OVER EXISTING GARAGE
Granted 18-Oct-1949

Pre-Application Discussion (Ref)

- None

Applicant Submission Documents

- Design and Access Statement (Summary)
- It is considered that the existing property can easily accommodate 2 self-contained flats and that these flats are appropriate for the local area. The proposed roof extensions and single storey extensions are modest in size and blend in within the surrounding area.
- Harrow is a bustling multi-cultural borough and it is experiencing an increased demand for residential accommodation for all types and sizes

Consultations

- Highways Authority: No objection, subject to 4 cycle parking spaces.

Advertisement

- N/A

Notifications

Sent: 4

Replies: 69 including one petition with 59 signatures

Expiry: 21.05.2015

Summary of Responses

The comments of the petition and other neighbour comments are summarised as follows:

- Will result in an overdevelopment of the site
- Out of character with the road which comprises 1930s single occupation dwellings
- Parking facilities would be inadequate
- Would depreciate and lessen the value of neighbouring properties.
- There is no precedent for this sort of development in Pangbourne Drive or surrounding roads.
- The development would breach restrictive covenants on title which provides for the use of the property as single family dwellinghouse.
- The development would breach restrictive covenants on title that provide must that state the dwellinghouse must not be used in a manner which results in the depreciation of the value of the property or neighbouring properties
- Flats would take away from the residential feel of the road.
- The proposal will change the face of the area and will be detrimental to the local community.
- The proposal will exacerbate the traffic on the surrounding roads.
- The proposals would adversely alter the streetscape

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 2015 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], the Harrow Unitary Development Plan and the Harrow Development Management Policies Local Plan 2013 [DMP].

MAIN CONSIDERATIONS

Principle of the Development

Character and Appearance of the Area

Residential Amenity

Traffic and Parking

Accessibility

S17 Crime & Disorder Act

Equalities and Diversity

Principle of the Development

Policy 3.8 of The London Plan (2015) also encourages the borough to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Further to this, Core Policy CS(l) states that 'New residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities'. Policy DM 26 of the Harrow Development Management Policies Local Plan (2013) states that "*Proposals for the conversion of houses and other residential premises to multiple homes will be supported where they provide a satisfactory standard of accommodation and contribute positively to their surroundings*".

A large number of representations have been received which have expressed concerns with the loss of the single family dwellinghouse and the creation of two smaller units which may set a precedent for similar developments. However, there are no specific designations on the site or along Pangbourne Drive which seek to protect the retention of single family dwellinghouses. Conversely, the increase in smaller and more diverse housing stock is supported by the development plan. Paragraph 11 of the NPPF (2012) makes clear that "*planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise*".

Having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed conversion of the property would constitute an increase in smaller housing stock within the borough and would provide a satisfactory standard of accommodation for the future occupiers, and would therefore be acceptable in principle.

Character and Appearance of the Area

National Planning Policy Framework (2012) advises at paragraph 58 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials.

The London Plan (2015) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. 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. The London Plan (2011) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.

Core Policy CS 1 (B) states that 'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.'

Policy DM 1 A of the Local Development Management Policies Local Plan (2013) states that: "*All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout,*

or which are detrimental to local character and appearance will be resisted". It goes on to say that "The assessment of the design and layout of proposals will have regard to the context provided by neighbouring buildings and the local character and pattern of development and the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers."

The Council has published a Supplementary Planning Document on Residential Design (2010) which sets down the detailed guidance for residential extensions and new residential developments and reinforces the objectives set out under saved policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

Paragraph 6.11 of adopted Supplementary Planning Document (SPD): Residential Design Guide (2010) states that extensions should have a sense of proportion and balance, both in their own right and in relation to the original building and the area, and should not dominate the original building.

The proposed single storey rear infill extension would be a modest addition and would respect the scale of the property. It would not be visible from any public viewing points and would not detract from the appearance of the area. The second entrance door on the west side of the property would be removed and the existing window enlarged in its place. No other external alterations are proposed to the front elevation of the property and as such it would retain its appearance as a single family dwellinghouse within the street scene.

The current driveway is predominantly hard surfaced. The current area of landscaping at the front of the driveway would be retained and an additional strip of landscaping is proposed directly adjacent to the front elevation. Officers considered that a detailed scheme of hard and soft landscaping for the front driveway can be secured by a planning condition, as set out below, should approval be granted to ensure that proposal would make a positive contribution to the street scene.

