

SECTION 1 – MAJOR APPLICATIONS

ITEM NO: 1/01

ADDRESS: BRADSTOWE HOUSE, HEADSTONE ROAD, HARROW

REFERENCE: P/2283/15

DESCRIPTION CHANGE OF USE OF PART OF GROUND FLOOR FROM FLEXIBLE A1/A2/A3 USE TO HEALTH AND FITNESS/GYMNASIUM (CLASS D2)

WARD: GREENHILL

APPLICANT: THE GYM GROUP

AGENT: CGMS LTD

CASE OFFICER: CALLUM SAYERS

EXPIRY DATE: 07/01/2015

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans for the following reason, subject to conditions:

REASON

The proposed change of use seeks to change the ground floor of the development from a flexible A1/A2/A3 use to a D2 use class, which would specifically be used as a 24 hour gym. The proposed change of use would continue to provide employment floorspace, whilst also providing a use that would ensure the vibrancy and vitality of the town centre would be maintained. Furthermore, the proposed change of use would continue to provide an active frontage to the streetscene, which ensures that the character of the town centre streetscape would also be maintained. Mitigation measures in place would ensure that there would not be unacceptable harm to the nearby residential occupiers, and the development would not lead to harm to the safety and free flow of the public highways.

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 (2015), the Harrow Core Strategy 2012 and the Harrow Development Management Plan Policies (2013), and to all relevant material considerations, and any comments received in response to publicity and consultation.

INFORMATION:

This application is being reported to committee as the proposal constitutes a change of use of more than 400sqm of non-residential floor space, and excluded by provision 1D of the Scheme of Delegation dated 29 May 2013.

Statutory Return Type: E:12: Small scale Major Development

Council Interest: None

Gross Proposed Internal Floorspace: N/A

Net Additional Floorspace: 0sqm

GLA Community Infrastructure (CIL) Contribution: Not applicable as no net additional floor space

Site Description

- The application site comprises Bradstowe House, a ten storey building that is a subject to an approved planning permission (ref EAST/106/01/FUL). The development is substantially constructed.
- Planning permission was granted in 2005 for a multi-storey development arranged in terraced blocks with finished height ranging from 2-10 storeys high and comprising 144 open market apartments (128 x 2 bedroom units and 16 x 1 bedroom units), retail floorspace of 1,617sqm, a health club/leisure centre of 3,273sqm, a servicing area of 499sqm and two floors of basement car parking to provide 203 spaces.
- The approved scheme was subsequently superseded whereby the health and leisure centre to be located on the first floor, was changed to provide for further residential units. The ground floor remained as a flexible A1/A2/A3 use class.
- Work on the site has commenced with the glazing and panelling having been installed.
- Residential occupancy of the upper floors is the process of commencing and almost complete.

Proposal Details

- It is proposed to change the use of 1315sqm of the ground floor from flexible A1/A2/A3 to D2 (Gym).
- The Gym group proposing to utilise the floor space and would operate on a 24 hour basis
- No classes are held within the ground floor.
- Low level music would be played and would not be accessible to patrons of the Gym.
- Sound insulating drop mats would be located within the free weight area to assist in mitigating noise nuisance of weights being dropped.
- It is not proposed to make any external alterations.

Relevant History

P/2021/07

Discharge of conditions 2 (materials), 3 (access), 6 (vehicular access), 7 (sight lines), 11 (levels), 12 (storm water attenuation) pursuant to permission EAST/106/01/FUL
GRANT - 15/08/2007

P/1205/13

Variation of condition 18 (approved plans) attached to planning permission EAST/106/01/FUL dated 16/09/2005 to increase the number of residential flats within the development from 144 to 177 and revise the mix to 60 one bedroom and 117 two bedroom apartments, remove the Class D2 floorspace from the first floor, remove dome and balustrade from the top floor and simplification of elevation to ground floor on Greenhill Way elevation
GRANT : 16/10/2013

P/1753/15

Details pursuant to condition 18 (construction logistics plan) attached to p/1205/13 granted on 16/10/2013
GRANT : 11/08/2014

P/1866/15

Details pursuant to Condition 11 (attenuation) attached to P/1205/13 granted on 16/10/2013 for variation of condition 18 (approved plans) attached to planning permission EAST/106/01/FUL dated 16/09/2005 to increase the number of residential flats within the development from 144 to 177 and revise the mix to 60 one bedroom and 117 two bedroom apartments, remove the Class D2 floorspace from the first floor, remove dome and balustrade from the top floor and simplification of elevation to ground floor on Greenhill Way elevation.
APPROVE : 12/06/2015

P/1866/15

Details pursuant to Condition 11 (attenuation) attached to P/1205/13 granted on 16/10/2013 for variation of condition 18 (approved plans) attached to planning permission EAST/106/01/FUL dated 16/09/2005 to increase the number of residential flats within the development from 144 to 177 and revise the mix to 60 one bedroom and 117 two bedroom apartments, remove the Class D2 floorspace from the first floor, remove dome and balustrade from the top floor and simplification of elevation to ground floor on Greenhill Way elevation.
GRANT : 12/06/2015

P/2323/15

Details pursuant to Condition 21 (air quality assessment) for planning permission P/1205/13 dated 16.10.2013 for variation of Condition 18 (approved plans) attached to planning permission EAST/106/01/FUL dated 16.9.2005 to increase the number of residential flats within the development from 144 to 177 and revise the mix to 60 one bedroom and 117 two bedroom apartments, remove the class D2 floorspace from the first floor, remove dome and balustrade from the top floor and simplification of elevation to ground floor on Greenhill Way elevation
GRANT : 09/07/2015

P/3237/15

Details pursuant to Conditions 7 (Car Parking), 8 (Landscaping), 11 (Surface Water Attenuation), 12 (Refuse Storage), 14 (Highway Works), 15 (Parking Spaces), 16 (Travel Plan), 17 (Cycle Storage) and 21 (Air Quality Assessment) for planning permission P/1205/13 dated 16.10.2013 for variation of Condition 18 (approved plans) attached to planning permission EAST/106/01/FUL dated 16.9.2005 to increase the number of residential flats within the development from 144 to 177 and revise the mix to 60 one bedroom and 117 two bedroom apartments, remove the class D2 floorspace from the first floor, remove dome and balustrade from the top floor and simplification of elevation to ground floor on Greenhill Way elevation
GRANT : 03/09/2015

P/3299/15

Removal of Condition 19 (Vacancy Strategy), attached to Planning Permission P/1205/13 dated 16/10/13 to allow the submission of the vacancy strategy within six months of completion.
GRANT : 08/10/2015

Applicant Submission Documents

- Supporting Letter
- Health & Fitness Operational Note

Consultations

Policy & Research: No Objections

Highways: No Objection in this instance. The existing building is physically restricted and as such is unable to provide further bicycle storage within the site. However, the proposed use under this application would require less parking provision to that which is currently approved, under the current London Plan (2015) requirements.

Sport & Cultural Services: No Comment Received

Advertisement: Major Development

Published: 22nd October 2015

Expiry: 19th November 2015

Site Noticed

Erected: 23th October 2015

Expiry: 20th November 2015

Notifications

Sent: 11

Replies: 0

Expiry: 30th October 2015

Summary of Responses:

- None

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 amendments since 2011) (2015), the Harrow Core Strategy 2012, Harrow and Wealdstone 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).

MAIN CONSIDERATIONS

Principle of Development and Land Use

Character and Appearance of the Area

Amenity

Traffic and Parking
Accessibility
Equalities
S17 Crime & Disorder Act
Consultation Responses

Principle of Development and Land Use

The National Planning Policy Framework [NPPF] sets out a strategy to provide for sustainable development and considers that ensuring the vitality of town centres is a key tenet in securing sustainable development. Town centres should be recognised as the heart of communities and policies should be pursued which ensure their viability and vitality, thereby ensuring competitiveness and customer choice.

In terms of whether the principle of this development is considered acceptable, it is noted that The London Plan (2015) Policy 4.7 sets out that the Mayor supports a strong, partnership approach to assessing need and bringing forward capacity for retail, commercial, culture and leisure development in town centres. The policy sets out that in taking planning decisions on proposed retail and town centre development, the local planning authority should seek to ensure that the scale of retail, commercial, culture and leisure development should be related to the size, role and function of a town centre and its catchment; that retail, commercial, culture and leisure development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport, and; that proposals for new, or extensions to existing, edge or out of centre development will be subject to an assessment of impact.

Strategic objective 11 of The Harrow Core Strategy (2012) identifies that the Council aspires to “Strengthen Harrow town centre and maintain or enhance the vitality and viability of all town centres...” The Harrow Core Strategy (2012) Core Policy CS1L states that “Harrow’s town centres will be promoted as the focus for community life, providing residents with convenient access to a range of shops, services, cultural and leisure facilities, as well as local employment opportunities and areas of good public transport.”

The unit is located in Harrow's Metropolitan town centre but is not part of the designated primary shopping area or primary shopping frontage. Policy AAP18 of the Area Action Plan encourages the use of ground floor premises for purposes that are appropriate town centre, community and economic uses. Such uses would only be supported where that can meet the following criteria;

AAP18B(a) in the case of non A class uses, a window display or other frontage appropriate to the centre would be provided; and

AAP18B(b) the use would not be detrimental to the amenity for neighbouring occupiers (see Policy DM1) or highway safety.

Both Policy AAP18B(a) and (b) are considered later within this report.

Firstly, the use of the premise must be such a use that would be appropriate in a town centre location, and ensure that it remains a use that would contribute to the vibrancy of the town centre. It is proposed that the D2 use on the ground floor would provide a 24 hour gym. A gym use is considered to be an appropriate town centre use as it would continue to attract people into the area and in particular, this site. Furthermore, the

proposed D2 use would ensure that the floor space of the ground would continue to provide an employment use space within the town centre. For these reasons, it is considered that the principle of the change of use from a flexible A1/A2/A3 to a D2 use as a Gym, would be an appropriate use in this location.

Any change of use of the property shall be considered to ensure that it is a compatible use within the area, and would not result in any harm to the amenity of neighbouring properties, in particular to any residential occupiers. It is noted that the floors located above the ground floor unit are being built out to be residential in nature.

Character and Appearance of the Area

Policy DM1 of the Harrow Development Management Local Policies Plan 2013 (DMP) requires all new development to provide a high standard of design and layout, respecting the context, siting, scale and surrounding environment. Policy DM1 reflects policies 7.4B and 7.6B of The London Plan (2015) and policy CS 1.B of the Harrow Core Strategy 2012 which seek to ensure that development respects local character and enhances the public realm.

It is not proposed to make any external alterations to the unit. Furthermore, the proposed change of use would continue to provide an active frontage to the shopping centre therefore ensuring the existing character of the shopping centre is maintained.

It is therefore considered that the proposed change of use would not result in any adverse effect on the character and appearance of the surrounding area to therefore complying with policies 7.4B and 7.6B of The London Plan (2015), policy DM1 of the Harrow Development Management Local Policies Plan 2013.

Amenity

Policy DM1 of the Harrow Development Management Local Policies Plan (2013) seeks to ensure a high quality of development that would not be harmful to the amenity of neighbouring occupiers.

The supporting documents indicate that the proposed use of the ground floor as a gym would operate on a 24 hour basis. It is noted that the recently completed building known as Bradstowe House, would have residential use on the floors above the gym. Accordingly, there is the potential for there to be nuisance to these occupiers.

Supporting documents submitted by the applicant states that whilst the proposed use would be on a 24 hour basis, evidence collated to demonstrate the typical usage of the other facilities under the applicant's ownership demonstrate that approximately 9% of visits are made between the hours of 2200 and 0600. Peak usage of the facility is between 1200 to 1400 and from 1600-2000. Accordingly, it is considered that the usage of the facility during hours outside of traditional business hours would be relatively low. The Gym Group has been operating a similar facility in North Harrow for a number of years, where there are also residential uses above, without known detriment to the amenities of the occupiers above that property.

In conjunction with the typical hours of use of the development, other mitigating factors are in place to ensure that noise nuisance would not unacceptably harm residential amenity. Low level background music is played, and remains at a low level as most customers prefer to utilise personal headphone type sound devices. The background music as stated is relatively low level, and would not be able to be interfered with by

customers. Furthermore, the Gym does not offer studio style classes, which traditionally would result in a much louder level of amplified music. Audio/Visual equipment is placed on snit-vibration mounts, with volume limiters on all equipment to restrict sound to an acceptable level.

The proposed floor plan indicates a free weight area. It is proposed to fit out the entire floor area with material which would provide sound insulation to the equipment and also reducing impact wound. Furthermore, acoustic mats are laid in the free weight area which further reduces noise nuisance caused by the impact of free weights being dropped.

The proposed development would therefore comply with policy 7.15.B of The London Plan (2015) and policy DM1 of the Harrow Development Management Local Policies Plan 2013.

Traffic and Parking

The Highway Authority has commented on the application and has not raised any objections, albeit the Highways Authority have suggested that additional cycle spaces be provided. The proposed change of use of the property would not have any significant impact on the transport use profile of the centre and it is considered that the development would not therefore have any adverse impacts on highway safety or convenience. St. George's Shopping Centre has good servicing areas which the proposed café / restaurant use would make use of and the proposed change of use would not therefore impact upon servicing arrangements or highway safety in this respect.

The proposed development would continue to provide an employment generating use within the ground floor, and would result in customers coming to the site. It is noted that the application site is located within the Harrow Town Centre, and has a Public Transport Accessibility Level (PTAL) of 6a, which is excellent. The proposed change of use is unable to provide car parking, which in this town centre location with a high PTAL is considered acceptable.

Whilst it is encouraged to provide a level of car parking and secure cycle storage, in this instance it is not practically achievable. The existing development was initially granted permission prior to the current standards being adopted for car parking and cycle storage, which were introduced within the London Plan 2008. Whilst the superstructure of that scheme was sustainably implemented prior to this date, it remained incomplete for many years. However, it must be acknowledged that the development was never designed, or indeed erected, with the current provisions in place. The difficulty is now attempting to retrofit current legislation and policy requirements in a development that was never designed to accommodate such requirements. The London Plan has been revised twice since its inception, which has placed more of an onus on developments to function with less reliance on the private vehicle, and more sustainable modes of transport; i.e; bicycles. This shift, as a result of the length of construction time for the development, for whatever reason, unfortunately does not lend itself to the development physically being able to provide for the amount of on-site cycle parking for the proposal.

To the developments favour, it is located in very close proximity to the town centre, which enables it to not be reliant on providing a car parking provision. The high PTAL rating for the site allows it to be serviced satisfactorily by public transport. Furthermore, within the town centre, and still in close proximity to the development, public bicycle parking facilities are located. This allows patrons of the proposed gym to at least cycle to the town centre, with the development only being a short walk from this location. Furthermore, were the

development to operate in its lawful current use as A1/A2/A3 use, it would also be below the current cycle parking standards whereby requiring 38 spaces. Given: (i) the proposed use would require a lower provision of cycle storage than that which is approved (16); (ii) the inflexible nature of the existing building to accommodate the level of cycle spaces currently require; (iii) the availability of other cycle parking spaces a short walk away and; (iv) the high PTAL level of the site, the minor conflict with policy compliance for cycle spaces would not have a harmful effect on highway safety or convenience.

Accordingly, the development would comply with policy 6.13 of the London Plan (2015) and policy DM42 of the Harrow Development Management Local Policies Plan 2013.

Accessibility

Policy 7.2.C The London Plan 2015 and policy DM1 of the Harrow Development Management Local Policies Plan 2013 require high quality design standards and development to be accessible to all persons. The Council's adopted the SPD: Access for All 2006 supplements these adopted development plan policies and provides detailed guidance on the standard of development required.

It is not proposed to alter the existing elevations, and as such the access arrangements are not to be altered. Accordingly, the accessibility to the development would be satisfactory.

Equalities

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 not considered that there are any equality impacts as part of this application.

S17 Crime & Disorder Act 1998

It is considered that the proposed development would not adversely impact upon community safety issues and so it would comply with policy 7.3 of The London Plan (2015).

Consultation responses

- None

CONCLUSION

The proposed change of use seeks to change the ground floor of the development from a flexible A1/A2/A3 use to a D2 use class, which would specifically be used as a 24 hour gym. The proposed change of use would continue to provide employment floorspace, whilst also providing a use that would ensure the vibrancy and vitality of the town centre would be maintained. Furthermore, the proposed change of use would continue to provide an active frontage to the streetscene, which ensures that the character of the town centre

streetscape would also be maintained. Mitigation measures in place would ensure that there would not be unacceptable harm to the nearby residential occupiers, and the development would not lead to harm to the safety and free flow of the public highways.

For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this 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 use hereby permitted shall not commence until a scheme is submitted to, and agreed in writing by, the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site. The submitted details shall include a full acoustic report detailing sound insulation details of the construction and a full layout of audio visual equipment and a compliance certificate for the level in which the music limiters are to be played. The agreed scheme shall be fully implemented before the change of use hereby permitted takes place and shall be retained in its approved form for so long as the use continues on site.

REASON: To ensure that the proposal does not give rise to noise nuisance to neighbouring residents, as required by policy 7.15 of The London Plan (2015) and policy DM1 of the Harrow Development Management Policies Local Plan 2013.

3 No music or any other amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises either attached to, or in the vicinity of, the premises to which this permission refers.

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents in accordance with policy DM1 of the Harrow Development Management Policies Local Plan 2013.

4 The premises shall be used for the purpose specified in the application and for no other purpose, including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: To allow re-evaluation of use with a different amenity impact profile and thereby safeguard the amenity of neighbouring residents, in accordance with policy DM1 of the Development Management Policies Local Plan 2013.

5 The premises shall only be used for the purpose as set out in the application (Gym) and for no other purpose, including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: To safeguard the amenity of neighbouring residents and the character of the locality and in the interests of highway safety in accordance with policies DM1 and DM42 of the Harrow Development Management Policies Local Plan 2013.

6 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Z500-02-001-B, Z500-02-101, Operation & Fitness Note, Cover Letter, Location Plan.

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES:

1 INFORMATIVE:

The following polices are relevant to this decision.

National Planning Policy Framework 2012

The London Plan (2015): 4.4, 6.13.C/D, 7.2, 7.4.B, 7.15.