Policy DM 26 of the Harrow DMPLP (2013) requires that adequate arrangements are in place for refuse and recycling which do not give rise to a nuisance for neighbouring occupiers. 3 bins for each flat would be provided within the private rear amenity spaces, adjacent to the side accessway. It is considered that the concealed location would be appropriate and would not be detrimental to the residential amenities of the neighbouring occupiers.

Overall, the proposed development is considered to be acceptable in terms of character and appearance. The proposal is therefore considered to comply with core policy CS1 (B) of the Harrow Core Strategy (2012), Policies 7.4 (B) and 7.6 (B) of The London Plan (2015), policies DM 1 and DM 26 of the Harrow Development Management Policies Local Plan (2013) and the Council's adopted Supplementary Planning Document - Residential Design Guide (2010).

Residential Amenity

Policy 7.6B, subsection D, of The London Plan (2015) 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.

Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) 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 (c)".

Policy DM 26 of the Harrow DMPLP (2013) requires that new flats to comply with the London Plan (2015) minimum space standards, achieve configurations which are fit for purpose, having regard to circulation storage space and room size and shape and that all habitable rooms should have a satisfactory environment in terms of privacy, daylight, outlook and exposure to external noise.

Impact on the Amenity of the Neighbouring Occupiers:

The existing 5 bedroom property has the potential to accommodate up to nine persons. The proposed conversion to two separate residential flats would potentially accommodate up to 10 persons and would therefore not be significantly different to the existing situation. Whilst it is acknowledged that the proposed conversion could marginally increase residential activity on the site, expressed through comings and goings to the property, it is however considered given the modest size of the proposed flats, that the proposed conversion would not be detrimental to the amenity of neighbouring occupiers, having regard to the residential character of the area.

The proposed single storey rear extension would not result in any detrimental impacts on the residential amenities of the occupiers of No. 30 as this property has an existing single storey rear extension which projects along the boundary and is deeper than that the proposed extension. It would have no impact on the occupiers of No. 26 as it would be buffered by the presence of the existing single storey rear extension. The existing door on the eastern flank wall would be replaced with a window. However, this would face towards the blank wall of the two storey extension of No, 26 and would therefore not give rise to any undue loss of privacy.

Impact on the Amenity of the Intended Occupiers of the Flats

- Private Amenity Space

Paragraph 5.16 of the adopted SPD states that 'The Council will seek to ensure that all flats (except for the conversion of maisonettes above shops and mid terraces properties) have access to a garden'.

The rear garden would be subdivided horizontally to provide separate rear amenity spaces for each of the flats. The area directly adjacent to the rear elevation would be allocated to the ground floor flat and would have a size of approximately 91m² which is considered to be sufficient for the number of occupiers. The amenity space for the first floor flat would be approximately 100m² which is considered to be very reasonable for the number of potential future occupiers.

- Refuse Storage

The Council requires that 3 bins are provided per flat in order to provide sufficient capacity for refuse and recycling. As discussed above 3 bins would be provided for each flat which would be satisfactory. The location would be convenient for the occupiers and would ensure bins could easily be brought to the front of the site on bin collection day.

- Room Size and Layout

Table 3.3 of the adopted London Plan (2015) specifies minimum Gross Internal Areas

(GIA) for residential units. Paragraph 3.36 of the London Plan (2015) 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 Council's adopted SPD.

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 (2015) 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). The spaces within each of the flats is set out in the table below:

	Gross Internal Floor Area	Kitchen/ Living/Dining	Bedroom
SPG (2012)	1 bedroom, 2 persons 50m ² 2 bedrooms, 4 persons 70m ² 3 bedroom, 6 persons 95m ²	2 persons 23m ² 4 persons 27m ² 6 persons, 31m ²	Double 12m ² Single 8m ²
GROUND FLOOR FLAT (6 persons)	125m ²	56.8m ²	Bedroom 1 18.8m ² Bedrooms 2 10.9m ² Bedroom 3 16.1m ²
UPPER FLOOR FLAT (4 persons)	100m ²	31.4m ²	Bedroom 1 18.1m ² Bedrooms 2 11.7m ²

With reference to the above table, the gross internal area of flats would be acceptable for the intended number of occupiers. The living areas in both the flats would also be in excess of the minimum standards sets out in the Housing SPG (2012). It is considered that adequate outlook and light would be provided for each of the flats. Overall, it is considered that the layout would provide a spacious and acceptable standard of accommodation for the future occupiers.

- **Stacking Arrangements**

Paragraph 5.12 of the Council's adopted Supplementary Planning Document – Residential Design Guide (2010) states that 'The vertical stacking of rooms between flats would largely ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. It is noted that there would be a partial overlap of the first floor bathroom and ground floor bedroom. However, having regard to the technical requirements of building regulations, a refusal on this basis is not considered to be justified. The applicant has outlined within their Design and Access statement that all walls and adjoining floors will be sound insulated to minimise sound transmission. Having regard to these factors, overall, It is considered that the stacking of rooms is satisfactory and would not give rise to unacceptable level of noise transmission.

For the reasons outlined above, it is considered that the proposal would provide a satisfactory standard of accommodation and would not be detrimental to the residential amenities of neighbouring occupiers. As such the proposal would comply with policies 3.5 and 7.6B of The London Plan (2015), policies DM1 and DM 26 of the Harrow Development Management Policies Local Plan (2013) and, adopted Supplementary Planning Document (SPD): Residential Design Guide (2010) and the Housing SPG (2012).

Traffic and Parking

The London Plan (2015) Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan (2015) sets out maximum parking standards for new development dependant upon their use and level of public transport accessibility.

In the context of the conversion of the existing 5 bedroom property to one x two bedroom flat and one x three bedroom flat, it is not expected to measurably affect overall traffic generation to and from the site and parking demand given the already existing baseline of activities. The site has a low PTAL rating of 2 and therefore although 2 spaces is at the upper end of The London Plan standards, it is considered to be acceptable in this instance. Similarly two accessible and secure cycle spaces per unit are required and a condition is recommended in relation to this. Subject to this condition, it is considered that the proposal would meet the above policy requirements and would not have a detrimental impact in terms of highway safety or traffic generation.

Accessibility

Saved Policies D4 and C16 of the Harrow Unitary Development Plan (2004) and policy 3.8 of The London Plan (2011) seek to ensure that all new housing is built to Lifetime Homes standard. Furthermore, The London Plan (2011) policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion. The supporting text at paragraph 4.112 emphasises that a truly inclusive society is one where everyone, regardless of disability, age or gender can participate equally.

The front entrance doors would not be level. However, there is scope to create a level entrance at this site and therefore a condition is recommended in this regard. There is sufficient manoeuvring space in the bedrooms and the living/kitchen areas for both the ground and first floor flat. Furthermore, the internal door widths meet the minimum 800mm requirement of the Accessible Homes SPD (2010). The bathrooms would be an adequate size for a wheelchair user. It is considered that the proposed development

would be accessible and inclusive in design for all and therefore the proposal would comply to policies 3.5C, 3.8B and 7.2C of The London Plan, policy DM 2 of the Harrow DMPLP (2013) and the Council's Supplementary Planning Document: Accessible Homes.

S17 Crime & Disorder Act

Policy DM 2 of the Harrow Development Management Policies Local Plan advises that crime prevention should be integral to the initial design process of a scheme. Policy 7.3 of The London Plan (2011) seeks to ensure that developments should address security issues and provide safe and secure environments. It is deemed that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard

Equalities and Human Rights

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

In determining this planning application the Council has regard to its equalities obligations under section 149 of the Equalities Act 2010. For the purposes of this report there are no adverse equalities issues arising from this proposal. However, it is noted that equality impact assessments play an important role in the formulation of planning policies; however their use in respect of this specific application is very much the exception rather than the norm. Taking proper account of the guidance contained in the London Plan Supplementary Guidance on Planning for Equality and Diversity in London (and in particular paragraph 2.6) the Council considers that there is no requirement for a Race Equalities Impact Assessment.

Consultation Responses

- Will result in an overdevelopment of the site
- Out of character with the road which comprises 1930s single occupation dwellings
- Parking facilities would be inadequate
- Would depreciate and lessen the value of neighbouring properties.
- There is no precedent for this sort of development in Pangbourne Drive or surrounding roads.
- The development would breach restrictive covenants on title which provides for the use of the property as single family dwellinghouse.
- The development would breach restrictive covenants on title that provide must that state the dwellinghouse must not be used in a manner which results in the depreciation of the value of the property or neighbouring properties
- Flats would take away from the residential feel of the road.
- The proposal will change the face of the area and will be detrimental to the local community.
- The proposal will exacerbate the traffic on the surrounding roads.
- The proposals would adversely alter the streetscape

The comments received have been considered in the above appraisal. The issue of restrictive covenants and impact on properties values are not material planning considerations and should not be taken into account. As discussed above, the development would have a very limited impact on the character of the area and there are no planning policy reasons which seek to retain the properties on this site and along the rest of Pangbourne Drive as single family dwellinghouses. As such, in officer's opinion there are no material planning reasons which justify a

refusal of this application.