The Harrow Core Strategy: CS1. B, CS2.A/L.

Development Plan Document: Harrow & Wealdstone Area Action Plan Policy AAP1, AAP2, AAP18.

Harrow Development Management Plan Policies (2013) DM1, DM42

Supplementary Planning Document: Accessible for All 2006

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>

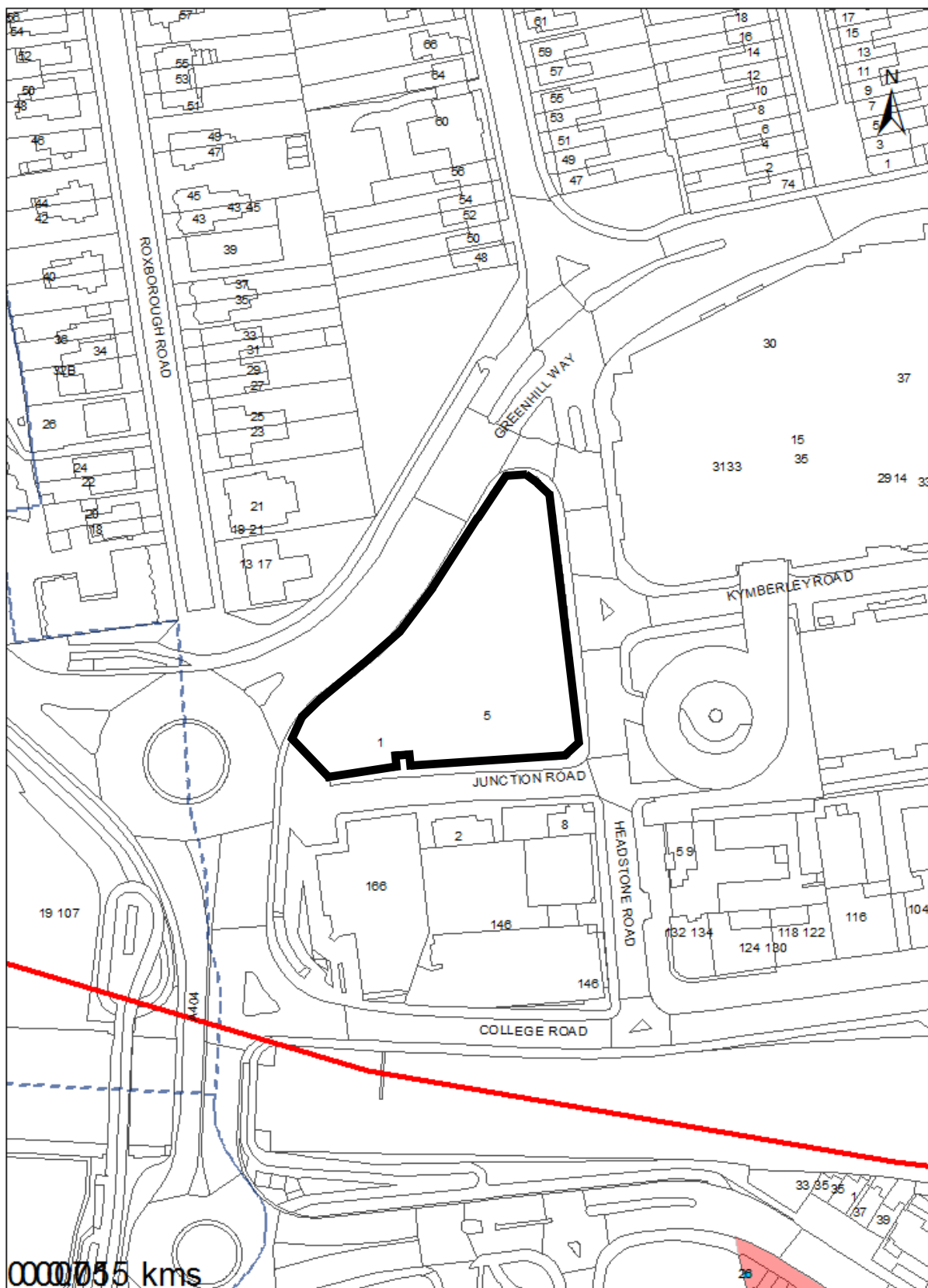
Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

Plan Nos: Z500-02-001-B, Z500-02-101, Operation & Fitness Note, Cover Letter, Location Plan

BRADSTOWE HOUSE, HEADSTONE ROAD, HARROW



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ITEM NO: 1/02

ADDRESS: QUALITY HOTEL HARROW, 12 -22 PINNER ROAD, HARROW

REFERENCE: P/4150/15

DESCRIPTION: REDEVELOPMENT TO PROVIDE TWO BUILDINGS RANGING BETWEEN 3, 4 AND 5 STOREYS IN HEIGHT TO CREATE 64 FLATS WITH ACCESS AND DISABLED PARKING; AMENITY SPACE AND LANDSCAPING; BIN AND CYCLE STORAGE; NEW PRIVATE ACCESS TO HARROW RECREATION GROUND FOR RESIDENTS; BOUNDARY TREATMENT; HIGHWAY WORKS TO CREATE SERVICE LAY BY

WARD: HEADSTONE SOUTH

APPLICANT: NOTTING HILL HOME OWNERSHIP

AGENT: CGMS LTD

CASE OFFICER: NABEEL KASMANI

EXPIRY DATE: 17TH FEBRUARY 2016

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. Affordable Housing: Provision of 5 affordable rented flats with a Review Mechanism to re-appraise the financial viability of the scheme
- ii. Transport and Highways: A financial contribution of £5,000.00 to facilitate the provision of the lay-by and car club scheme
- iii. Trees: A financial contribution of £5,500.00 to fund the planting of new trees within Harrow Recreation Ground
- iv. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- v. Planning Administration Fee: Payment of £525 administration fee for the monitoring of and compliance with this agreement.

REASON

The loss of the hotel itself, given its size, is afforded no protection in the adopted development plan. The redevelopment of the site would provide a high quality residential development that would enhance the urban environment in terms of material presence, attractive streetscape, and access and would make a positive contribution to the local area, in terms of quality and character.

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 (2015), the Harrow Core Strategy (2012) 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 18th May 2016 or as such extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Regeneration, Enterprise and Planning on the grounds that:

The proposed development, in the absence of a Planning Obligation to provide affordable housing within the development; to fund the provision of infrastructure related to the development; the provision of new trees off-site, and to provide necessary commitments in relation to the legal/administrative matters, would fail to secure the provision of affordable housing on the site and would fail to adequately mitigate the impact of the development on the wider area, contrary to the National Planning Policy Framework, Policies 3.11 and 8.2 of the London Plan, Policies CS1 J, CS1 Z of the Harrow Core Strategy, Policies DM22, DM28, DM44 and DM50 of the Harrow Development Management Policies Local Plan document, and the provisions of Harrow's Planning Obligations supplementary planning document.

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.

Site Description

- The application site is occupied by a series of two and three storey buildings which previously served as the Quality Hotel Harrow (with ancillary restaurant, bar and conferencing facilities). The use as a hotel ceased in August 2014 and the site is currently occupied on a temporary basis by the charity St Mungo's who provide temporary accommodation for the homeless.
- Semi-detached residential dwellings adjoin the application site to the east and west
- Harrow Recreation round adjoins the application site to the north and is a designated Open Space. An entrance into the recreation ground abuts the site boundary to the north-east
- To the south of the application site is Trident Point, a large eight storey mixed use building with an integrated Morrison's supermarket and 142 residential flats. To the east of that building is no. 21 – 27 Pinner Road, a four storey office building.
- Sited immediately opposite the three storey detached building sited to the south-east of the application site is 17 Roxborough Road, a two-storey detached building that

provides sheltered housing. Beyond this (to the south-east) is Bradstowe House, a modern residential building between 5 to 10 storeys in height that has recently been completed.

- The site levels gently fall from Pinner Road to the front of the existing buildings on site, and the ground levels are relatively even thereafter
- Pinner Road turns into a raised carriageway where it meets the junction with Greenhill way and Junction Road to the south-west of the application site. The existing footpath on Pinner Road continues through the pedestrian underpass which leads into the Harrow Town Centre.
- Vehicular access into the site is provided by means of two crossovers located on Pinner Road. A further pedestrian route into the site is provided through the south-eastern part of the site from Roxborough Road
- The subject site adjoins the Harrow Metropolitan Centre and the Harrow and Wealdstone Opportunity Area. The application site falls within a Critical Drainage Area and is partly intersected by the Landmark Viewing Corridor of St Mary's Church (Harrow-on-the-Hill) from Harrow Recreation Ground
- The site is also located within a high public transport accessibility area (PTAL 6a).

Proposal Details

- The application proposes to demolish the existing buildings on the site and to construct two buildings ranging in height from three to five storeys in height to provide 64 self-contained flats
- The proposed residential buildings would be broadly 'L' shaped in plan and would front Pinner Road and Roxborough Road. They would be of a similar design, characterised by inset balconies, vertical paneling between floors, a stepped building form and flat roof profile featuring photovoltaic panels on the roof
- The proposed western building (Building A) would be three to four storeys in height (9m to 12.5m). It would have a depth of 12.3m adjacent to no. 24 Pinner Road and a maximum depth of 35m in the part furthest from that neighbouring dwelling. This building would have a maximum width of 25m fronting Pinner Road and a width of 10m at its narrowest point. Building A would provide a total of 18 flats, accessed within Core A
- The proposed eastern building (Building B) would be between two and five storeys in height. It would have a cranked crescent frontage along Pinner Road and the adjacent public footpath with a total width of 62m. The element that fronts Pinner Road to the south would be five storeys in height (16m) and the part fronting Roxborough Road would be four storeys in height adjacent to the footpath (13m) and three storeys (10m) adjacent to the neighbouring dwelling no. 18 Roxborough Road
- The projecting element towards the rear of the site would have a width of 12m and a depth of 31m beyond the rear elevation of the cranked crescent that fronts Pinner Road. This part would have a maximum height of two to three storeys (6.5m and 10m respectively) and would be bridged at ground floor level to provide access to the proposed cycle store located to the east of the application site.
- Building B would provide a total of 56 flats located within 3 cores (B, C and D) which would provide access to 9, 23 and 14 units respectively
- The proposed development would offer 5 units as affordable housing contributions. One unit would be provided within Core A, B and D respectively and two units would be provided within Core C. The design and access statement confirms that three of these units would be suitable accommodation for wheelchair users
- The proposed development would be car free. Six disabled car parking spaces are proposed for the wheelchair accessible units on the ground floor. Four of these would

be accessible from Pinner Road and two from Roxborough Road. A car club space is proposed in Roxborough Road

- A total of 102 cycle storage spaces are proposed and would be spread across three secure storage facilities. Two of these storage spaces would be integral within Cores A and D and an external store to the east of the application site
- A new servicing 'lay-by' is proposed on Pinner Road adjacent to the application site and would accommodate refuse vehicles/service deliveries. The ground floor flats would have individual refuse stores and the upper floor flats will have access to communal refuse storages that would be integrated within Cores A, C and D.
- Open space is proposed between the two residential buildings which would provide a communal amenity space and open up a vista into the park from Pinner Road. It is proposed to provide a paved surface with low planting and domestic scale trees within this area. The northern boundary of the site would be de-lined by a robust 2m high metal mesh fence with informal planting as a secure barrier to Harrow Recreation Ground. A direct link into Harrow Recreation Ground solely for the future occupiers would be provided to the north of the application site.
- A designated children's play area would be located at the northern end of the site and would have an area of 102m²

Revisions to Previous Application

Not applicable

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.

Pre-Application Discussion (Ref: P/4034/14/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

Transport Statement and Travel Plan Statement

Air Quality Assessment

Daylight and Sunlight Assessment

Drainage Strategy and Layout

Energy Strategy

Sustainable Design and Construction Statement

Extended Phase 1 Habitat and Protected Species Scoping Survey

Geo-Environmental Site Assessment

Preliminary Risk Assessment

Noise Impact Assessment

Landscape Report and Masterplan

Arboriculture Impact Assessment / Tree Protection Plan

Statement of Community Involvement

Utility Statement

Construction Management Plan

Consultations

Arboricultural Officer

There are 3 x trees (T4, T7, T10) proposed for removal to facilitate the development; however none of these appear to be in the applicant's ownership and therefore are not actually within their power to remove: T4 Cherry is within the parkland at the rear, and is council-owned. T10 Silver Birch is a B grade street tree, so is also under council ownership. The loss of 'B' retention category trees to development would normally substantiate a reason for refusal - as B grade and above should be retained by default (as per BS5837 advice) T7 Ash located at the rear of Roxborough Road appears to be in third party (private) ownership.

The three trees proposed for retention (T2, T5 and T6) on the north boundary are likely to be significantly compromised by the proximity of the proposed development. These three trees are also within parkland / under council ownership. The main issues being:

- a) T2 Lime in the NW corner would completely dominate the rear garden and would result in constant pressure for pruning or more likely eventual removal
- b) T5 and T6 would suffer a similar fate as both significantly overhang the proposed development & proposed children's play area – there would be significant post development pressure to lop back, prune, or remove, to address shading, nuisance, perceived safety concerns etc, which would be detrimental in the long term and may result in eventual removal. Such requests would be difficult to refuse
- c) T5 is a B retention category tree and as such the impact on this retained tree (from the above issues) would normally substantiate a refusal on the grounds of unacceptable loss of trees & unacceptable levels of post development pressure

If the development is approved the following is required

- 1) Details / exact specifications relating to no-dig 1 / 2 / 3 to be used
- 2) Details of how the tree protection measures will be assessed before demolition or construction commences and how the tree protection, no-dig procedures, removal of existing hardstanding, and any other procedures described within the approved tree protection plan and method statement, will be supervised and monitored during construction

Biodiversity Officer

The Extended Phase 1 Habitat and Protected Species Survey report has a minor inaccuracy, Harrow Recreation Ground adjoins the site to the north and there is some ecological connectivity via perimeter tree lines to Harrow Cemetery a Site of Importance for Nature Conservation.

I do not see this as altering the report's conclusions. However, I would like to see a commitment to the measures for biodiversity enhancement outlined in the report undertaken. I have added to these suggestions:

- The provision of bird boxes specifically targeting notable urban birds such as house sparrow and starling. These boxes should be constructed from a durable material such as 'woodcrete' and sited in a position which optimises the potential for use.
- Provision of bat boxes/tubes - these should be constructed from a durable material such as 'woodcrete' and sited in a position which optimises the potential for use.
- The inclusion of native/wildlife attracting trees and shrubs as part of the landscaping scheme
- Creation of a loggery for stag beetles within the landscaped area
- External LED down-lighting, with UV filters (if required) to minimise light pollution and impact on any commuting bats

Note: Suitable bird/bat boxes/tubes are marketed by Habibat, NHBS (Schwegler) and Bird Brick Houses. For house sparrows and starlings maximum possible benefits for biodiversity can be achieved by building bird boxes into the fabric of the buildings.

Drainage Team

No Objection, subject to safeguarding conditions Environment Agency

Environmental Health Team

Air Quality

The application includes an air quality assessment. This shows some of the proposed housing will be exposed to relatively high levels of air pollution from traffic. In mitigation, it is proposed to have whole house mechanical heat and ventilation recovery systems with a high specification of air tightness on doors and windows so when closed residents are protected. Also an information pack is to be provided to future residents.

Details of design will be an important consideration, such as the location of ventilation inlets – these should be to the rear of the houses away from road pollution. I therefore recommend a condition to the effect that a scheme for detailed design of the houses to mitigate against the effects of air pollution, and details of the householder information pack, be submitted to and agreed in writing by the Local planning authority before construction commences.

An air quality neutral assessment has also been included to comply with the Mayor's SPG "Sustainable Design and Construction". I confirm I am now satisfied that the GLA requirements for an Air Quality Neutral assessment has been carried out, and no further air quality mitigation is required

The report includes a construction dust assessment which is satisfactory. This states that problems will be mitigated by preparation of a construction and environment management plan and gives suitable headings for inclusion in such a plan. There is a separate document with the application which gives a commitment to preparation of a construction and environment management plan. I therefore recommend a condition be imposed to the effect that a construction and environment plan be produced and agreed in writing with the local planning authority before demolition and construction commence

Noise

A noise assessment is included with the application. This demonstrates some of the housing will be adversely affected by traffic noise. It therefore proposes suitable noise reduction standards for the building envelope. I therefore recommend that a condition be imposed to the effect that details of a noise insulation scheme be submitted to and approved by the local planning authority before construction commences.

Noise from fixed plant is considered. However I disagree with the proposed noise limits, so recommend a condition to address this:

Housing Enabling Team

In terms of the 5 affordable homes for rent the mix is acceptable as it incorporates some 3b 5 and 2b 4p which meets priority need.

In view of the fact the development would not reach policy compliant level in terms of affordable housing, I think it is very important that a review clause is included into the

S106 agreement.

Highways Authority

Detailed design layouts will be required. The proposed loading bay on Pinner Road will need to have a section of footway created behind it with a width the same as at present. The layby must be separated from the footway by means of a full height kerb to differentiate between carriageway and footway. The new footway land will need to be dedicated as Highway via section 38.

The reinstatement of the redundant vehicle accesses will need to be secured via a combined s38/278 agreement. The creation of the extended central island and pedestrian refuge will also be the subject of a s278 agreement. The associated order making work and site work for the car club bay and loading bay will require a s106 agreement with a sum contribution of £5000.

A travel plan statement should be conditioned and resident permit restriction should also be conditioned or included as an informative.

Landscaping Officer

Referring to the tree report and the trees on site. The proposed development would be very close to Trees T1, 2, 3, 4, 5 and 6 – which are located in the public park, Harrow Recreation Ground. The building, hardsurfacing and boundary treatment together with the Children's Play Area would impact on the existing trees and as noted in the tree report there would also be likely to be post development pressure to carry out works to the tree /s or even request the removal. Refer to the attached scanned in Tree Impact Assessment Plan with hand written comments on the impact of the proposed development.

T2 – Common Lime is noted in the tree report to be offsite but accessible from the grounds of the neighbouring public park : “this close proximity was considered likely to create future pressures to have the crown reduced and lifted and possibly the tree removed because of dominance and overbearance reasons. The tree was an attractive site feature that contributed to the verdant appearance of the park” This indicates that it is most likely that this tree could be a problem in the future, in relation to the proposed development and a likely request for its' removal.