CONCLUSION

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 91 of the Town and Country Planning Act 1990.

2 The materials to be used in the external surfaces of the external alterations hereby permitted shall match those used in the adjacent rear walls of the existing building.

REASON: To safeguard the character and appearance of the locality in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

3 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. The development shall be completed in accordance with the approved details and thereafter be retained.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in accordance with policies DM 1 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in accordance with policies DM 1 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

5 The roof area of the single storey rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan.

6 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 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 safeguard the amenity of neighbouring residents and the character of the

locality in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan.

7 The windows in the flank elevations 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 safeguard the amenity of neighbouring residents, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

8 The development hereby permitted shall not commence until a plan indicating the positions, design, materials and type of boundary treatment to be erected for the rear gardens has been submitted to, and approved in writing by, the local planning authority.

The boundary treatment shall be completed:

- b: before the development is occupied

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan.

9 Prior to the occupation of the development, details of 4 secure cycle parking spaces on the site shall be submitted to and approved in writing by The Local Planning Authority. The cycle parking shall be implemented on site as approved and retained thereafter.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of sustainable transport, in accordance with policy 6.9B of The London Plan 2015 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

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

REASON: To safeguard the character and appearance of the area, and to enhance the appearance of the development, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

11 Prior to the occupation of the development hereby permitted, details of a level access to the property shall be submitted and approved in writing by the local planning authority. The details shall be implemented as approved and thereafter retained.

REASON: To ensure that people with disabilities have adequate access to the development and the development is built in accordance with the best practice principles of inclusive design and to comply with policy policies 7.1 and 7.2 of The London Plan (2015), policy DM 2 of Harrow Development Management Policies Local Plan (2013) and the Council's design guidance as laid out in 'Accessible Homes SPD (2010).

12 Save where varied by other conditions comprising this permission, the development hereby permitted shall be carried out and retained in accordance with the following approved plans: PD28-1004; PD28-1003A; PD28-1003; PD28-1002; PD28-1001; Design and Access Statement

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

INFORMATIVES

1 The following polices are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2015):

- 3.1 – Ensuring Equal Life Chances For All
- 3.3 – Increasing Housing Supply
- 3.4 – Optimising Housing Potential
- 3.5 – Quality and Design of Housing Developments
- 3.8 – Housing Choice
- 7.1 – Building London’s Neighbourhoods and Communities
- 7.2 – An Inclusive Environment
- 7.3 – Designing Out Crime
- 7.4 – Local Character
- 7.6 – Architecture

The Harrow Core Strategy (2012)

Core Policy CS 1(B)– Overarching Policy

Harrow Development Management Policies Local Plan (2013)

- Policy DM 1 – Achieving a High Standard of Development
- Policy DM 2 – Achieving Lifetime Neighbourhoods
- Policy DM 30 – Trees and Landscaping
- Policy DM 23 – Streetside Greenness and Forecourt Greenery
- Policy DM 24 – Housing Mix
- Policy DM 26 – Conversion of Houses and other Residential Premises
- Policy DM 27 – Amenity Space
- Policy DM 42 – Parking Standards

Supplementary Planning Documents / Guidance:

- Supplementary Planning Document – Access for All (2006)
- Supplementary Planning Document – Sustainable Building Design (2009)
- Supplementary Planning Document – Residential Design Guide (2010)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)
- Mayor of London’s Housing Supplementary Planning Guidance (November 2012)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

Procedures under this Act are quite separate from the need for planning permission or

building regulations approval.

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

Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

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

-You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.

-Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

-Beginning development in breach of a planning condition will invalidate your planning permission.