T5 and T6 – Horse Chestnuts in the park are also near to the development and there would be impact on these trees by the development. The hard surfacing under the trees and children's play area. Serious consideration needs to be given to the relocation of the children's play area, unfortunately proposed to be sited under these trees. In the report there is a proposal to use no dig methods under the trees – but removal of the play area, gardens, surfacing and the nearness of the development would remove the need for the impact on the existing trees.

The Arboricultural Impact Assessment Plan clearly shows and describes in the report the impact on these trees and also the removal of other trees either in public ownership – trees T4, 10, 12, 13 and 14 and T7 in private ownership, belonging to 24 Roxborough Road. It is therefore not in the power of the applicant to remove these trees.

The impact of the proposed development on the existing trees requires serious consideration and if you were minded to approve the development tree conditions would be required:

- Tree Protection Plan with the no dig methods around the tree roots
- an Arboricultural Method Statement and an independent arborist – supervise the works on site / Council Tree Officer would need to be informed of the works on site

If you are minded to approve this application the following hard and soft landscape conditions would be required:

- Landscaping to be Approved.
- Landscaping Scheme – Implementation including a period of 5 year period for replacements of soft landscape
- Levels
- Boundary Treatment
- Hard landscape Material Details
- Management and maintenance objectives and programme for all the communal landscape areas
- Tree Protection Plan - (to protect the existing trees to be retained) and Arboricultural Method Statement, to be read in conjunction with the Tree Protection Plan and Timetable for Protection Works.

Planning Policy Team

London Plan Policy 4.5 (London's Visitor Infrastructure) seeks to support London's visitor economy, including a target of achieving 40,000 net additional hotel bedrooms by 2036. In the context of planning decisions, the policy requires that developments should not result in the loss of strategically important hotel capacity. A footnote to the policy indicates that strategically important hotel capacity will depend on local circumstances, but typically comprises development exceeding 15,000 m² outside Central London. The policy also cross-references London Plan Policy 2.16 (Strategic Outer London Development Centres), which identifies potential outer London development centres with a strategic function for leisure / tourism / arts / culture / sports; no town centres within Harrow are identified as such.

The proposed development will result in the loss of approximately 3,250 sqm of hotel floor space, which is modest in the context of the 15,000 m² benchmark identified in Policy 4.5. Since the current London Plan was adopted in 2011 there has been a number of approvals within Harrow for an estimated 7,000sqm of additional hotel floor space. This is offset by two recent proposals involving the loss of hotel floor space totalling 7,100sqm (including this application). Consequently, the overall potential loss of hotel floor space remains below the 15,000sqm benchmark and if approved proposals for new hotel floor space are implemented, the overall position with respect to hotel floor space in the borough would be neutral. The proposal is therefore considered acceptable in the context of London Plan Policy 4.5.

Given the site lies on the edge of Harrow town centre with an excellent PTAL rating, but adjacent to residential buildings, a residential scheme is appropriate for this area, and there are no in-principle Policy issues with regards to the number of units or their proposed mix, given this context and in accordance with London Plan Table 3.2, CS Policy 1 and DM 24.

Thames Water
No Objection

Transport for London

The site of the development is on Pinner Road which forms part of the Strategic Road Network (SRN). TfL have a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN. The footway and carriageway on Pinner Road should not be blocked during the conversion of the building. Temporary obstructions during the conversion should be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on Pinner Road. All vehicles should only park/stop at permitted locations and within the time periods permitted by existing on-street restrictions.

TfL are pleased with the applicants 110 cycle parking spaces (including visitor parking) and are happy that they meet the minimum levels outlined in the latest London Plan cycle parking standards. TfL welcome the fact that the development will be car free and are pleased with the number of disabled car parking spaces provided.

TfL request that a Stage 1 Road Safety Audit is undertaken and submitted to the local highway authority for consideration and approval prior to consent being granted. Subject to the above, TfL are not minded to object this proposal.

Urban Design Officer

The introduction of an additional material (fibre cement board) to clad the balconies/winter gardens feels overcomplicated. I would advise that the horizontal brick banding continues across the balcony structure to form a cladding to the base with the vertical screen elements executed in power coated metal to correspond to the balcony railings.

I have only seen a very outline landscape strategy drawing as part of the application. I would like to see more detail on the landscape particularly in relation to screening the ground floor units on Pinner Road.

I assume that bricks, window frames, balcony railings will be conditioned, but at some point I'd like to see actual samples for these. I would also like to see a detail of the depth of the window reveals.

Advertisement

Major Development

Newspaper Advertisement: 10-09-2015

Site Notice:

Erected: 01-10-2015

Expiry: 22-10-2015

Notifications

Sent: 57

Replies: 3

Expiry: 28-09-2015

Addresses Consulted

57 properties were consulted on the following roads within Pinner Road and Roxborough Road

Summary of Responses

Neighbouring Occupiers

- Height of building out of character with the adjacent dwellings
- Views from Harrow Recreation Ground being lost
- More homes required and not flats – more strain on social and public services

Harrow Recreation Ground Users Association

- Effect of the development on the remaining view of Harrow Hill and St Mary's Church from parts of Recreation Ground

Roxborough Residents Association

- Ensure the flats are parking permit restricted and enforce this

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 (2013), the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and Harrow Local Area Map (2013).

MAIN CONSIDERATIONS

Principle of the Development

Affordable Housing

Housing Density and Unit Mix

Design, Character and Appearance of the Area

Locally Protected Views and Vistas

Residential Amenity

Traffic, Safety and Parking

Development and Flood Risk

Trees and Development

Ecology and Biodiversity

Sustainability

Air Quality

Statement of Community Involvement

Planning Obligations

Equalities Impact

S17 Crime & Disorder Act

Consultation Responses

Principle of the Development

Loss of Existing Hotel

Policy 4.5 of the London Plan (2015) seeks to support London's visitor economy, including a target of achieving 40,000 net additional hotel bedrooms by 2036. In the

context of planning decisions, the policy requires that developments should not result in the loss of strategically important hotel capacity. A footnote to the policy indicates that strategically important hotel capacity will depend on local circumstances, but typically comprises development exceeding 15,000m² outside Central London. The policy also cross-references London Plan Policy 2.16 (Strategic Outer London Development Centres), which identifies potential outer London development centres with a strategic function for leisure / tourism / arts / culture / sports; no town centres within Harrow are identified as such.

The proposed development will result in the loss of approximately 3,250m² of hotel floor space, which is modest in the context of the 15,000m² benchmark identified in Policy 4.5 of the London Plan (2015). Since the current London Plan was adopted in 2011 there have been a number of approvals within Harrow for an estimated 7,000m² of additional hotel floor space. This is offset by two recent proposals involving the loss of hotel floor space totalling 7,100m² (including this application). Consequently, the overall potential loss of hotel floor space remains below the 15,000m² benchmark and if approved proposals for new hotel floor space are implemented, the overall position with respect to hotel floor space in the borough would be neutral. The proposal is therefore considered acceptable in the context of London Plan Policy 4.5.

It is acknowledged that the existing site is currently occupied by St Mungo's, a homeless and recovery charity. However, the authorised use for the site is Use Class C1 (Hotels) and the principle of development is therefore considered on this basis.

Provision of New Residential Accommodation

The National Planning Policy Framework [NPPF] has brought forward a presumption in favour of "sustainable development". The NPPF defines "sustainable development" as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF sets the three strands of sustainable development for planning to be; to play an economic, social and environmental role. The NPPF, following the deletion of the Planning Policy Statements and Guidance Notes, continues to encourage the effective use of land by reusing land that has been used previously, recognising that "sustainable development" should make use of these resources first.

Harrow's Core Strategy establishes a clear vision for the management of growth in the Borough over the Local Plan period (to 2026) and a framework for development in each district of the Borough. Policy CS1.A of Harrow's Core Strategy (2012) undertakes to manage growth in accordance with the spatial strategy. The spatial strategy directs residential and other development to the Harrow & Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites.

There are no specific policies contained within the Development Management Policies Local Plan (2013) that directly relate to the loss of hotels. The Quality Hotel Harrow has a floor area of approximately 3,250m² and is therefore well below the threshold of a strategically important hotel as defined in the London Plan. The buildings within the application site are relatively dated in appearance and the use of the site as a hotel has not been operational since August 2014. Notwithstanding this, even if the hotel had been functioning, it is considered that the current premises, due to its dated nature, would be 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 is not an allocated development site as defined within the adopted Site Allocations Local Plan (2013). However, it 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 provision of housing on this site would contribute to the strategic vision of Policy 3.3 of The London Plan (2015) which recognises the need for more homes throughout Greater London and Policy CS1 of the Harrow Core Strategy (2012) with regards to the provision of additional housing within the borough.

The redevelopment would bring forward the delivery of affordable housing on the site which would add to the Council's housing delivery targets, albeit the level of affordable housing would be below Local Plan targets. The site lies on the edge of Harrow Town Centre with an excellent PTAL rating and is surrounding by residential land uses where national and local planning policy encourages residential development to be located. It is therefore considered that a residential scheme is appropriate for this area.

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 edge of town centre context. On this basis, the proposal is considered to be acceptable in principle with regard to the above policies.

Affordable Housing

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

The NPPF also places strong emphasis on ensuring the viability and deliverability of sustainable development: "the sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing....should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable" (Paragraph 173).

The proposed development would provide for 64 residential units within the site. Policy 3.13A (Affordable Housing Thresholds) of the London Plan (2015) requires that any development which has the capacity to provide 10 or more homes should provide an affordable housing contribution. Core Strategy policy CS1J states that 'the Council will aim for a Borough-wide affordable housing target of 40% of the housing numbers delivered from all sources of supply across the Borough'. Policy CS1.J goes on to say that the Council will seek the maximum reasonable amount of affordable housing on all development sites having regard to a number of criteria, including development viability.

Having regard to Harrow's local circumstances, Policy CS1 (J) of the Core Strategy sets a Borough-wide target for 40% of all homes delivered over the plan period (to 2026) to

be affordable, and calls for the maximum reasonable amount to be provided on development sites having regard to the following considerations:

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

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

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.

The Council recognises that it may not be viable to provide affordable housing targets within a scheme under all circumstances. Where this cannot be provided on site, a robust viability assessment must be provided to demonstrate that the proposed scheme cannot viably provide this requirement. The applicant has submitted a Financial Viability Appraisal to support the provision of five affordable housing units to the boroughs stocks. The submitted information has been independently reviewed and tested to ensure that the provision of five affordable housing units on-site is the maximum reasonable affordable housing that can be made as part of the proposed scheme.

The applicants supporting financial viability assessment was the subject of independent appraisal by consultant BNP Paribas Real Estate on behalf of the Council. After re-evaluating and adjusting some of the assumptions with regards to the benchmark land value and market value per room, the independent review concluded that the proposed development would generate a deficit in excess of £1million and that the offer of 5 affordable units on-site would be generous under these circumstances (considering the scheme is unviable). It is considered that the affordable housing offer proposed, subject to appropriate mechanisms to secure its provision through a S.106 agreement, would be consistent with the objective of maximising affordable housing output from the site.

Paragraph 3.75 of the reasoned justification to Policy 3.12 of The London Plan states 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. Whilst it is noted that the provision of the overall affordable housing percentage would be below the desired 40% set out in the London Plan and the Harrow's Core Strategy, Officers consider that the viability appraisal submitted in respect of the viability of the scheme to be broadly fair. However, it is considered that there is sufficient policy basis to require a review clause within the s.106 agreement whereby the developer will be required to submit details on what sales value were achieved for each unit which would then be assessed against the viability appraisal

submitted with this application. Following the submission of the final sales value achieved, if the average sales values per square foot are exceeded, then the developer should pay 80% of any surplus value to the Council as a contribution towards the provision of affordable housing in the borough.

Subject to such an obligation and the level of affordable housing being offered, it is considered that the development would accord with policy 3.12.A/B of The London Plan (2015) and policy CS1.J of the Harrow Core Strategy (2012).

Affordable Housing Split

The strategic part of London Plan Policy 3.11 calls for 60% of affordable housing provision to be for social and affordable rent and for 40% to be for intermediate sale or rent, and gives priority to the provision of affordable family housing. Within the context of regional and local strategic targets for affordable housing, the London Plan and Harrow's Local Plan respectively seek the maximum reasonable amount of affordable housing from individual development proposals. For planning purposes, shared ownership is a form of affordable housing (intermediate).

This scheme makes provision for five affordable rent homes only. It is considered that the affordable housing offer proposed, even though it would not include any component of intermediate housing, would be consistent with the objective of maximising affordable housing output from the site, considering the independently scrutinised viability appraisal advises that the proposed scheme is unviable with the inclusion of 5 affordable rented units. As affordable rented units generate a lower residual value and are units in greater demand than intermediate housing, the absence of a tenure split in this case is considered appropriate. The development of the site would deliver wider benefits (as set out in this report) that outweigh the failure to provide any component of intermediate housing

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. The proposed development would contribute to the boroughs housing need over the plan period to 2026 by providing a further 64 residential units. London Plan Policy 3.4 seeks to optimise housing output from development by applying the sustainable residential quality density matrix at Table 3.2 of the Plan. Supporting text to the policy makes it clear that the density matrix is only the start of planning for housing development and that it should not be applied mechanistically. Further guidance on how the matrix should be applied to proposals is set out in the Mayor's Housing SPG (2012).

The application site area is 0.32 hectares and it has a public transport accessibility level (PTAL) score of 6a indicating a high level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have an urban¹

¹ 'Urban' is defined as: areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of a district centre or along main arterial routes.

setting. Although the site is within 800m walking distance of a Metropolitan Town Centre, and some of the residential buildings within the vicinity are between five to eight storeys high (that would fall within the definition of a central area), the predominant character to the east, west and north of the site is residential in nature with semi-detached and terraced dwellings. The proposal, taken as a whole, equates to a density of 200 units per hectare² and of 546 habitable rooms per hectare³. These densities fall well within the overall matrix ranges for urban setting sites with PTAL 6, being between 70-260 units per hectare and 200-700 habitable rooms per hectare. However, as noted above, the matrix is only the starting point for considering the density of development proposals.

The following is a breakdown of the proposed housing mix across the scheme.

Detailed Housing Mix				
Unit Size	No. of Units (Total)	% of All Units	No. of Units (Market)	% of Market Units
1 Bed:	20	31%	20	34%
2 Beds:	41	64%	39	66%
3 Beds:	3	5%	0	0%
Totals:	64	100%	59	100%

All the proposed residential units would be flats within the development. The table above demonstrates that there would be a satisfactory mix of housing types within the scheme. Officers acknowledge that there would be a higher percentage of 2 bedroom units within the development. However, the submitted information demonstrates that there would be choice within this housing type also. Indeed there would be both 2 bed 3 person flats and 2 bed 4 person flats, which would provide further housing mix within the development. For a scheme of this scale in a town centre location, which is likely to be most attractive to small family or professional groups, it is considered that the units would be appropriate and would accord with development plan policies.

Overall, it is considered that the proposed development would provide a satisfactory density and mix of residential accommodation within the site. The proposed mix of occupancy levels across the entire scheme would provide a satisfactory level of housing choice to the market stock and the affordable housing stock (which would include all the proposed three bed units – thereby meeting priority need) within the Borough. It is therefore considered that the proposal would accord with the policies and guidance listed above.

Design, Character and Appearance of the Area

The NPPF advocates the importance of good design and states that ‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’ (paragraph 64).

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. Core Strategy policy CS1.B states

² Calculated as: 64 dwellings divided by 0.32ha x 1ha.

³ Calculated as: 175 habitable rooms divided by 0.32ha x 1ha.

that 'all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design'.

Policy DM1 of the Development Management Policies (2013) gives advice that "all development 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 application site is located in a prominent position on the western edge of the Harrow Metropolitan Centre, within an area of commercial and predominantly residential land use. The site contains three pairs of Victorian semi-detached dwellings which were historically converted to provide hotel accommodation (Use Class C1). These buildings have been substantially extended over time and while they broadly relate to the residential dwellings to the west of the site in appearance terms, it is considered that they do not make a positive contribution to the character of the streetscene. The detached building to the east of the site (granted permission in 1998), by reason of its design, detailing and setting space, integrates better with the surrounding streetscape, but appears disconnected (in appearance and form) from the rest of the site.

The neighbouring residential dwellings along Pinner Road (like the adjoining buildings within the application site) are Victorian in design with a relatively uniform building line along Pinner Road. The dwellings are generally two storeys in height and a number of properties having been extended to provide additional accommodation within the roofspace. In this regard, there is a relatively consistent building height and coherent pattern of development to the west of the application site. Roxborough Road, adjoining the application site to the east is also residential in character and generally features semi-detached dwellings of varying designs, no more than three storeys in height.

The application site is located adjacent to the intersection (gyratory) of Pinner Road / Bessborough Road / Harrow Road. To the east of the site across the raised carriageway and within the designated Metropolitan Town Centre lies the 6/7 storey aspect gate building, the 9 storey Roxborough Heights buildings and the 5 – 10 Storey Bradstowe House building. Immediately opposite the application site is the 8 storey Trident Point development. The differences in the form, scale and design of these buildings (in close proximity to the application site) are indicative of the transition between the residential character to the west and north-east of the site and the increased density and mixed use character which is prevalent within the town centre.

Layout, Scale and Siting

The context for the application site is one of an edge of town centre location, in an area of mixed land use character with large commercial and residential uses to the south and east, and smaller scale residential to the west and north. The application site also sits at a main approach to the town centre from the west. As observed, the existing buildings on site are dated and have been extended in an adhoc and manner over time, providing an unattractive and uninspiring first impression for visitors to the town centre from the west.

The redevelopment of the site therefore represents a significant opportunity to improve its contribution to Harrow and the street scene immediately surrounding the site. The prominent edge of town centre location further provides the opportunity to create a

development that can sympathetically relate to the residential character to the north-east and the west of the site, but also create its own distinct character and sense of place, compatible with the different scale and character of the uses to the east and south of the site. Furthermore, development of this site has the capacity to re-create a street frontage that will revitalise the existing underpass area and further improve the connection between the site and the Harrow Metropolitan Centre.