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

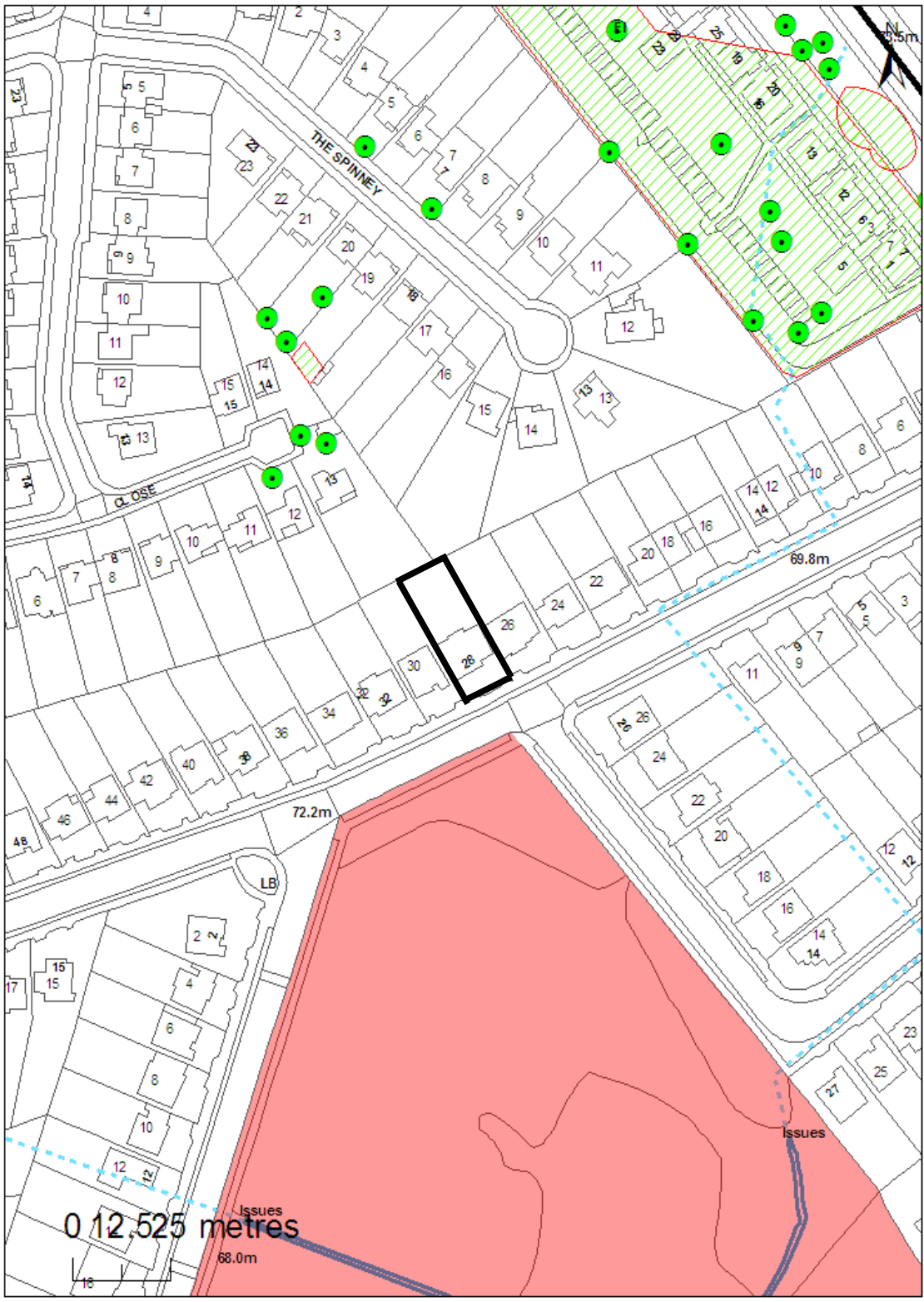
5 DUTY TO BE POSITIVE AND PROACTIVE

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. Harrow Council has a pre-application service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future applications.

Plan Nos: PD28-1004; PD28-1003A; PD28-1003; PD28-1002; PD28-1001; Design and Access Statement

28 PANGBOURNE DRIVE, STANMORE



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecutions or civil proceedings. London Borough of Harrow LA 100019206. 2011. DIGITAL MAP DATA (C) COLLINS BARTHOLOMEW LTD (2010)



ITEM NO: 2/04

ADDRESS: 6 AYLWARDS RISE STANMORE HA7 3EH

REFERENCE: P/0959/15

DESCRIPTION: VARIATION OF CONDITION 2 (MATERIALS TO MATCH EXISTING) OF PLANNING PERMISSION P/1767/12 DATED 17/04/2014 GRANTED ON APPEAL UNDER REFERENCE APP/M5450/D/13/2193372; TO READ THE EXTERNAL FINISHES OF THE DEVELOPMENT HEREBY PERMITTED SHALL BE AS SHOWN ON DRAWING NUMBER 150304-01 UNLESS OTHERWISE AGREED IN WRITING BY THE LOCAL PLANNING AUTHORITY AND CONDITION 5 (APPROVED DRAWINGS) PLANNING PERMISSION P/1767/12 DATED 30/11/12 GRANTED ON APPEAL ON THE 17/04/13 UNDER REFERENCE APP/M5450/D/13/2193372; TO READ THE DEVELOPMENT HEREBY PERMITTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THE DRAWINGS NUMBERED 150304-01 AND 110308-01.