One of the core principles of the National Planning Policy Framework is to always seek to secure high quality design. Good design is a key aspect of sustainable development and is indivisible from good planning. Furthermore, the Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Due to the site configuration, the development proposal would comprise two separate buildings of stepped design with a maximum height of 4 and 5 storeys respectively. As discussed in detail below the appearance and materials for the buildings would be continuous 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 too.

The applicants have identified three distinct character areas (within the design and access statement) in the immediate surroundings of the application site, which Officers consider to be an accurate representation of the existing site circumstances. The fact that these areas effectively converge onto the application site, is an indication of the urban design challenge facing the designers of any development on the application site.

The application site is adjoined by two-storey residential dwellings to the west and north-east and designated open space adjoins the application site to the north. However, there is also an eight storey development to the south and an open character to the south-east (as a result of the raised gyratory). By virtue the surrounding site context, any new building more than 3/4 storeys in height would be visible in height from the surrounding character areas. To provide a transition between the adjoining residential dwellings, the proposed buildings would be stepped, having a maximum height of three storeys adjacent to no. 24 Pinner Road and no. 18 Roxborough Road respectively.

The highest part of the proposal would be five storeys (fronting Pinner Road) and this element would be viewed in conjunction with Trident Point, Bradstowe House, Aspect Gate and Roxborough heights, as these tall buildings are predominant in general views of the area surrounding the western end of the site. The 5 storey height and cranked crescent frontage of Building B in conjunction with the proposed forward building line would result in a more visually prominent building. However, it is considered that these intended design considerations in conjunction with the increased scale and dominant appearance of Trident Point to the south, would help provide a gateway in the literal sense, whereby one passes between tall buildings opposite to enter the town centre. Therefore, whilst the proposed frontage of Building B would have an increased mass and bulk that would be visually prominent, it would be an appropriate response to its location in urban design terms and would not appear imposing or overbearing in this regard.

The proposed open space to the south-east of Building A would ensure that setting space is provided for the increased adjacent 5 storey height of Building B. Furthermore,

the scale and massing to the south and east of the site would set the context for the taller aspect of this scheme and it is considered to respond positively to the scale of the established pattern of development.

The varying building heights of the proposed development for both Buildings A and B would respect the general transition in building heights from the west and north of the site towards the south and east, with an increased height towards the town centre. In doing so, it is considered that the proposed buildings would have a more meaningful visual and functional linkage with the town centre. Furthermore, having regard to the fact that the proposed development would be located at what would be deemed as an end of street location, it is considered that the scale and massing would be acceptable at this junction and would sit comfortably in context of the much taller surrounding development.

The layout of the proposed buildings with a wider frontage and narrower depth in conjunction with their siting to create an open space between the two buildings would help break the massing of both Buildings A and B and provide views through the site which is to be landscaped. In doing so, it is considered that this would help reduce the perception of scale between the maximum height of Building B (at 5 storeys) and the modest two-storey height of the neighbouring residential dwellings.

Locally Protected Views and Vistas

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 views. 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 CS1C 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.

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. The proposal would have a potential impact on the Harrow Recreation Ground which is a protected view of the landmark St Mary's Church on Harrow-on-the-Hill. in accordance with LVMF methodology, this view has a narrow 'landmark viewing corridor' (shown in red in the Local Plan).

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 DM3 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 view'.

The Design and Access statement accompanying the application sets out the Visual Impact Assessment on the locally protected view and photomontages have been produced to show the predicted impact of the proposed development.

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 submitted Design and Access statement states that Hectic Electric was appointed in April 2014 to produce an Accurate Visual Representation to illustrate the appearance of the proposed development in context and with its surroundings within the protected view corridor. At the time of the study, the proposed scheme comprised of a building which ranged in height from four to six storeys. The exercise demonstrated that the proposed six storey building was within the threshold and provided a clear guide to the scale of development that would be suitable of the site. As the proposed scheme would have a maximum height of 5 storeys, it is considered that the assessment carried out demonstrates that the development would not intrude into the landmark viewing corridor and would not be detrimental to the view or detract from the prominence of St. Mary's and the Hill on the skyline. Consequently, 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.

Design and Appearance

In terms of the appearance of the development, the buildings have been designed in a manner that would provide a transition between the domestic scale residential dwellings and the larger town centre developments, which is expressed in the design and composition of the elevations. In most instances, the windows are aligned between floors and interest is added to the elevation through the articulation of the balconies and panelling within the front elevations which vary between floors. Officers consider that these design features would provide articulation to the façade of the building, helping the building to achieve its own identity in an area which is characterised with varied building designs. 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.

Materials

The supporting information submitted with the application provides detail of the materials that are proposed to be used across the scheme. The proposed buildings have been designed to achieve a visual cohesion with the existing development and buildings within the vicinity. The appearance would be modern and the palette of materials (which would be secured by condition) would seek to compliment and reflect the nearby buildings, but at the same time establish their own character in the urban environment. Overall, it is

considered that the modern design and appearance of the development would make a positive contribution to the wider urban environment. However, the Council's Urban Design Officer is not satisfied with the appearance of the fibre cement board which is proposed to the balconies/winter gardens. It is advised that horizontal brick banding continues across the balcony structure to form a cladding to the base with the vertical screen elements executed in power coated metal to correspond to the balcony railings. A condition requiring details and samples of the proposed materials (incorporating the Urban Design Officers comments) is accordingly attached.

Landscaping and the Public Realm

The front of the application site is dominated by hard surfacing, with very little meaningful soft landscaping to break this up or enhance the appearance of the site. The ad-hoc appearance and the extensive hard landscaping within the front of the site fails to provide suitable setting within the existing streetscene. The proposed scheme offers an opportunity to improve the ratio of hard and soft landscaping to provide it an appropriate setting within the site. In the first instance, this would be achieved through the reduction in car parking spaces on site. It is proposed to increase the levels of soft landscaping, primarily through the planting and grassed areas within the private amenity areas for the ground floor units and the communal open space, which would enhance the proposed development and existing streetscene.

The proposal is supported with a Landscape Strategy for the site. It is intended to enclose the private amenity terraces along the Pinner Road and Roxborough Road frontages with brick upstand walls with formal hedgerows and defensible planting to separate the proposed development from the public footpath. Open space is proposed between the two residential buildings which will provide a communal amenity space and a designated children's play area. It is proposed to provide a paved surface with low planting and domestic scale trees within this area. The northern boundary of the site would be de-lined by a robust 2m high metal mesh fence with informal planting as a secure barrier to Harrow Recreation Ground. A lockable gate will provide direct access into the park for residents only. To the front of the application site (adjacent to the underpass), it is proposed to replace the three existing poor quality trees with three new crown trees and a ground cover of shrubs. It is considered that the proposed landscaping works to the front of the application site adjacent to the footpath and underpass would enhance the public realm which Officers consider to be acceptable. The proposal would also include a communal open space which would create a visual landscaped feature within the development site.

A condition is recommended requiring further details of the soft landscaping on the site and a subsequent management plan which shall include details for the ground surfacing and boundary treatment.

The provision of communal and other amenity spaces within the development are discussed later within this report in addition to the impact of the proposal on the adjacent trees adjoining the site boundary to the north and east.

Subject to the conditions, it is considered that the external appearance and design of the buildings together with the proposed landscaping scheme are consistent with the principles of good design as required by the National Planning Policy Framework (2012). The resultant development would be appropriate in its context and would comply with policies 7.4B and 7.6B of The London Plan (2015), Core Policy CS1(B) of the Harrow Core Strategy, policy DM1 of the Council's Development Management Policies Local

Refuse and Servicing

The proposal shows that the ground floor residential units would have designated bin storage capacity within the front gardens of those units. The proposed flats above would have access to three integral refuse bin stores that would be located within Cores A, C and D. The proposal also shows a designated holding area for the bins from both Buildings A and B for collection day adjacent to the proposed servicing lay-by. It is considered that the location and provision of refuse stores would be compliant with the above stated policies. It is considered that the proposed refuse storage and servicing arrangements would be acceptable subject to the adoption of a site waste management strategy to be approved by the local planning authority.

Photovoltaic 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. 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. To avoid glare impacts upon the neighbouring residential buildings which are higher to the south and south-east, final details of the angle of installation and reflection levels of the solar PVs will be required. A condition is recommended to this effect.

Residential Amenity

London Plan Policy 3.5 sets out several criteria for achieving good quality residential development. The policy aims to ensure that developments enhance the quality of local places and create homes that reflect the minimum space standards and are fit for purposes in other respects. 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 below.

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

Residential Amenity of Future Occupiers

Defining Good Places

By redeveloping the site, the proposal would contribute positively to the urban renewal of edge of town site. It would provide a prominent new building within the streetscene with a clearly defined entrance point and opportunities for new landscaping to the street frontages. It would also add to levels of natural surveillance of the immediate surroundings. It is therefore considered that the proposal would enhance the quality of this part of Harrow in accordance with the principles of London Plan Policy 3.5.

Entrances

The Mayor's Housing SPG calls for entrances to be visible from the public realm and clearly defined. The ground floor residential units fronting Pinner Road would have their own private entrances and access to the residential units on the upper floors would be through four cores. The core A serving Building A would be on the eastern elevation of

that building facing the communal open space. Three cores would serve Building B. Two of these (cores B and C) would be located adjacent to the first-floor bridged element on the respective northern and southern elevations and Core D would be located on the eastern elevation fronting Roxborough Road. Although the location of these cores (with the exception of Core D) would not be readily visible from the streetscene, they would be in close proximity to the proposed communal open space and parking forecourt. The proposed funnelling layout, whereby the open space to the front narrows towards the back of the site would provide a clearly defined through access for residents to the respective entrances. Consequently, it is considered that the pedestrian link from Pinner Road into the site and respective Core entrances would be clearly legible and would help to activate this part of the public realm.

Shared circulation

The Quality and Design standards in Annex 1 of the Mayor's SPG requires the following for shared circulation space relevant to the proposed development):

- The number of dwellings accessed by a single core should not exceed eight per floor
- An access core serving 4 or more dwellings should provide an access control system with entry phones in all dwellings linked to a main from door with electronic lock release
- Where dwellings are accessed via an internal corridor, the corridor should receive natural light and adequate ventilation where possible
- The minimum width for all paths, corridors and decks for communal circulation should be 1200mm

Subject to a condition requiring the installation of an access control system, it is considered that the proposed development would accord with the above guidance where possible. Overall, it is considered that the internal circulation areas would achieve a good standard of layout for the future occupiers of this development.

Internal Layout and Space Standards

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.

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. 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

Through a written ministerial statement, the Government introduced new technical housing standards in England. These standards came into effect on the 1st of October 2015. From this date, relevant London Plan policy and associated guidance in the Housing Supplementary Planning Guidance (SPG) should be interpreted by reference to the nearest equivalent new national technical standard. The Mayor intends to adopt the new standards through a minor alteration to the London Plan. In the interim the Housing Standards Policy Transition Statement (October 2015) should be applied in assessing new housing development proposals. The Minimum GIA and room standards (as set out in the London Plan, Mayors Housing SPG and the adopted Residential Design Guide SPD (Appendix 1)) are shown below:

Type	Gross Internal Area	Bedroom
1 bedroom – 2 person unit	50m ²	11.5m ² (double) 7.5m ² (single)
2 bedroom – 3 person unit	61m ²	
2 bedroom – 4 person unit	70m ²	
3 bedroom – 4 person unit	74m ²	
3 bedroom – 5 person unit	86m ²	

The submitted Planning Statement confirms that all of the proposed dwellings have been designed to meet or the London Plan's minimum space standards. A review of the proposed floorplans demonstrates each of the different unit types would meet or exceed the minimum GIA standards set out in the London Plan. To ensure this is achieved, a condition is recommended. The submitted drawings show that the proposed layouts would make reasonable provision for the accommodation of furniture and flexibility in the arrangement of bedroom furniture.

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 of 2 square metres and a further 0.5 square metres is required for each additional occupant. All of the flats incorporate an element of storage space and a condition is included to ensure this is complied with.

The SPG also seeks adequate space and services to work from home, a point echoed at paragraph 7.23 of the Development Management Policies Local Plan document. An indicative furniture layout is set out on the application drawings and this demonstrates that all of the flats would have space for a table/desk. As such, each flat would have space flexible for dining and home study/work activities.

Layout, Stacking and Internal Noise

The SPG seeks to avoid single aspect dwellings where: the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful levels of external noise; or the dwelling would contain three or more bedrooms. Policy

DM1 Achieving a High Standard of Development undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers and, at paragraph 2.15 of the reasoned justification, echoes the SPG position on single aspect dwellings.

The majority of units (58 in total) would be dual aspect, thereby complying with the above policy. Only 6 of the proposed 64 units would have a single aspect. It is clear that there is a preference for dual aspect units. Notwithstanding this, it is observed that the 6 proposed units which would be single aspect would have a south/south-western facing aspect and are all 1 bed 2 person units. As a result, it is considered that these units would receive adequate levels of natural daylight with both the living areas and bedrooms benefiting from a window/balcony within the south facing elevation.

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

It is noted that the proposed floor plans generally provide vertical stacking that is considered to be satisfactory. Notwithstanding this, any overlap is considered in this instance to be acceptable, as the proposed new build would be able to meet Building Regulation standards. Accordingly, it is considered that the vertical stacking of the proposed development is acceptable.

The design and layout of the proposal generally avoids the placement of lifts and stair cores adjacent to bedrooms. The exceptions being the entrances to Cores B and D and the stairwell of Core C on the ground floor, which would be adjacent to bedrooms. However, compliance with the Building Regulations will provide some acoustic mitigation and the layout would secure optimum noise conflict limitation to all other flats within the development. In the context of the development's overall good performance in terms of residential quality this is not considered to be sufficient to justify withholding planning permission.

Privacy

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

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

The two proposed residential buildings are proudly laid out in an 'L' shape within the site, fronting the public highways. A conscious design rationale was taken to split the development (by providing two stepped residential buildings) to break the bulk of the scheme up thereby ensuring that they do not appear overly dominant within the site or streetscene. In adopting this design approach and given the density of the proposed

scheme, it is considered that there would inevitably be some tight overlooking relationships between homes within the development, which would occur between the communal open area where a distance of 11.5m would exist between the east facing elevation of Building A and west facing elevation of Building B. Furthermore, the design of Building B would result in the proposed units within the eastern part being sited perpendicular to one another. These elevations would all contain habitable room windows and balconies, meaning that there would be an increased 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. Given the high density nature of the proposal, which is consistent with the need to make effective use of this accessible previously-developed site, and the likely expectations of the future occupiers of such a development, this is considered to be reasonable in this instance.

Some of the upper floor flats, which are accessed by Cores A, B and C would have an external hallway. Therefore, the future occupiers of the upper floor units may need to directly pass by the windows serving the neighbouring occupiers facing the external hallway. However, it is observed that where this is the case, the residential units in question would be dual aspect and the windows would predominantly serve the kitchen or W/C. In order to protect the privacy amenities of the future occupiers of these units, it is considered that the windows that directly face the external communal corridor should be obscure glazed and non-opening below 1.7m above finished floor level in the interests of the privacy of the future occupiers of those residential units. Whilst this may hinder the outlook from the respective windows, it is considered that the level of natural daylight reaching the open planned kitchen/living rooms would not deteriorate to an unacceptable level and a high standard of accommodation would still be provided for the future occupiers.

In relation to the street frontages, the lower ground/ground floor flats would have their habitable room windows and balconies facing the adjacent pavement at relatively close proximity. In the case of those fronting Pinner Road, these would face the back edge of the pavement at a distance of 3 metres at its closest point (where the proposed servicing lay-by is proposed). In the main, a distance of 4.5m would be retained between the back edge of the pavement and the front elevation of those ground floor units. However, the windows (and balconies where applicable) would be set-back behind proposed brick walls and planting strips that provide a clear demarcation and buffer between the public realm and the windows/private amenity space of the flats, which is considered to retain the privacy amenity of these future occupiers. The details of the hard and soft landscaping can be secured by condition.

Overall, it is considered that the proposal would secure a standard of privacy for future occupiers of the development that is commensurate with the intended character of this higher-density development (which makes effective use of this accessible previously-developed site) and the likely expectations of this edge of town centre scheme. Subject the details that may be controlled by condition, the proposal is considered to be acceptable in this regard.

Daylight, Sunlight and Outlook

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

Policy DM1 requires proposals to achieve a high standard of amenity and sets out the considerations for the assessment of amenity, of which light within buildings is one. The weight to be attached to this consideration, within the context of the whole amenity that would be afforded to future occupiers of the development, is ultimately a question of judgement. As mentioned previously, the majority of units are dual aspect and those with a single aspect predominantly have a southerly aspect and are not overly deep. As such, it is considered that they would receive a satisfactory level of daylight and sunlight.

A Daylight and Sunlight report has been submitted with the application but its scope is confined to the impact of the development upon neighbouring properties. As noted above, the majority of flats would be dual aspect. The proposed layout places habitable room uses (living rooms and bedrooms) towards the external walls with bathrooms/kitchens and storage areas placed more centrally within the flats. As such, and in the context of daylight performance experienced in high density residential schemes, it may be expected (in the absence of evidence) that the habitable rooms would perform reasonably well in terms of daylight but that the inner room uses would be more reliant on artificial lighting.

In terms of direct sunlight, the south-east/west elevation facing Pinner Road would enjoy early morning sunlight during the morning given the absence of development to the south-east of the application site. It is expected that the proximity and height of Trident Point, opposite the application site would restrict direct sunlight penetrating the southern elevations of the development during the afternoon, although it is considered that some direct sunlight would again reach the respective elevations towards the late afternoon and evening as the sun sets towards the west.

It is considered that the development as a whole would perform relatively well in daylight/sunlight terms. Taking into account the positive assessment of the proposal across a range of other amenity considerations, including the provision of amenity space, privacy, internal layout and dual aspect, the overall standard of amenity for future occupiers would be acceptable.

Floor to ceiling heights

The SPG calls for a minimum floor to ceiling height of 2.5 metres in habitable rooms. The submitted section drawings show that the internal floor to ceiling heights would conform to the required of the SPG.