WARD: STANMORE PARK

APPLICANT: MR & MRS A. SHARMA

AGENT: THE DRAWING ROOM (LONDON) LTD

CASE OFFICER: ABIGAIL CHAPMAN

EXPIRY DATE: 29/04/15

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to condition(s).

INFORMATION

The application is reported to the Planning Committee at the request of the Service Manager, development Management and Building Control given the history of applications on the site. The application was presented to the Planning Committee on the 27th May 2015 and a decision was made to defer the application for a Committee site visit on the 18th June 2015.

Statutory Return Type: Variation of Planning Conditions

Council Interest: None

Gross Floor space: 640.27 sq.

Site Description

The application site lies within the Harrow Weald Ridge Area of Special Character. The subject site is irregular shaped and located at the north western head of Aylwards Rise, which is a private cul-de-sac. Due to the subject site's location at the end of this cul-de-sac, the neighbouring properties at No's 5 and 7 are located to the north east and south east, respectively.

A large, two storey detached dwellinghouse is located within the front part of the site, setback approximately 12.0 m from the road boundary. This dwellinghouse has been constructed in the arts and crafts style and includes render clad brick and exposed brick on external walls at ground floor level; and hanging tiles on the external walls at first floor level. A tile clad hipped roof covers much of this dwellinghouse, although catslide roofs are located over the north eastern and south eastern wings seen from Aylwards Rise.

The original dwellinghouse has been extended in several phases. A two storey rear extension has been added to the rear or north western elevation (ref: LBH/24935). Two storey side extensions were added to the flank or south eastern elevation and single storey side to rear extensions have been added to the north eastern elevation (ref: E/50/93). As part of these latter extensions, the catslide roofs visible today were also added.

A single storey rear extension has also been added to the rear or south western elevation (ref: E/766/98).

The rear part of the site contains a large garden that slopes away from the dwellinghouse. This garden covers approximately three quarters of the site, has a maximum depth of approximately 35 m and a width that varies from approximately 13 m to 31 m. This garden is largely lawn covered with mature vegetation, including a TPO tree located around its periphery.

That part of the site located between the road and the front of the dwellinghouse is covered in hardstanding that is used for the parking and manoeuvring of vehicles as well as providing vehicular access to the garages located in the north eastern and south eastern wings.

Like the subject site, Aylwards Rise contains large detached dwellinghouses on large sites. These dwellinghouses have been constructed in a range of styles, ranging from arts and crafts to more contemporary designs.

Proposal Details

This application seek permission to Vary Condition 2 (Materials to Match Existing) of Planning Permission P/1767/12 dated 17/04/2014 granted on appeal under reference APP/M5450/D/13/2193372; to read The external finishes of the development hereby permitted shall be as shown on drawing number 150304-01 unless otherwise agreed in writing by the Local Planning Authority and Condition 5 (Approved Drawings) Planning Permission P/1767/12 dated 30/11/12 granted on appeal on the 17/04/13 under reference APP/M5450/D/13/2193372; to read The development hereby permitted shall be carried out in accordance with the drawings numbered 150304-01 and 110308-01.

The original house is finished in wood facing, tile hanging, render and brick and the extension is required by the Inspector's planning condition to match this. The applicant has applied to change the external finishes of the whole house being finished in white render, new windows and doors throughout to be blue/grey aluminium and the tiles to match the existing tiles on the roof. The porch is also indicated on the plans to have a flat roof rather than hipped. Drawing number 150304-01 indicates the proposed changes in materials.

Relevant History

P/1767/12 - Alterations, part two storey, part first floor side, rear extension, single storey front extension and loft conversion incorporating side and rear dormer windows; Refused 30/11/12; Appeal Allowed 17/04/13

P/2699/11 - Partial demolition of existing garage; partial demolition and reconstruction of existing roof; two storey side extension on north eastern side of property; single & two storey rear extension; front; rear and side dormers; canopy porch on front elevation; external alterations; internal demolition and reconfiguration - Refused - 12/12/11; Appeal Dismissed - 04/05/12

P/0629/11 - Partial Demolition of Existing Garage; two storey side extension on south eastern side of property; two storey and first floor front extensions; two storey side extension on north western side of property; single & two storey rear extension; front; rear and side dormers; canopy porch on front elevation; external alterations - Withdrawn

EAST/766/98/FUL - Single and two storey rear extension - Granted 28/10/98

EAST/50/93/FUL - Two storey side single storey side to rear extension - Granted 10/05/93

EAST/45844/92/FUL - Attached double garage and single storey side to rear extension - Granted 22/01/93 - Application not implemented