Accessibility and Inclusivity

The London Plan requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policy 7.2. Policy DM 2 of the harrow Development Management Policies Local Plan (2013) seeks to ensure that buildings and public spaces are readily accessible to all and Supplementary Planning Document Accessible Homes 2010 (SPD) further outlines the necessary criteria for an achieving accessible residential accommodation.

The scheme has been designed to accommodate the various level changes across the site and to ensure that all entrances, both private and communal can easily achieve a level threshold. This would accord with the requirements of the aforementioned policies.

The Design and Access Statement and supporting documents confirm that all the proposed residential units would meet lifetime homes standards and 6 units would be allocated as wheelchair homes (a mix of affordable and private housing). This meets the

minimum 10% target for accessible/wheelchairs homes set out in the adopted policies. Three of the six wheelchair homes would be allocated as affordable housing, namely the 2bed 3person unit, 2bed 4person unit and 3bed 4person unit located within cores A and B. The applicant has confirmed within the Design and Access statement that they intend to hold discussions with the local authority prior to the commencement of building works to identify how the designated wheelchair compliant homes are to be built and what additional design requirement/equipment would be required for each resident, which is welcomed by the Housing Enabling Team. It is expected that the proposed units which have been identified as being suitable accommodation for wheelchair users would meet the Wheelchair Home Standards set out within the Accessible Homes SPD (2010) and in particular, accord Paragraphs 4.24 and 4.25 of that SPD. Subject to a detailed layout of the proposed units for wheelchair users, which can be secured by way of a suitable condition, it is considered that the proposed development would be compliant with the adopted policies in this regard.

Private Amenity Space

Policy DM1 of the Development Management Policies (2013) 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.

All of the ground floor units would have access to a private terrace/garden to the rear/side elevations of those respective units. Furthermore, each of the residential units above would have access to a private balcony area. The balconies would all exceed the minimum 5m² 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 open space/garden and private access is provided to Harrow Recreation Ground which abuts the application site to the north. On this basis, the proposed development is considered to be acceptable in this regard.

Communal Open Space

Local Plan Policy DM27 states that the appropriate form and amount of amenity space should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy. Those criteria are the likely needs of future occupiers, the character of the area, the privacy and amenity of neighbouring occupiers, and the quality of the space proposed.

The proposal makes provision for a landscaped communal open space between the two residential buildings, thereby benefiting from a high level of natural surveillance. Given the proximity and the proposed direct link to Harrow Recreation Ground, which abuts the site to the north, it is considered that the additional communal landscaped open space would be a further benefit of the scheme and improve the environmental quality and appearance of the development.

Children's Play 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. DM 28 Children and Young People's Play Facilities reiterate the need for children's play space. Applying the child yields at Appendix 1 of Harrow's Planning Obligations SPD, it is calculated that the development would yield a total of 20 children between 0-15 years old.

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. When applied to the above child yield, this generates a requirement for 80m² playspace.

The children's playspace would be located at ground level and would therefore be accessible for the mobility impaired and would enjoy some natural surveillance, being directly overlooked by habitable rooms and private amenity spaces of the ground and upper floor flats. However, the proposed children's play space would be sited adjacent to Horse Chestnut Trees (T5 and T6 as labelled within the Tree impact assessment). The tree canopies would overhang and subsequently overshadow the proposed children's play space thereby deteriorating the quality of this play area and screening part of the play space, thereby interrupting the overall degree of natural surveillance of the site. As discussed further within the trees and development section, it is also considered that the siting of the children's play area adjacent to the Horse Chestnut trees would give rise to post-development pressure to the respective trees. However, the applicant has agreed to provide a financial contribution towards the re-provision of trees, which would be secured by the legal agreement. In this way, if it were necessary to remove the trees, monies would be secured for their replacement. The playspace would then have an adequate level of space and good levels of surveillance.

Noise

Policy DM1 of Development Management Policies (2013) states 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 of the proposed buildings adjacent 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 submitted noise assessment demonstrates that some of the proposed residential accommodation would be adversely affected by traffic noise. However, the report proposes suitable noise reduction standards for the building envelope to offset this. The Council's Environment Health Officer considers the assessment to be acceptable, but has requested that the details of a noise insulation scheme should be submitted and approved by the local planning authority prior to construction which should be secured by way of a suitable condition. The Environmental Health Officer has also advised that a condition be imposed requiring the noise emitted from any fixed installations and mechanical plants to be lower than the existing background level by at least 10LpA, unless otherwise agreed with the Local Planning Authority.

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.

Residential Amenity of Neighbouring Occupiers

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

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.

Use of the Site

The last lawful use of the application site was as a hotel, with car parking located to the front and rear of the site. The nature of the pre-existing hotel use on the site was transient in nature, with short stay visitors frequenting the site. The hotel also had a restaurant/bar and conferencing facilities which added to the intensity of use of the site. It is acknowledged that the proposed redevelopment would result in a higher density of persons occupying the site. However, the permanent nature of the residential accommodation would result in less comings and goings from transient occupiers. It is therefore considered that the proposed change in use of the site would not result in an increase in noise and disturbance over and above the pre-existing use of the property as a hotel. It is therefore considered that the proposed use of the property would accord with the policies listed above.

To manage and mitigate the extent of noise disturbances to the neighbouring occupiers during the construction phase, a condition is included requiring the submission of a Construction Management Plan to be approved by the local planning authority prior to the commencement of any works on site. Such an approved document shall be implemented accordingly with the aim to reduce impacts on neighbouring occupiers during the construction phase. Subject to such conditions, it is considered that the proposed development would not have an unacceptable impact on the neighbouring residential amenity.

Built Form – Visual Impact

As outlined within the site description, the application site is adjoined by the residential dwellings to the eastern and western. The proposed western elevation of Building A would be sited 1m away from the shared boundary with the adjoining residential dwelling No. 24 Pinner Road (at its closest point). The proposed northern elevation of Building B would be sited 1.6m away from the shared boundary with the adjoining dwelling No. 18 Roxborough Road. The proposed eastern elevation of Building B would be sited perpendicular to the rear gardens of the adjoining dwellings along Roxborough Road and an approximate distance of 17m would be maintained between the rear elevations of those neighbouring dwellings and the proposed eastern elevation.

The impact of the proposed development would be most keenly felt by the occupiers of No. 24 Pinner Road and Nos 18 – 24 Roxborough Road. The existing two/three storey buildings on site would be demolished and replaced with two residential buildings that would have a height of three to five storeys and would differ from the existing buildings in their siting, form, scale and layout within the plot. At present, the building adjacent to No. 24 Pinner Road has a similar depth (at first-floor level), but at ground floor, features a rearward projection that extends virtually the entire depth of the rear garden at No. 24 Pinner Road. The proposed residential Building A would maintain a similar building line (to the front) and would have a reduced depth adjacent to the shared boundary with No. 24 Pinner Road. The western flank wall would be sited 8.3m away from the shared boundary in the part closest to the existing rear elevation of No. 24 and 4.5m in the part furthest from the rear elevation of that neighbouring dwelling. It is acknowledged that the increased height of the proposed residential Building would be prominent in view from the rear garden and patio area of that adjoining dwelling (and to a lesser extent with respect to the neighbouring dwellings further west). However, given the proposed

distance between the western flank wall of Building A and the shared boundary with the neighbouring dwelling no. 24 Pinner Road, it is considered that this would reduce the visual impact of this element on the neighbouring occupiers to the west of the application site.

With respect to the proposed visual impact of the proposed development upon the adjoining residential occupiers along Roxborough Road, Residential Building B, by reason of its cranked crescent shape, would be sited to the south and west of those neighbouring dwellings. The proposed eastern elevation of Building B would front Roxborough Road and maintain the existing building line. In relation to the neighbouring dwelling no. 18 Roxborough Road, the adjacent part of Building B (to the south) would have a height of 3 storeys which would be the same as the existing building on site. The additional 4 and 5 storey height would be located in the part furthest south. A cycle store is also proposed adjacent to the shared boundary with No. 18 Roxborough Road to the west. The neighbouring occupiers of the adjoining dwelling currently enjoy a high degree of visual amenity from the rear habitable rooms/garden as a result of the existing visual gap to the south/south-east afforded by the absence of development. The siting and height of the proposed residential building B would inevitably close the existing 'gap' and therefore undesirably impact upon the existing level of visual amenity enjoyed by those neighbouring occupiers. However, there is no 'right' to a view and it is considered that the proposed siting of building B and the separation distance between the five storey element of that building and the southern boundary of No. 18 Roxborough Road would facilitate in reducing the visual impact of building B when viewed from the rear habitable rooms/garden area of that adjoining dwelling. Consequently, it is considered that the proposal would not have an undue impact on the visual amenities of those neighbouring occupiers that would justify a refusal of planning permission.

The proposed (three storey) rearward projection of Building B would be sited 17m away from the adjoining rear boundaries of the neighbouring dwellings along Roxborough Road. Again, it is considered that, by reason of the relatively modest maximum height (6.5m) and the separation distance, the proposed eastern flank wall of Building B would not have an unduly harmful impact upon the visual amenities of the adjoining neighbouring dwellings along Roxborough Road.

Light and Outlook

The applicant has submitted a daylight and sunlight report which has assessed the potential impact of the proposed development upon the adjoining buildings. The following buildings were assessed:

17 Roxborough Road
18 – 32 Roxborough Road (even)
1 – 9 Montague Court, Roxborough Road
24 – 30 Pinner Road (even)
Trident Point

Neighbouring properties on Pinner Road

With respect to no. 24 Pinner Road, only 1 of the 24 site facing windows would experience an alteration in VSC (Vertical Sky Component) beyond the BRE recommendation. However, it is considered that the subject window has an obstructed view under the existing scenario and therefore results in an actual quantum loss of 5.5% VSC. One of the windows would see a 44% alteration in daylight distribution. However, this window would serve and given that the room would have a lesser expectation of daylight, the alteration is considered acceptable given the intended urban context of the

surrounding. The window serving the kitchen/dining room would experience a 25% loss in annual APSH (Annual Probable Sunlight Hours). However, given that use of the room, it is considered that the extent of sunlight lost from this window would be not be unreasonable.

In relation to Nos. 30 - 26 Pinner Road, The submitted daylight and sunlight assessment states that the site facing windows which are orientated 90 degrees of due south would all be fully compliant in terms of VSC and NSL alterations and are fully BRE compliant relating to APSH alterations.

Neighbouring properties on Roxborough Road

In assessing the impact upon No. 18 Roxborough Road, the submitted assessment states that three out of the six rear (site) facing windows which serve habitable rooms would experience higher VSC alterations against the BRE recommendation of 20%. The assessment states that given the close proximity of that neighbouring building to the site, the levels of VSC are already low and any small change would appear to present an uncharacteristic reduction. Under these circumstances, it is considered that the alterations would be acceptable given the intended urban context of the surrounding area. The report suggests that 4 of the 5 rooms in the building would experience some derogations from BRE guidance in relation to their levels of sunlight amenity. However, the affected rooms would appear to be a kitchen/dining room and a first-floor bedroom. These rooms are not likely to be used to great extent during the day as would be the case for a living room. For these reasons, it is considered that the derogations from the BRE guidance would be considered acceptable given the intended urban context of the surrounding area.

With respect to No. 20, the daylight and sunlight report states that two windows would experience alterations in VSC beyond the BRE recommended 20%. However, these windows would serve shed/storage rooms and are not therefore material for assessment terms of daylight amenity. The report states that the remaining windows assessed would be fully compliant with regards to VSC and NSL (No Sky Line) alterations and the occupants are unlikely to notice any change to their levels of daylight amenity. Three of the five rooms of this dwelling have rear (site facing) windows and are orientated 90 degrees of due south. These rooms would subsequently experience alterations in APSH which exceed the BRE guidance. Two of these rooms are not considered to be a habitable room and are therefore not material to this assessment. The rear facing bedroom would experience a sunlight amenity loss of 22.7%. BRE guidelines suggest that a room should receive at least 25% annual probable sunlight hours, 5% of which should be received during the winter months. In this instance, the room would receive 34% annual probable sunlight hours, with 3% being received during the winter months following construction. Notwithstanding the minor derogation from BRE guidance in terms of Winter APSH, the report concludes that the alteration is reasonable in the context of BRE guidance.

In relation to the neighbouring residential dwellings Nos. 22 to 36 Roxborough Road, 17 Roxborough Road and 1-9 Montague Court, the submitted daylight and sunlight report states that all the residential rooms assessed would be fully compliant in terms of any VSC and NSL alterations and the occupants of the rooms are unlikely to notice any change to their levels of daylight amenity. With regards to sunlight, the rooms would be fully BRE compliant relating to APSH alterations and the occupants of the rooms are therefore unlikely to notice any change to their levels of sunlight amenity.

Neighbouring properties within Trident Point

All of the site facing windows serving the residential rooms would be compliant in terms of the VSC and NSL alterations. The potentially affected windows would be facing north (and no within 90 degrees south) for a material assessment to be made in relation to sunlight amenity.

Privacy

The proposed residential buildings would feature external corridors which provide access to the flats within Cores A and B. It is acknowledged that these corridors would be sited on the western elevation of Building A and the eastern elevation of Building B, thereby sited perpendicular and overlooking the rear gardens of the neighbouring gardens of the neighbouring dwellings to the west (Pinner Road) in the case of Building A and to the east (Roxborough Road), in the case of Building B. However, given that the proposed passageways would be transient spaces and effectively located 'outside' (therefore exposed to the weather), it is considered that the likelihood of sustained overlooking from these passageways into the respective rear gardens would be limited.

In relation to the western elevation of Building A, a number of windows would be located on that flank wall facing the neighbouring dwellings on Pinner Road from the first-floor upwards. However, these windows would primarily serve bathrooms or would be secondary windows to a living area. As a result, it is considered that a condition requiring the windows to be obscure glazed and non-opening below 1.7m above finished floor level would ensure there are no detrimental privacy amenities on the neighbouring occupiers along Pinner Road.

With respect to the proposed eastern flank wall (first-floor upwards) of Building B, the windows on that elevation would serve the hallway or w/c. The application of the above condition would ensure the privacy amenities of the adjoining neighbouring occupiers along Roxborough Road are protected.

Two proposed residential units on the second floor (A.2.5 and B.2.3) would have private balconies that would wrap around the building and therefore would partially directly overlook the rear elevation and garden areas of no. 24 Pinner Road and no. 24 Roxborough Road respectively. It is considered that this could be satisfactorily addressed through the removal of part of the overlooking element of the respective balconies without compromising upon the overall minimum private amenity space required for the flats. A condition has therefore been included requiring revised plans to address this.

It is also considered that private balconies to Flats B.1.1 and B.2.1 would be orientated in a manner that would give rise to an unsatisfactory amenity impact (by reason of overlooking and loss of privacy) upon the neighbouring occupiers at 18 Roxborough Road. Again, it is considered that this could be addressed by way of condition if the revised balcony details are not submitted in time to be reported to the planning committee by way of an addendum.

For these reasons and subject to conditions, it is considered that the proposal would not give rise to any unacceptable loss of privacy to neighbouring occupiers.

Traffic, Safety and Parking

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives.

It further recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. London Plan Policy 6.3 states that 'development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed'. Policies 6.9 and 6.10 of the London Plan (2015) relate to the provision of cycle and pedestrian friendly environments, whilst Policy 6.13 relates to parking standards. Core Strategy policy CS1.Q seeks to 'secure enhancements to the capacity, accessibility and environmental quality of the transport network', whilst policy CS1.R reinforces the aims of London Plan policy 6.13, which aims to contribute to modal shift through the application of parking standards and implementation of a Travel Plan.

The application site is highly accessible by non-car modes and benefits from pedestrian and cycle facilities within the immediate vicinity of the site. The local roads surrounding the site are subject to a Controlled Parking Zone (CPZ) which restricts on-street parking in the dedicated bays to permit holders only.

The proposed development would be car free (the proposed 6 parking spaces on site would be designated as disabled/accessible parking spaces and are therefore not excluded). As the application site is located within an edge of town centre location with a high level of accessibility to public transport, it is considered that the proposed car free development would be highly supported in the above policy context, which is geared towards promoting a modal shift away from private car ownership and reducing on-site parking provision. This would be reinforced by the limited off-street parking opportunities within the locality and a condition restricting resident permit permission. TfL have requested a car-safety audit to be completed which the applicant has carried out, demonstrated that the development would not have adverse impacts on road safety. This has been reviewed by the Highways Authority and found considered to be fair. As the proposal is car-free, it is considered that the traffic impact of the proposed redevelopment would be minimal and will result in a reduction in vehicle trips to the site.

As part of the proposal, the potential for a Car Club space on Roxborough Road has been proposed, which is supported by Policies 6.11 and 6.13 of the London Plan (2015). Car Clubs offer the benefit of reducing demand for individual car ownership whilst maintaining access to a car for multiple households. The Councils Highways team have requested that a sum of £5000 is secured by way of a Section 106 contribution for the associated works relating to the proposed car club bay and loading bay.

Cycle Storage

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 once cycle parking space per 1 bedroom unit and two cycle parking spaces per 2 bedroom unit. It is envisaged that this level of provision would encourage residents to use an alternative mode of travel to the private car and would comply with London Plan standards. Two short-stay cycle parking spaces have been provided in the form of a Sheffield Loop within the landscaped open space.

Servicing

Refuse collection would be undertaken on-street from Roxborough Road and Pinner Road. To accommodate this, a servicing layby is proposed on Pinner Road adjacent to the site frontage which will allow the refuse vehicle to be stationary without obstructing traffic and allow for other service deliveries to the site. Although the transport statement

suggested that the proposed service layby would be flush with the footway, to enable the layby to be used by pedestrians when not in use, the Highways Team do not deem this to be satisfactory. Rather the proposed layby must be separated from the pedestrian footway by means of a full height kerb to differentiate between the carriageway and footway. A condition is therefore included requiring a detailed design layout for the proposed servicing layby. Additionally, the applicant is advised that the new footway land would need to be dedicated as Highway Via Section 38 and the proposed works as a result of the safety audit, namely, the creation of the extended central island and pedestrian refuge on Pinner Road and the reinstatement of the redundant vehicle crossover serving the application site would need to be secured via s Section 278 agreement.

In conclusion, it is considered that the proposed development, subject to the imposition of appropriate conditions 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

The site is not located within a flood zone. However, is located within a Critical Drainage Area and given the potential for the site to result in higher levels of water discharge into the surrounding drains, could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall.

The Council's Drainage Team have commented on the application and recommended conditions to ensure that development does not increase flood risk on or near the site and would not result in unacceptable levels of surface water run-off. It is considered reasonable that this matter could be addressed by way of appropriately worded safeguarding conditions. Subject to safeguarding conditions, the development would accord with National Planning Policy, The London Plan (2015) Policy 5.12, and policy DM10 of the Development Management Policies (2013).

Trees and Development

Policy 7.21B of The London Plan (2015) states that "Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species".

Policy DM 22 of the Development Management Policies Local Plan states that "The removal of trees subject to TPOs or assessed as being of significant amenity value will only be considered acceptable where it can be demonstrated that the loss of the tree(s) is outweighed by the wider public benefits of the proposal."

Trees make a substantive positive contribution to the character of Harrow and a significant component of the Borough's natural environment. The application site adjoins Harrow Recreation Ground to the north of the site which is a public park and designated as Open Space within the Harrow Policies Map. The public park provides the Borough's residents with the opportunity to participate in organised outdoor sport, play and informal recreation activity, to the benefit of the Boroughs residents' health and wellbeing. Furthermore, the trees sited adjacent to the application site within the recreation ground have some ecological connectivity via perimeter tree lines to Harrow Cemetery a Site of Importance for Nature Conservation.

An Arboricultural Impact Assessment/Tree Survey has been submitted with the

application. A total of three trees are proposed for removal to facilitate the development, T4 (Prunus), T7 (Ash) and T10 (Silver Birch). It is noted that these trees do not appear to be in the applicant's ownership. With respect to T10, the Council's Arboricultural Officer has advised that this is a 'B Grade' street tree and is under council ownership. The loss of 'B' retention category trees to development would normally substantiate a reason for refusal, as B Grade and above should be retained by default (as per BS5837 advice).

Three trees are proposed for retention adjoining the northern boundary, T2 (Common Lime), T5 and T6 (Horse Chestnuts). However, The Council's Arboricultural Officer and Landscape Officer have both expressed concern at the impact to these trees given their proximity to the proposed development. The trees are all located within the Recreation Ground and are therefore under council ownership. The building, hardsurfacing and boundary treatment together with the Children's Play Area would impact on these existing trees and as noted within the submitted tree assessment. Furthermore, it is considered that the Common Lime Tree (T2) located at the north (western) boundary would completely dominate the rear garden of the adjacent ground floor flat and the likely pressure for pruning is likely to give way to future removal.

The Horse Chestnuts (T5 and 6) would be sited adjacent to the proposed children's play area and would significantly overhang that adjacent space. It is considered that there would be post-development pressure to carry out works to the trees (which would be detrimental to the long term health of the tree) or even request their removal to address shading and perceived safety concerns in relation to the children's play area. T5 is a B retention category tree and as such the impact on this retained tree (as a result of the pressures likely pressures arising from the proposed development) would normally substantiate a refusal on the grounds of unacceptable loss of trees & unacceptable levels of post development pressure.

It is established that the proposed redevelopment of the site would have an immediate impact on three of the neighbouring trees (by means of removal) and post development pressure on a further three trees close to the application site as a result of post-development pressure. Two of the trees are 'B Grade' (of moderate quality/value estimated to be suitably retained for 20 to 40 years) and their loss (in the removal of T10 and likely post development pressure/future removal of T5) would ordinarily substantiate a reason for refusal as per BS5837 advice. The trees located within the adjoining recreation ground therefore have noteworthy environmental and ecological benefits and are therefore considered to be of significant amenity value.

The proposed redevelopment would provide a high quality residential development within a strategic and prominent edge of town centre site. The redevelopment of the site would enhance the urban environment in terms of material presence, attractive streetscape which would make a positive contribution to the local area, in terms of quality and character. Furthermore, the proposed development would provide appropriate living conditions which would be accessible for all future occupiers of the development and would secure the provision of onsite affordable housing that would positively add to the Council's housing delivery targets. Consequently, it is considered that proposed development would be within the wider public interest, through the proposed improvements to the built environment, urban fabric and public realm within this part of the Borough and through the provision accessible residential accommodation within a sustainable edge of town centre location.

The removal of T4, T7 and T10 would therefore find some support in Policy DM22 of the

Harrow Development Management Policies (2013), owing to the public benefits of the proposed redevelopment. However, T1 – T6 are located within the adjoining Recreation Ground are considered to be of a significant amenity value owing to their contribution towards the environmental and ecological quality of the designated open space. It is considered that the loss of T4 and the post developmental pressures (and potential future removal) to T2, T4 and T6 would therefore be undesirable.

To offset this harm, the applicant has agreed to provide a financial contribution towards the provision of additional trees within the immediate locality, which is to be secured by way of a legal obligation and is considered to be an acceptable proposition by the Council's Arboricultural and Landscape Officers.

Subject to the legal obligation and planning conditions in respect of the above matters, officers consider that the development would thereby comply with policies 7.21 of The London Plan (2015) and policies DM22 of the Harrow Development Management Policies Local Plan (2013).

The submitted Arboricultural Impact Assessment Plan clearly shows the removal of trees T4, T10, T12, T13 and T14 which are in public ownership and T7 which is in private ownership, belonging to 24 Roxborough Road. It is therefore not in the power of the applicant to remove these trees and an informative is included reminding the applicant to obtain the relevant permissions for their removal.

Ecology and Biodiversity

The application site is adjoined to the north by the Harrow Recreation Ground and there is therefore some ecological connectivity via perimeter tree lines between the application site and the Harrow Cemetery, a Site of Importance for Nature Conservation. An Extended Phase 1 Habitat and Protected Species Survey Report has been submitted with the application, with the purpose to identify major habitats present, the potential for legally protected species to be present and any additional ecological surveys to be required.

The report has been reviewed by the Councils Biodiversity Officer who considers that the information and assessments that have been undertaken are fair and reasonable. In addition to commitment to the measures for biodiversity enhancement outlined within the report the Biodiversity Officer has also provided the following suggestions to improve habitats for birds, bats and invertebrates:

- The provision of bird boxes specifically targeting notable urban birds such as house sparrow and starling. These boxes should be constructed from a durable material such as 'woodcrete' and sited in a position which optimises the potential for use.
- Provision of bat boxes/tubes - these should be constructed from a durable material such as 'woodcrete' and sited in a position which optimises the potential for use
- The inclusion of native/wildlife attracting trees and shrubs as part of the landscaping scheme
- Creation of a loggery for stag beetles within the landscaped area
- External LED down-lighting, with UV filters (if required) to minimise light pollution and impact on any commuting bats

It is considered appropriate that a condition be attached requiring the recommendations to be implemented which would enhance biodiversity on site in accordance with Policy DM21 of the Harrow Development Management Policies.

Subject to conditions, the proposed development would comply with policies DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013).

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 applicant has submitted an Energy Strategy, which details the likely energy demands of the proposed development and proposed a strategy to increase energy efficiency. The Energy Statement goes on to investigate measures to reduce the carbon emissions by 35% and provides a number of options that could be utilised on site to meet the 'be lean, be clean, be green' energy hierarchy outlined within the London Plan.

It is concluded that an energy strategy of improved thermal principles, low energy use fitting and appliance and energy efficient individual heating systems would contribute towards achieving 35% emissions reduction. Officers consider that the findings of the Energy Strategy would accord with development plan policies.

Subject to a condition requiring a post occupation assessment of energy ratings to demonstrate compliance with submitted Energy Strategy, it is considered that the proposal would accord with the policies listed above.

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 state 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 of the Development Management Policies (2013) 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 for the proposed 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. During the course of the application, the Council's Environmental Health Officer requested that the applicant submit the specification of proposed heating systems which so that the building emissions could be considered for the Air Quality Neutral Assessment. A revised Air Quality Assessment was subsequently provided and deemed satisfactory by the Council's Environmental Health Officer.

The Council's Environmental Health Officer has recommended that a condition be imposed requiring a scheme for detailed design of the houses to mitigate against the effects of air pollution and details of the householder information pack to be submitted and agreed in writing by the Local Planning Authority before construction commences. A further pre-commencement condition is included requiring the submission of a construction and environment plan.

Subject to the imposition of the recommendation conditions, the proposed development would give rise to no conflict with the above stated policies.

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 held two Public Consultation Events. The first was held on 4th March 2015 inside the former restaurant on site. A total of 1000 invitation leaflets were delivered to the local community. This event was attended by 55 People of which 29 completed feedback forms. A second public consultation event was held on 9 June 2015 at the same venue detailing how the scheme had progressed since the first exhibition. Another 1000 invitation leaflets were delivered and a total of 24 people attended. Additionally a formal meeting took place with Harrow West MP took place on 24th February 2015 a meeting with the Owners of 24 Pinner Road on 17th April 2015.

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 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 requires all new developments to have regard to safety and the measures to reduce crime in the design of development proposal.

The applicant has referred to how the proposal development has been 'secured by design' within the Design and Access Statement. Specifically, the proposal would

address levels of safety and security in the public realm by creating active streets with clear access to buildings and provide a high quality public realm. Defensible planting, boundary treatments, controlled access and natural surveillance have all been considered as active measures to provide improved safety and reduce crime. It is therefore considered that the proposal has been established in line with the Secured By Design Guidance and would not therefore increase crime risk or compromise upon 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 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 that 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 (2015), the Harrow Core Strategy (2012), 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.

3300_PL01, 3300_PL02, 3300_PL03, 3300_PL11, 3300_PL12, 3300_PL13, 3300_PL14, 3300_PL15, 3300_PL16, 3300_PL20, 3300_PL21, 3300_PL22, 3300_PL23, 3300_PL30, 3300_PL31, Planning Statement (dated August 2015), Design and Access Statement, Daylight and sunlight report (dated August 2015), C100 Revision P2 (Drainage Strategy Layout), Drainage Strategy Report Rev P2 (dated August 2015), Energy Strategy Rev 01 (dated August 2015), Extended Phase 1 Habitat and Protected Species Scoping Survey (dated 4th February 2015), Geo-environmental Site

Assessment (dated July 2015), 2560-LA-01 Revision P6 (Landscape Masterplan), Landscape Strategy Rev P1 (dated August 2015), Noise Assessment (dated August 2015), Statement on the Construction Environmental Management Plan, Preliminary Risk Assessment (dated July 2014), Statement of Community Engagement (dated August 2015), Sustainable Design and Construction Statement Rev 01 (dated July 2015), Transport Statement (dated August 2015), Tree Survey, Utilities Statement Rev 01 (dated August 2015)

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 Policy DM1 of the Development Management Policy (2013).

Pre-Commencement Conditions

3 No development shall take place, including any works of demolition, until a Construction Method Statement & Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The Method Statement shall provide for:

- a) detailed timeline for the phases and implementation of the development
- b) demolition method statement
- c) the parking of vehicles of site operatives and visitors;
- d) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development;
- f) measures to control the emission of dust and dirt during construction; and
- g) scheme for recycling/disposing of waste resulting from demolition and construction works.

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

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers, in accordance with Policy DM1 of the Local Plan, and to ensure that development does not adversely affect safety on the transport network in accordance with Policy 6.3 of the London Plan and Policy DM43 of the Local Plan.

Details are required prior to commencement of development to ensure a satisfactory form of development.

4 The development hereby approved shall not commence until details of the site levels at the site boundaries in relation to the existing site levels of neighbouring properties, and details of any retaining structures required at the site boundaries, have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the development achieves a high standard of privacy and amenity for neighbouring occupiers, and to ensure that the development achieves a high standard of design, in accordance with Policy DM1 of the Local Plan.

Details are required prior to commencement of development to ensure a satisfactory form of development.

5 The development hereby approved shall not commence until works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved works, or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the necessary construction and design criteria for the

development proposals follow approved conditions, to ensure that adequate drainage facilities are provided, and to reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework and Policies DM9 and DM10 of the Local Plan.

Details are required prior to commencement of development to ensure a satisfactory form of development.

6 The development hereby approved shall not commence until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved attenuation and works, or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions and to reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework and Policies DM9 and DM10 of the Local Plan.

Details are required prior to commencement of development to ensure a satisfactory form of development.

7 No operations of any description shall commence on site in connection with the development hereby approved, until a detailed Arboricultural Method Statement and Scheme of Supervision has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall contain full details of the following:

- a) scheme of supervision and monitoring for arboricultural protection measures, to be administered by an arboriculturist instructed by the applicant
- b) Details of working methods to be employed for installation of drives, paths, hardstanding etc within Root Protection Areas of retained trees in accordance with principles of no- dig construction

REASON: The existing trees represent an important amenity feature which the Local Planning Authority considers should be protected, as required by policy DM22 of the Harrow Development Management Policies Local Plan (2013).

Details are required prior to commencement of development to ensure a satisfactory form of development.

8 The development hereby approved shall not commence until a Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan shall contain full details of the following:-

- (a) Trees to be removed / retained
- (b) The root protection areas to be identified on plan for retained trees;
- (d) The type and detail of the barrier fencing to be used
- (e) The precise location of the barrier fencing to be shown on plan.

The development shall be carried out in accordance with the Tree Protection Plan.

REASON: The existing trees represent an important amenity feature which the Local Planning Authority considers should be protected, as required by policy DM22 of the Harrow Development Management Policies Local Plan (2013).

Details are required prior to commencement of development to ensure a satisfactory form of development.

9 The development hereby approved shall not commence until a detailed design of the proposed service lay-by on Pinner Road has 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

REASON: To ensure that development does not adversely affect safety on the transport network in accordance with Policy 6.3 of the London Plan and Policy DM43 of the Development Management Policies (2013)

Details are required prior to commencement of development to ensure a satisfactory form of development.

Progression-Point Conditions

10 Notwithstanding the details shown on the approved drawings, the development hereby approved shall not progress beyond damp proof course level until samples of the materials (or appropriate specification) to be used in the construction of the external surfaces noted below have been submitted to, provided on-site, 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

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 (2015), policy CS.1B of the Harrow Core Strategy and policy DM1 of the Harrow Development Management Policies (2013). Details are required prior to commencement of development beyond damp proof course to ensure a satisfactory form of development.

11 Notwithstanding the details shown on the approved plans, the development hereby approved shall not progress beyond damp proof course level until a scheme for the hard and soft landscaping of the development, to include details of the planting, hard surfacing materials 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 development shall be carried out in accordance with the approved scheme or any amendment or variation to it as may be agreed in writing by the local planning authority, and maintained in accordance with the approved scheme.

REASON: To ensure that the development makes 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 Policy DM22 of the Harrow Development Management Policies (2013). Details are required prior to commencement of development beyond damp proof course to ensure a satisfactory form of development.

12 Notwithstanding the details shown on the approved plans, the development shall not progress damp proof course level until detailed layout/specifications for the proposed 'Wheelchair Homes' 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.

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), Policies DM1 and DM2 of the Development Management Policies and the Council's adopted Supplementary

Planning Document: Accessible Homes (2010). Details are required prior to commencement of development beyond damp proof course to ensure a satisfactory form of development.

13 The development hereby approved shall not progress beyond damp proof course 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) and DM49 of the Development Management Policies Local Plan (2013). Details are required prior to commencement of development beyond damp proof course to ensure a satisfactory form of development.

14 The development hereby approved shall not progress beyond damp proof course level until a noise insulation scheme, and details of the mechanical heat and ventilation recovery systems including the location of ventilation inlets and the householder information pack 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, 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 Development Management Policies Local Plan (2013). Details are required prior to commencement of development beyond damp proof course to ensure a satisfactory form of development.

15 The development hereby approved shall not progress beyond damp proof course level until details of the lighting of all public realm and other external areas (including buildings) within the site has been submitted to, 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 DM1 of the Harrow Development Management Policies (2013). Details are required prior to commencement of development beyond damp proof course to ensure a satisfactory form of development.

16 The development hereby approved shall not progress beyond damp proof course level until a detailed plan showing the revised balcony layouts for flats A.2.5, B.1.1, B.2.1 and B.2.3 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 and shall be retained as such thereafter

REASON: To protect the residential amenities of the neighbouring occupiers in accordance Policy DM1 of the Harrow Development Management Policies (2013). Details are required prior to commencement of development beyond damp proof course to ensure a satisfactory form of development.

Pre Occupation Conditions

17 Prior to the occupation 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 DM1 and DM22 of the Harrow Development Management Policies (2013). Details are required prior to occupation to ensure a satisfactory form of development.

18 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 DM1 and DM22 of the Harrow Development Management Policies (2013). Details are required prior to occupation to ensure a satisfactory form of development.

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

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions, and to ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption. Details are required prior to occupation to ensure a satisfactory form of development.

20 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 in accordance with DM1, DM42 and DM43 of the Harrow Development Management Policies (2013). Details are required prior to occupation to ensure a satisfactory form of

development.

21 Prior to occupation of the development, 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 DM1 and DM2 of the Development Management Policies Local Plan (2013). Details are required prior to occupation to ensure a satisfactory form of development.

22 The development hereby permitted shall not be occupied until the recommendations provided by the Council's Biodiversity Officer and those contained within the Extended Phase 1 Habitat and Protected Species Scoping Survey (dated 4th February 2015) have been implemented on site unless otherwise agreed in writing with the local planning authority. The following measures should be provided to enhance biodiversity:

- The provision of bird boxes specifically targeting notable urban birds such as house sparrow and starling. These boxes should be constructed from a durable material such as 'woodcrete' and sited in a position which optimises the potential for use.
- Provision of bat boxes/tubes - these should be constructed from a durable material such as 'woodcrete' and sited in a position which optimises the potential for use
- The inclusion of native/wildlife attracting trees and shrubs as part of the landscaping scheme
- Creation of a loggery for stag beetles within the landscaped area
- External LED down-lighting, with UV filters (if required) to minimise light pollution and impact on any commuting bats

REASON: To make a positive contribution to the protection, enhancement and management of biodiversity in accordance with Policies DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013). Details are required prior to occupation to ensure a satisfactory form of development.

23 The development hereby approved shall not be occupied until the details of an access control system for the residential premises 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 and shall be retained as such thereafter.

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 Policy DM1 of the Development Management Policies Local Plan (2013). Details are required prior to occupation to ensure a satisfactory form of development.