LBH/24935 - Two storey rear extension - Granted 05/04/84

HAR/12755 - Erection of House & Garage - Granted 22/03/57

Advertisement

n/a

Notifications

Sent: 8

Replies: 1

Expiry: 15/04/15

Addresses Consulted

20, 22 Aylmer Drive

2, 5, 7 Aylwards Rise

16, 17, 18 Fallowfield

Summary of Responses

Lack of information as Council cannot indicate the nature of the palette of the windows, rendering or roof

This change in materials would result in the house appearing incongruous and visually intrusive in the street scene

APPRAISAL

MAIN CONSIDERATIONS

Character and Appearance of the Area

Human Rights and Equalities

S17 Crime & Disorder Act

Consultation Responses

Character and Appearance of the Area

The street and surrounding area is characterised by large detached dwellings organic in design and finished materials. The loss of the original wood facing, tile hanging, and brick is not considered significantly harmful. Indeed, No. 7 Aylwards Rise and many other dwellings within the immediate area are finished in render. The Inspector added the condition regarding matching the materials to the existing dwelling to prevent the extension being finished in completely different materials to the main house and appearing as an alien feature attached to the dwelling. Rendering the whole house will not result in an unsightly mixture of materials and as indicated above is not uncommon throughout the estate. Furthermore, the aluminium windows are considered to make a positive contribution to the character of the dwelling and contemporary window design is evident through the estate. It is not considered that finishing the extended dwelling in render with aluminium windows will result in the development appearing visually obtrusive and incongruous within the street scene.

With regard to the amendment to the porch, this is not considered a significant material change to the original approval and furthermore is considered more in keeping with the character of the extended house.

It is therefore considered that the proposed development will comply with policy 7.4 of the London Plan 2015, policy CS1 B of Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Local Plan and which seeks to ensure that development proposals achieve a high standard of design and layout.

Human Rights and Equalities

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

In determining this planning application the Council has regard to its equalities obligations under section 149 of the Equalities Act 2010. For the purposes of this report there are no adverse equalities issues arising from this proposal. However, it is noted that equality impact assessments play an important role in the formulation of planning policies; however their use in respect of this specific application is very much the exception rather than the norm. Taking proper account of the guidance contained in the London Plan Supplementary Guidance on Planning for Equality and Diversity in London (and in particular paragraph 2.6) the Council considers that there is no requirement for a

S17 Crime & Disorder Act

It is deemed that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

Consultation Responses

A sample of the aluminium window frame was available on the site visit and a photograph of this sample has been attached to the planning file to view online for a number of weeks. The render will be finished in white and the tiles are to match the existing house. As such, it is considered that sufficient information has been submitted to determine the application

The impact of the development on the street scene is discussed within section 2- Character and Appearance of the area.

CONCLUSION

It is considered that the use of white render and the blue/grey aluminium windows is acceptable and will not be to the detriment of the character and appearance of the area. The proposed development will comply with policies 7.4 and 7.6 of The London Plan 2015, policy CS1 B of Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Local Plan which seek to ensure that development proposals achieve a high standard of design and layout.

It is recommended that the application is granted.

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 external finishes of the development hereby permitted shall be as shown on drawing number 150304-01 unless otherwise agreed in writing by the Local Planning Authority

REASON: To protect the character and appearance of the area in accordance with policy DM1 of the Harrow Development Management Policies Local Plan and policies 7.4 and 7.6 of the London Plan 2011 which seek to ensure that development proposals achieve a high standard of design and layout.

3) Prior to any equipment, machinery or materials being brought on to the site for the purposes of the development measures for the protection of retained trees shall be undertaken in accordance with the arboriculture impact assessment Ref. 133a0011 1470 dated 22 June 2012. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered and nor shall any excavation take place within those areas without the prior written consent of the local planning authority. The measures shall remain in place until the completion of the development.

REASON: To safeguard the retained trees on site in accordance with policy DM22 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 windows/dormer windows other than those expressly authorised by this permission shall be constructed in any roof plane of the dwelling or any wall of the extension hereby permitted.

REASON: To safeguard the residential amenities of adjoining residential occupiers in accordance with policy DM1 of the Harrow Development Management Policies Local Plan 2013

5) Notwithstanding the detail shown on the approved plans, detailed drawings showing the following modification to the scheme shall be submitted to and approved in writing by the Council before any work is commenced on site:

Revised elevations and plans showing the removal of the triangular projection which appears to be a roof light extending beyond the roof line.

This part of the development shall be completed only in accordance with the modifications thus approved.