General Conditions

24 Unless otherwise agreed in writing by the local planning authority, the internal specification of the communal areas and of the individual flats and houses shall comply with Building Regulation Standard M4(2).

REASON: To ensure that all of the homes within the development are accessible to all, in accordance with Policy 3.8 of the London Plan (2015) Policy CS1(K) of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies (2013).

25 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 and ensure a high standard of residential quality, in accordance with policy 7.4.B of The London Plan (2015) and Policy DM1 and DM45 of the Harrow Development Management Policies (2013).

26 The level of noise emitted from any fixed installations and mechanical plant shall be lower than the existing background level by at least 10LpA, unless otherwise agreed with the Local Planning Authority. Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with B.S. 4142. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation.

REASON: To safeguard the amenity of the future occupiers and neighbouring residents, as required by policy DM1 of the Harrow Development Management Policies Local Plan (2013).

27 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 DM1 and DM49 of the Harrow Development Management Policies (2013).

28 Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the proposals for emissions savings that are documented in the approved Energy Strategy Report dated August 2015

REASON: To ensure that the development makes appropriate provision for the minimisation of carbon dioxide emissions in accordance with Policy 5.2 of the London Plan (2015) and policy DM12 of the Harrow Development Management Policies (2013).

31 None of the existing trees adjoining the application site shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it roots, stems or branches, other than in accordance with the approved details, without the prior written permission of the local planning authority. All tree works shall be carried out in accordance with BS 3998 (2010)

REASON: The existing trees represent an important amenity feature which the Local Planning Authority considers should be protected, as required by policy DM22 of the Harrow Development Management Policies Local Plan (2013).

32 Unless otherwise agreed in writing by the local planning authority, the windows facing the external walkway to flats:

First Floor: A.1.4, A.1.5, B.1.3, C.1.2, C.1.3,

Second Floor: A.2.2, A.2.4, A.2.5, B.2.3, C.2.2 C.2.3

Third Floor: C.3.2, C.3.3

Fourth Floor: C.4.4

Shall be obscure glazed and non-opening below 1.7m above finished floor level

REASON: To protect the residential amenities of the future occupiers in accordance with Policy DM1 of the Harrow Development Management Policies (2013).

INFORMATIVES

1 INFORMATIVE:

The following the policies are relevant to this decision:

National Planning Policy Framework 2012

The London Plan (2015): 3.3, 3.5, 3.6, 3.8, 3.10, 3.11, 3.12, 4.5, 5.2, 5.3, 5.12, 5.13, 6.3, 6.9, 6.13, 7.2, 7.3, 7.4, 7.6, 7.11, 7.12, 7.14, 7.15, 7.19, 7.21, 8.2

Harrow Core Strategy (2012): CS1 and CS5

Harrow Development Management Policies Local Plan (2013): DM1, DM2, DM9, DM20, DM21, DM22, DM24, DM27, DM28, DM42, DM44, DM45, DM50

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Document: Sustainable Building Design (2009)

Supplementary Planning Document: Accessible Homes (2010)

Mayors Housing Supplementary Guidance (2012)

2 INFORM_PF1 - Grant with pre-application advice

Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

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

3 INFORMATIVE:

Please be advised that this application attracts a liability payment of £154,875.00 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 upon the grant of planning permission will be collecting the Mayoral Community Infrastructure Levy (CIL). Your proposal is subject to a CIL Liability Notice indicating a levy of £154,875.00 for the application, based on the levy rate for Harrow of £35/m² and the residential floor area of 4,425m²

4 Harrow CIL

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

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

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

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

The Harrow CIL Liability for this development is: £486,750.00.

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

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

6 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

7 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

8 INFORMATIVE:

The applicant is advised following Condition 18 of the following:

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

opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

The development is subject to a limitation on a discharge to 5 l/s, consequently there will be a storage implication and the system should be checked for no flooding for a storm of critical duration and period of 1 in 100 years. These storage calculations should include all details of inputs and outputs together with impermeable and permeable areas drained. Please note that the M5-60(mm) is 21 and the Ratio "r" should read 0.43 for this region. Similarly the Volumetric Run-off Coefficient should be substantiated by calculations (Reference to Chapter 13 of The Wallingford Procedure) or a figure of 0.95 should be used for winter and summer. Please note that a value for UCWI of 150 is appropriate when calculating Percentage Runoff (PR) for storage purposes. Please include 30% allowance for climate change.

Full details of drainage layout including details of the outlet and cross section of proposed storage are required.

Full details of any flow restrictions (hydrobrake) that are proposed for this scheme need to be submitted together with the relevant graphs.

9 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.

10 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.

11 INFORMATIVE:

The applicant is advised to contact Thames Water Developer Services on 0800 009

3921 to discuss the details of the piling method statement if piling is proposed as the proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on the local underground sewerage utility infrastructure. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or underpinning work would be over the line of or would come within 3 meters of a public sewer.

Plan Nos: 3300_PL01, 3300_PL02, 3300_PL03, 3300_PL11, 3300_PL12, 3300_PL13, 3300_PL14, 3300_PL15, 3300_PL16, 3300_PL20, 3300_PL21, 3300_PL22, 3300_PL23, 3300_PL30, 3300_PL31, Planning Statement (dated August 2015), Design and Access Statement, Daylight and sunlight report (dated August 2015), C100 Revision P2 (Drainage Strategy Layout), Drainage Strategy Report Rev P2 (dated August 2015), Energy Strategy Rev 01 (dated August 2015), Extended Phase 1 Habitat and Protected Species Scoping Survey (dated 4th February 2015), Geo-environmental Site Assessment (dated July 2015), 2560-LA-01 Revision P6 (Landscape Masterplan), Landscape Strategy Rev P1 (dated August 2015), Noise Assessment (dated August 2015), Statement on the Construction Environmental Management Plan, Preliminary Risk Assessment (dated July 2014), Statement of Community Engagement (dated August 2015), Sustainable Design and Construction Statement Rev 01 (dated July 2015), Transport Statement (dated August 2015), Tree Survey, Utilities Statement Rev 01 (dated August 2015)

QUALITY HOTEL HARROW, 12 -22 PINNER ROAD, HARROW



ITEM NO: 1/03

ADDRESS: WHITCHURCH PLAYING FIELDS, WEMBOROUGH ROAD,
STANMORE

REFERENCE: P/4910/15

DESCRIPTION: THE ERECTION OF A THREE STOREY BUILDING FOR USE AS A
SCHOOL WITH DETACHED SPORTS HALL/COMMUNITY
CHANGING BLOCK, HARD AND SOFT LANDSCAPING, SPORTS
PITCHES AND MULTI-USE GAMES AREAS (MUGA), HARD AND
SOFT PLAY AREAS, PARKING, BIN STORAGE AND BOUNDARY
TREATMENT

WARD: BELMONT

APPLICANT: BOWMER & KIRKLAND / EDUCATION FUNDING AGENCY

AGENT: DPP PLANNING

CASE OFFICER: PETER BARRON

EXPIRY DATE: 18TH JANUARY 2016

RECOMMENDATION A

GRANT planning permission subject to:

- (i) referral to the National Planning Casework Unit should Sport England's holding objection not be withdrawn;
- (ii) referral to the Greater London Authority (GLA);
- (iii) conditions; and
- (iv) the completion of a section 106 Planning Obligation;

by 31st June 2016 or such extended period as may be authorised by the Divisional Director in consultation with 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, informatives, drawing numbers and the Planning Obligation terms. The proposed section 106 Planning Obligation Heads of Terms cover the following matters:

- a) Contribution of £250,000 to fund junction improvements to be secured at Wemborough Road/Whitchurch Lane/Marsh Lane/Honeypot Lane junction
- b) Community Use Agreement to be implemented
- c) Implementation of the Green Travel Plan
- d) Undertaking that the applicant will work with Harrow Council on relevant mitigation works or promotional activities that would contribute to air quality improvement outcomes in the area of the site

RECOMMENDATION B

That if, by 31st December 2016, or such extended period as may be authorised, 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) fund the provision of infrastructure directly related to the development and (ii) secure necessary agreements and commitments in relation to the development, would fail to mitigate the impact of the development upon infrastructure and the wider area, contrary to the National Planning Policy Framework, Policies 3.19, 6.3, 7.14 and 8.2 of the London Plan (2015), Policies CS 1 G and Z of the Harrow Core Strategy (2012) and Policies DM 43, DM 46 and DM 50 of the Local Plan (2013), and the provisions of the Harrow Planning Obligations supplementary planning document.

BACKGROUND & EXECUTIVE SUMMARY

The Avanti School is a state-funded Hindu faith school that opened in 2012. The School's primary year groups are accommodated at the former Peterborough & St. Margaret's School site in Common Road, Stanmore. The secondary year groups are temporarily accommodated at Pinner High School; however, and with the support of the Education Funding Agency, the Avanti School secondary school now seeks a permanent new home.

This planning application proposes to fulfil that need by the construction of a new school and sports hall on land at Whitchurch Playing Fields, Wemborough Road, Stanmore. The playing fields are designated in the Local Plan as open space and are allocated for community outdoor sports use. The west field is subject to flood risk, primarily associated with the Edgware Brook which flows through the south-west corner of the site.

The school campus would occupy the east field. In addition to the school building, sports hall and associated parking & play areas, the east field would also accommodate tennis/netball courts, a Multi-Use Games Area (MUGA) and a grass mini-soccer playing pitch. The west playing field would be subdivided: land north of the Edgware Brook (which flows through the site) would be Avanti School playing fields; land south of the Edgware Brook would remain fully accessible to the public. A Community Use Agreement has been prepared that would secure controlled access for community groups to use the School's sports hall and outdoor sports facilities.

Harrow's Core Strategy and other Local Plan documents were prepared to provide a spatial plan for the Borough's development and infrastructure needs to 2026, including schools development. Having allocated sufficient land to meet these needs and in light of other evidence as to the shortfall, across the Borough as a whole, of land for sport & recreation etc., the Local Plan offers unequivocal protection for designated open spaces and identifies major opportunities for making better use of certain existing open spaces.

In the relatively short time since the adoption of the Local Plan population projections and school place planning projections have been revised upwards. The one site allocated for a new secondary school in the Local Plan is now being brought forward by another party and other schools within the Borough are the subject of a co-ordinated expansion programme. Even with these and Avanti School, which is already providing places from its temporary site at Pinner, there is a projected shortfall of secondary school places in the Borough over the medium to longer term.

The applicant has conducted a reasonable search for alternative suitable sites that would meet its needs within its search area (the London Boroughs of Barnet and Harrow) but none more suitable than Whitchurch Playing Fields has been found.

The proposal represents a departure from the development, being a development on open space and for a use contrary to the site's allocated purpose. However, it is concluded that the projected future shortage of secondary school places, and a firm Government planning policy statement as to the support to be given to schools development, are compelling other material considerations that point to a decision other than in accordance with the Local Plan in this instance.

It is recognised that the proposal raises legitimate local concerns about the transport impacts, amenity, noise, air quality, flooding and landscape/nature conservation. Every effort has been made in the design and layout of the development to address these and, as explained in this report, it is recommended that a number of further mitigations be secured through a section 106 Planning Obligation and as conditions of planning permission. Subject to these and referral to the Mayor of London, it is recommended that planning permission be granted.

INFORMATION:

This application is reported to the Committee as the proposal involves more than 400 sq. metres floorspace and the site area is more than 0.1 hectares and so falls outside of the thresholds set by category 1(d) of the Council's Scheme of Delegation for the determination of new development.

Statutory Return Type: Largescale Major Development

Council Interest: Yes

Gross Existing Floorspace (GIA): not known⁴

Net Proposed Floorspace: 9,285 square metres

GLA CIL (provisional): Nil⁵

Harrow CIL (provisional): Nil⁶

Site Description

- 10.5 hectares site bounded: to the west by Abercorn Road; to the south by Wemborough Road; to the south-east by Whitchurch Primary School and Nursery; to the east by properties in Green Verges (Cedar House, Littlecot and nos. 2-17 Green Verges); and to the north by in Old Church Lane (nos. 82-96 & nos. 108-122 evens), Cranmer Close (nos. 4-8) and no. 86 Abercorn Road
- the site is currently in use as publicly accessible playing fields with ancillary car parking, a dilapidated 1930s pavilion building (and separate car park), ancillary structures for storage and, adjacent to Whitchurch Lane, an electricity sub station
- access to Whitchurch Primary School and the car parking area is from Wemborough Road; there is a secondary access from Marsh Lane (south of Green Verges)
- Edgware Brook flows in an open channel across the south-west corner of the site from Abercorn Road (where it emerges into the site from a culvert) to Wemborough

⁴ There is an existing pavilion building on the site which it is proposed to demolish. The floorspace of the building, which is derelict, is not known.

⁵ The Mayor of London's CIL includes an exemption for development "...wholly or mainly for the provision of education as a school or college under the Education Acts or as an institution of higher education.

⁶ The Harrow CIL does not apply to development for uses falling within Classes D1 or D2.

Road (where it re-enters a culvert)

- there is a bund inside the southern boundary of the site broadly parallel with Wemborough Road
- the site is bounded by fencing
- group tree preservation orders are in place along the Edgware Brook, to the north/northwest of the car park and along the secondary access from Marsh Lane
- the majority of the playing field that is to the east of Abercorn Road and to the south of nos. 82-96 Old Church Lane, and the dilapidated pavilion and car park, is mapped as being within fluvial flood zone 2 and 3
- parts of the site are also mapped as being at risk of surface water flooding⁷ including the secondary access from Marsh Lane
- other than the access road between Wemborough Road and the car park, the whole of the application site is designated on the Local Plan Policies Map as Open Space and is allocated as Major Open Space Site 6 in the Site Allocations Local Plan (2013)
- the Edgware Brook, land to the west of the dilapidated pavilion building and the area to the north/northwest of the car park is designated on the Local Plan Policies Map as a Site of Importance for Nature Conservation (SINC)
- the site has a public transport accessibility level (PTAL) of 1b

Proposal Details

- 9,285 sq. metres floorspace across two buildings for use as non-residential state-funded secondary school (Class D1)
- the applicant's Planning Statement provides the following additional information:
 - the proposal is made by Avanti House, a Hindi faith school for 4-18 year olds split across two sites
 - this application relates to the secondary phase of the school
 - the school opened in September 2012 and can admit 180 secondary pupils per year
 - when full it will have 1,260 secondary pupils aged 11-18
 - the school now has pupils in years 7-10 and currently has 478 pupils
 - the school is currently based in the building acquired for Pinner High School
 - completion of the proposed buildings is expected in August 2017 by which time the number of pupils in years 7-11 and sixth form (year 12) is anticipated to be close to 850
- main building would be three storeys with approx. dimensions 87 metres (wide) x 36 metres (deep) and 11.2 metres high located to the north of Whitchurch Primary School and to the rear of properties in Green Verges; accommodation would comprise:
 - ground floor: reception and offices; 13 x classrooms; 2 x seminar rooms; drama studio, music and other ancillary rooms; library; dining hall, kitchen and server; materials storage; staff preparation rooms; toilets; and ancillary storage spaces
 - first floor: main hall; 18 x classrooms; ICT room; 5 x seminar rooms; sixth form study room; Head's offices, conference room and reprographics; staff preparation rooms; toilets; and ancillary storage spaces
 - second floor: 8 x science labs and a science preparation room; 8 x classrooms; 2 x ICT rooms; sixth form social room; small meeting rooms; plant room; staff preparation rooms; toilets; and ancillary storage spaces

⁷ 1 in 30 and 1 in 100 years probability

- a second, detached sports building with a footprint of approx. 1,438 sq. metres and with heights of 4.3 metres and 9.3 metres high located to the north of the existing car park; accommodation would comprise:
 - a sports hall (4 courts/594 sq. metres); and activity studio (150 sq. metres) in the part of the building that would be 9.3 metres high
 - segregated school and community changing facilities; staff changing facilities; plant room; office; storage facilities and toilets
- the proposal would share the existing access to Whitchurch Primary School from Wemborough Road; the access from Marsh Lane would be used for maintenance only
- 69 car parking spaces with manoeuvring space would be situated to the east, south and west sides of the proposed main building; the school's main entrance would be located on the south elevation of the proposed main building
- 185 cycle parking spaces are also proposed
- indicative hard and soft landscaping works are shown to the north of the main building and this would provide informal outdoor space for staff and pupils
- a hard-surfaced multi-use games area (MUGA) and a soft-surface mini soccer pitch are proposed to the rear of properties in Cranmer Close and Old Church Lane (nos. 108-122); the MUGA would be enclosed by a weldmesh fence to a height of 3 metres
- the site would be enclosed/subdivided as follows:
 - a 2.4 metres high timber close-boarded fence would be erected to the boundaries with property in Green Verges, Cranmer Close, Old Church Lane and 86 Abercorn Road, and alongside the secondary access from Marsh Lane and between the rear boundaries of property in Green Verges and the proposed main building
 - a 1.8 metres high weldmesh fence would be erected along Abercorn Road from no. 86 to the Edgware Brook, through the site along the north side of Edgware Brook, along the west side of the access road from Wemborough Road (incorporating the dilapidated pavilion building and its car park), around the south, west and north sides of the existing car park and to the north boundary of Whitchurch Primary School
 - a 1.2 metres high steel bowtop fence would be erected around a pond to the north of the existing car park
 - a 2.4 metres high weldmesh fence would be erected between the proposed main building and the proposed sports building, and between the proposed sports building and the proposed MUGA
 - the existing perimeter fence along Wemborough Road and the remainder of Abercorn Road would be retained to continue to enclose the area to the south/south-west of the Edgware Brook
- pedestrian access to the area south/south-west of the Edgware Brook would be via gates from Abercorn Road and from the access road from Wemborough Road
- pedestrian access to the area north of the Edgware Brook would be via access gates at the existing bridge over the Brook or otherwise through the main school complex
- the proposal would provide the following outdoor sports facilities:
 - 3 x full-size football pitches
 - 2 x five-a-side football pitches
 - 3 x mini soccer pitches
 - 1 x under twelve's football pitch
 - a running track
 - a cricket pitch

- 3 x netball/tennis courts
- 1 x synthetic surface pitch
- no floodlighting is proposed as part of this application

Revisions to Application following submission

The following revised and additional documents have been submitted during the course of the application to address wherever possible issues raised by officers and consultees, and to pre-empt details that would be required by condition in order to expedite the project in the event that planning permission is granted:

- Addendum note in response to Transport for London
- Additional Air Quality Information and a Revised Air Quality Assessment
- Amended and Detailed Landscape and Tree Drawings
- Amended Site and Security Drawing
- Amended and Detailed Drainage Drawings
- Car Park Management Plan
- Construction Logistics Plan
- Delivery & Servicing Plan
- External Lighting Strategy
- Geophysical Survey
- Revised Sports Hall Internal Layout

Environmental Impact Assessment

On 27th February 2015 the Council carried out a screening opinion pursuant to the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 (as amended) for the Redevelopment of Former Playing Fields to Accommodate a New 6 Forms of Entry Secondary School (900 Pupils & 360 Post 16 Sixth Form Places) And Associated Internal And External Sports Facilities at the site (P/0521/15). The opinion concludes that the proposal is not EIA development.