REASON: This triangular projection is considered unsatisfactory in the form shown on the drawings to date and this aspect of the scheme should be modified to ensure an acceptable form of development in accordance with Core Policy CS1 B of the Harrow Core Strategy and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

6) Other than as is required by condition 5, the development hereby permitted shall be carried out in accordance with the drawings numbered 150304-01 and 110308-01.

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

INFORMATIVES

The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (consolidated with alterations since 2011)(2015)

7.4 – Local Character

7.6 – Architecture

The Harrow Core Strategy (2012)

Core Policy CS1 – Overarching Policy

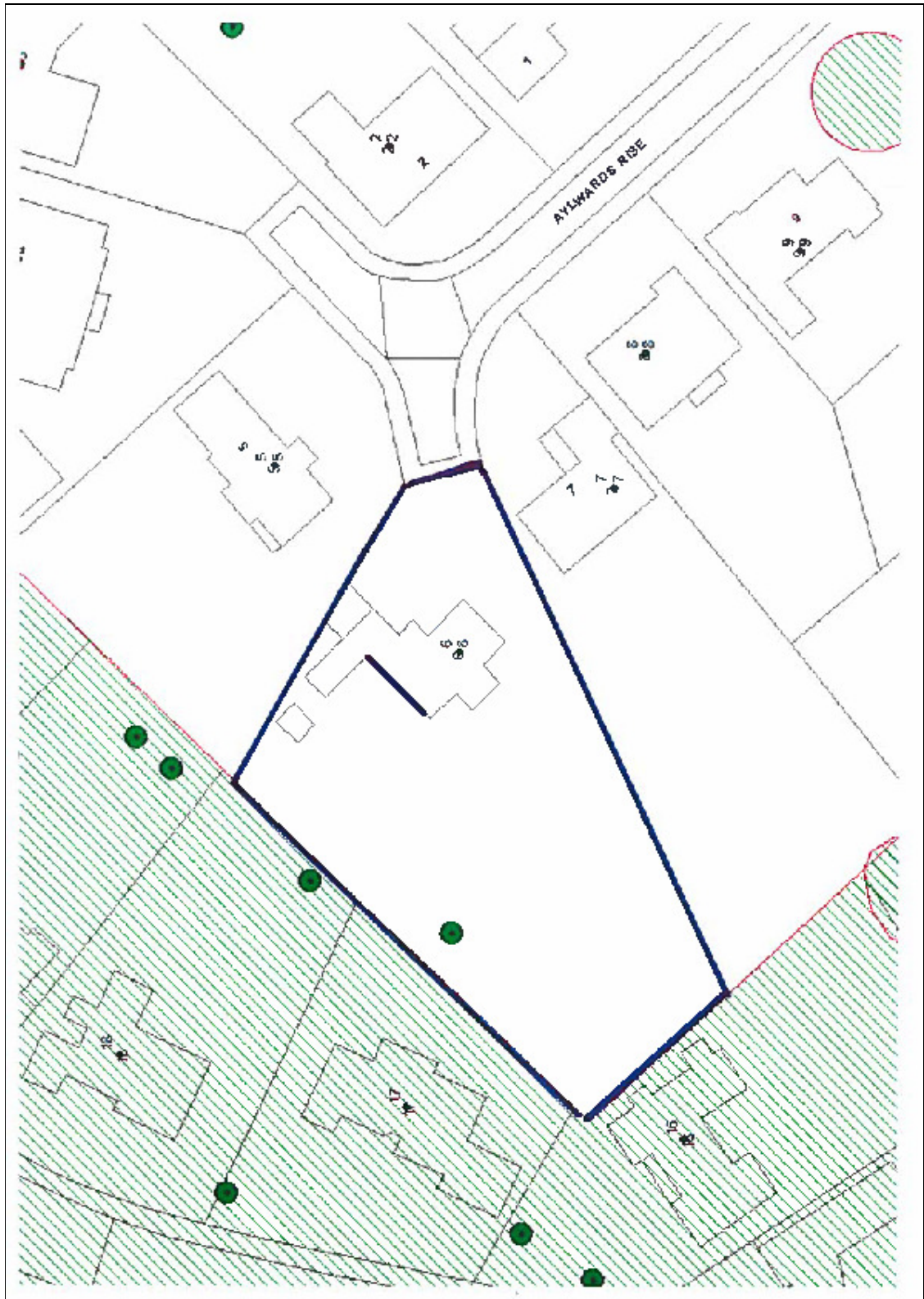
Core Policy CS7 - Stanmore & Harrow Weald

Harrow Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

Plan No's: 150304-01

6 AYLWARDS RISE, STANMORE



SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.