The subject application was accompanied by a further screening request. On 14th December 2015 the Council issued a further opinion that the development proposed in the application is not EIA development.

Relevant History

- LBH/41331: Outline: mobile Buildings to Provide Temporary First and Middle Schools with Associated Playing Areas, Car Parking and Access Road (Vehicular Access from Wemborough Road); GRANT - 2nd October 1990
- LBH/41332: Outline: New First and Middle Schools with Associated Playing Areas, Car Parking and Access Roads together with Parking Spaces to Serve Playing Fields (Vehicular Access from Wemborough Road); GRANT - 2nd October 1990
- LBH/42637: Flood Prevention Bunding and Alleviation Measures; GRANT - 23rd April 1991
- EAST/1074/00/FUL: Works to Water Course; WITHDRAWN - 26th April 2002
- P/1136/05: Change of Use of Part of Ground Floor to Use as Day Nursery and After School Club for up to 70 Children; GRANT - 28th July 2005

Pre-Application Discussion (Ref.)

- P/4265/15/PREAPP: Development of a New School facility for 1,260 Pupils Aged Between 11 Years and 18 Years

Applicant Submission Documents

- Air Quality Assessment
- Biodiversity Management Plan
- BRE Assessment
- Design & Access Statement
- Education Funding Agency Letter dated 13th October 2015
- Energy Statement
- Flood Risk Assessment (and Appendices A-D & Addendum)
- Geo-Environmental Assessment Report (Phase I)
- Ground Investigation Report (Phase II)
- Noise Impact Assessment (and Technical Planning Note)
- Pedestrian Level of Service Assessment Note
- Planning Statement
- Policy Statement – Planning for Schools Development
- Request for Screening Opinion dated 13th October 2015
- Sequential Assessment
- Services Utility Report (and Appendices)
- Statement of Community Involvement (and Annexes 1 & 2)
- SUDS Maintenance Plan
- Transport Assessment (and Appendices 1-19)
- Travel Plan

Advertisement & Site Notices

18 x Site Notices at various locations on: Wemborough Road; Marsh Lane/Green Verges; Old Church Lane; Cranmer Close; Abercorn Road (29th October 2015)

Harrow Times: Departure from the Development Plan; Major Development (29th October 2015)

Notifications

Sent: 1,189 (28th October 2015)

Replies: 52 objections; 220 supports

Expiry: 18th November 2015

Objection Issues (summarised)

Transport

traffic during construction; traffic during operation phase; area already congested esp. 7.30-9.00am and 3.30-6.30pm; not convinced by transport plan – not clear what mitigation measures are; accidents will increase; already 2 primary schools and college nearby and proposal will add 1,200 people by foot, car or bike; proposed leisure facilities will add to congestion; will increase rat running on residential roads; nature of school will bring pupils from many different areas; whole area will become gridlocked; staggering start/finish times will just extend the period of congestion; questionable whether proposed measures will reduce pedestrian accidents; will sixth formers be prevented from driving to school?; impact on emergency access/fire station nearby; exacerbate traffic noise; Marsh Lane/Wemborough Road junction won't cope with increase in traffic and pedestrians; will exacerbate traffic on Abercorn Road; see traffic chaos at Park High to see what is going to happen here; serious concerns about Transport Assessment; PTAL of site at lower end of scale; buses will become monopolised by students making it difficult for elderly and pram users; buses already overcrowded; at least 100-200 extra cars twice a day, excluding staff; additional parking restrictions needed; major traffic

planning/road scheme needed; school coaches in Dalkeith Grove cause considerable difficulties; access should not be from Marsh Lane; impact on existing Whitchurch School not addressed; cumulative traffic impacts of other developments (Anmer Lodge, spur Road in Barnet, Barnet Football Club); no coach parking; Green Travel Plan unrealistic and unenforceable; junction improvements unlikely to provide adequate relief to additional traffic; residents' driveways will be blocked at certain times.

Parking

insufficient parking for staff and sixth formers; no space for residents and their visitors to park; demand for drop-off activity not catered for; no mitigation for increased on street parking offered; likely staff car park will be used out of hours; students should be forbidden to bring cars onto the site or park within 3 miles.

Open Space Issues

Loss of safe dog-walking area; playing fields provide good recreational facility for all residents; contrary to NPPF and to Council's own up-to-date Core Strategy and Site Allocations documents and Policy DM 18; should review use of site only through the rigorous development plan review process (consideration of supply & demand for different uses); applicant's evidence of search for other sites is weak; land is currently open space with policy restrictions; what guarantees of public access?; Mayor of London recently spoke of need for better quality green spaces and funded the Stanmore Marsh restoration nearby; site is used for football, cricket, running, dog walking, kite flying, picnicking and other activities; the existing playing fields function as a village green; loss of a 'green lung, for the area; pavilion is part of the heritage of the site and should be retained; existing schools will lose access to the playing fields; south west triangle is a bog; Aldenham Bus Works site should be considered instead; green and sports land will be lost forever.

School Issues

Thought should be given to a multi-faith school to accommodate people who live in the area; proposal will attract students from further afield; location not practical for target students; should consider expanding existing schools; planning permission already granted for a primary school; single faith school will not meet the wider needs of the community; provision for new school should be made away from other schools; already four schools nearby; school should not be permitted to let hall or facilities for private functions at any time but particularly evenings; all activities should cease by 10pm weekdays and 6pm weekends; free schools not subject to proper inspection and regulation and creates separation and fragmentation in the education system; no substantial evidence that this area needs additional secondary school places; will funding this school be to the detriment of other local schools?; single faith school socially divisive.

Flooding

Building likely to exacerbate local flooding to surrounding area; applicant has not carried out a proper sequential test; east field collects and holds water for the area; responsibility for flood defence upkeep would pass to a third party; after an hour of recent heavy rain sluice and Whitchurch Lane were overwhelmed; responsibility for maintaining, altering and changing flood defences should be clear; school may want to expand onto adjacent field; does the Environment Agency approve?; flood risk not properly assessed; surface water discharge proposal does not accord with Policy DM 10; the need for the school should not outweigh the need to protect existing property; site is currently waterlogged; will sue when properties flood as a result of this

development.

Character and Appearance

Three storey building out of keeping and an eyesore; overdevelopment; both buildings of considerable height and mass; no architectural merit; one floor should go in basement; will lead to litter in area; compared to more imaginative schools being designed proposal is poor response to site.

Amenity

3 storey building 9-10 metres behind our property; fence should be at least 5 metres high; loss of open views; overlooking from windows on east elevation; fumes from adjacent car park serious to health; gap between fences inadequate for maintenance; who will be responsible for flooding in gardens?; quality of life of Green Verges residents will be affected; causing great anxiety and worry; overbearing and visually obtrusive; building would have less impact if on other half of field; concern about future floodlighting, evening functions & etc.

Biodiversity

Nature conservation site could be adversely affected; the stream, biodiversity and surviving wildlife seem bottom of the agenda; habitats will be lost; hedgerows must stay intact.

Noise

No assessment of noise from the proposed MUGA; assessment of noise from the sports hall based on wrong methodology; extreme noise from 1,300 teenagers; proximity of tennis and basketball/netball courts will cause constant noise nuisance; car parks close to boundaries will be noise.

Air Quality

Increased air pollution detrimental to health; will pollution levels at drop off and pick up times breach EU limits?

Procedural concerns

21 days inadequate time for response; implore the Planning Committee to visit the area between 8am & 9am and again between 3.30pm & 4.30pm; support respondents don't live in the immediate area; lack of proper consultation – nothing since March 2015; comments not taken on board; award of funding and contract for site indicates a politically predetermined case and lack of consultation; submitted documents contain inconsistencies; Council's EIA Screening Opinion (dated 14th December 2015) contains deeply concerning comments and pre-determines outcome and conclusions of highway officers and planning assessment, and does not mention noise when school operational.

Support Comments (summarised)

Harrow needs more school places; important for education of children; Avanti House takes community very seriously; new building will help the area; school started in 2012 with 500 students but still doesn't have a home; school is very popular; application warrants full support; there will be a shortage of school places in the next few years; the sports facilities will benefit the local community; the school has a gold standard Travel Plan; most families attending the school live in Stanmore/Edgware; school rated good with fantastic features by Ofsted; many students of school already use public transport; decision should be made as soon as possible; further delays risk damaging education; will help regenerate the area; good use for the land; will bring secondary school closer to

primary school; not enough good schools in Harrow; will improve educational achievement; traffic congestion to site will be kept to a minimum; new school needed to balance out new homes built recently; existing great transport links; the school is open to all faiths; meets demand; will provide good recreational facilities; we moved to Harrow so that our children may go to a faith based school; open space under used would serve the community better if redeveloped; lack of permanent site detrimental to children.

Canons Park Residents' Association (summarised)

Size and nature of proposal warrants an Environmental Impact Assessment or a Cumulative Impact Assessment; 21 day consultation period inadequate and unreasonable; changes made following pre-application consultation have not been relayed; the Statement of Community Involvement presents only partial account of consultations held; a challenge on the process employed may be forthcoming; Honeypot Lane junction will be overloaded at peak times; lack of cycling provision for a new school a safety risk; terms of community use should be generous – on a cost not a commercial basis.

Environment Agency

The proposed development has been arranged through use of a sequential approach, ensuring that the more vulnerable aspects of the site are located within Flood Zone 1 and the higher flood risk areas are used for water-compatible development.

The application does not include an assessment of the safety of the site's route of access / egress during a flood event. Harrow Council are the competent authority on matters of evacuation and rescue, and therefore should address the adequacy of the evacuation arrangements, including safety on the route of access / egress in a flood event, or information relating to signage, underwater hazards or any other particular requirements. You should consult your emergency planners as you make this assessment.

Historic England

Although the site lies outside an archaeological priority area, an investigation directly to the north-west of the site recorded evidence of multi-period activity (from the prehistoric through to the medieval period). The site is of a large scale and the proposed works is likely to result in a significant amount of top soil stripping which, due to the lack of historical development on the site, could result in extensive removal of previously unrecorded archaeological remains across much of the site. I therefore recommend that the following further studies should be undertaken to inform the preparation of proposals and accompany a planning application: Geophysical Survey

Mayor of London (stage one response) (summary)

Principle of land use – provision of school on open space/playing fields: The proposed free secondary school on the site is supported as the scheme not only contributes through increasing provision of places in areas where there is unmet demand, but also in driving up the quality of provision and choices for parents. The sequential test exercise that has been carried out has an appropriate methodology and is suitably thorough and robust.

Playing fields and community use: The community use plan which makes available the new sport facilities in the school for community use outside the school's core hour is welcomed and should be secured. As the site is a designated playing field, the negotiations with Sport England should be continued in order to address the objection and to reach a suitable agreement.

Biodiversity: The proposed mitigation measures are welcomed and need to be conditioned.

Urban design: There are no strategic design concerns. However, the applicant is encouraged to explore the use of higher quality facing materials to the mains school frontage. As a minimum, the Council should secure key details of the cladding system to ensure the best possible build quality is delivered and ease of maintenance is prioritised.

Access: Whilst the proposed inclusive access measures are welcomed and need to be secured, the applicant is required to clarify on the type of lifts proposed.

Sustainable development/energy: Site wide carbon emissions and savings and full BRUKL sheet including energy efficiency measures alone (i.e. excluding PV) to support the savings claimed should be provided. Further information is required on the floor area and location of the energy centre and a roof plan showing where the PV will be located, their orientation and pitch. The applicant should investigate the potential for inclusion of other renewable energy technologies in the building design in the interest of achieving the 35% carbon reduction target.

Flooding: No strategic concerns. The approach to sustainable drainage is acceptable and should be secured via an appropriate planning condition to be discharged in consultation with LB Harrow Lead Local Flood Authority.

Transport: The mode share for public transport should further disaggregated into buses; tube and train allowing TfL to further assess the impact on each respective mode. A site wide car parking management plan should be submitted for approval, secured by condition and implemented to manage and regulate the use of the car park along minimising any on street parking. A more thorough Pedestrian Environment Review System (PERS) audit should be carried out; further evidence to demonstrate that there will be no adverse impact on the safe operation of the junctions or on bus journey times as a result of the proposed changes to staggered signal controlled pedestrian crossings required. The proposed cyclists' access to the site and the cycle parking locations should be revised. Improved travel plan, DSP & CLP should be submitted and secured through conditions.

Metropolitan Police (Designing Out Crime)

No objections. Detailed recommendations made for Secured by Design Award as to CCTV, video motion detection, lighting, monitored alarm and any on-site safe(s).

Sport England

Sport England will not object to this application if the outstanding issues are resolved to Sport England's satisfaction. Sport England submits a holding objection to this application until these issues are resolved.

Whitchurch playing fields are regularly used by a local football club, St Joseph's Youth. The proposals will result in development on what is known as the top field for a; sports hall, school building with associated car parking and outdoor space, 3 court MUGA comprising 3 netball courts (30m x 15.25m) and grass mini Soccer pitch U9/U10 55m x 37m.

The proposed sports hall, 3 court MUGA and artificial grass pitch (although it is not clear from the information provided what surface this proposal will support), has the potential to meet exception 5 of Sport England's policy which states:

The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

Artificial Grass Pitch and MUGA: Sport England requests further details of the surfaces and construction of the proposed AGP and MUGA. These facilities should meet the design guidance set out in the Sport England document; Artificial Surfaces for Outdoor Sport.

Sports Hall: The sports hall facilities should meet the requirements of the football and cricket teams that will use the school playing fields. Further revisions to the proposals are required to provide:

- Additional changing rooms for officials;
- Modesty screening in the changing provision;
- Amendments to the showers to include 4 shower heads in cubicles;

Sport England also requires details of the flooring in the sports hall so that it can be used for cricket and confirmation of the surface of the artificial grass pitch, which is likely to be used for football training. The amendments to the design should meet Sport England's design guidance for sports hall. The sports hall will also need to accommodate storage for any community users of the sports hall and the users of the playing field. The ECB and FA have now received a copy of the plans and I will ask them to feed back any additional, more detailed comments as soon as they are able.

Floodlighting: Floodlighting of the outdoor court/pitch facilities would also secure significant benefit to the development of sport and meet Exception 5. It was acknowledged at the meeting that floodlighting does not form part of this application but the Council would ensure that ducting for floodlights would be included in the proposals for the artificial pitch. Sport England therefore request plans showing this (or this could be secured through condition).

Community Use: All new sports facilities should be made available to the community and a community use scheme is required. It is important that the needs of the existing users, St Josephs Youth FC are given careful consideration within the community use agreement, to ensure that they are able to use the grass and artificial surfaces, changing provision and parking. The Council should provide a copy of the community use agreement as soon as possible for Sport England and the NGBs to review and comment on.

Proposed school buildings and ancillary space on playing field land: The proposed development of the school building with associated car parking and outdoor space on playing field land does not meet any of the exceptions in Sport England's Playing Fields Policy. To mitigate for this loss, it acknowledged that a number of new sports facilities will be provided on the site. In addition, an area adjacent to the stream crossing the corner of the Whitchurch playing fields was put out of use and later damaged by Environment Agency works to the watercourse would be brought back into use to provide additional football pitches, to help meet the demand from the youth teams that currently use the site. To meet the needs of the youth team that currently use the site, the lower field pitch layout should be reconfigured to include an FA recommended dimensions for a 9 v 9 pitch. This could in part meet exception 4:

The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development.

Cricket Pitch: As the proposed development will result in the loss of a cricket pitch from the site, it is important that the needs of cricket are addressed through the proposal. The ECB has advised us that the orientation of the cricket square shown on the plans is incorrect as it runs east/west instead of on a north/south axis (see ECB design guidance note TS4). The redesign of the pitch layout should accommodate the square in its correct orientation and with minimum 50 metre boundaries. The ECB has also asked us to request further details of what specification the square would be built to. It is important that the requisite level of build specification matches the maintenance regime that will be put in place and that it is constructed to meet the requirements of community cricket. There are understood to be 3 local cricket clubs looking for a venue in Harrow and cricket could also benefit from access to the new sports hall, plus predicted future growth once the site is enhanced, was a determining factor in the ECB's support for these proposals, subject to addressing the issues relating to community access and pitch improvements. Please provide revised drawings showing the correct pitch layout as discussed with the FA/ECB.

Improvements to the existing playing fields and the area of additional playing field south of the river are essential to ensure that the remaining playing fields can accommodate use from both the community and the local sports clubs.

Sport England welcomes the Applicant's intention to also improve the existing pitches and improve the area that has been damaged. However, whilst details of this were provided at the planning application stage, I have not found any information that has been submitted with the planning application. This could be secured by condition, but it would be preferable for the Applicant prefers to submit this information in advance of a decision being made. Please could this information be provided for the FA/ECB to comment on? Sport England can then suggest a condition to ensure the playing field improvements are secured as part of the application.

Management and Maintenance: In addition, Sport England would recommend the following condition to secure the management and maintenance of the playing field and other sports facilities:

Before the sports hall, artificial grass pitches, MUGA and grass pitches are brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. This should include measures to ensure that the surface of the artificial grass pitch is replaced at the end of its usual lifespan. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the sports hall, artificial grass pitches, MUGA and grass pitches.

Reason: To ensure that a new facility is capable of being managed and maintained to deliver facilities which are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with Development Plan Policy.

Sport England also requires confirmation that spoil from the school build will be removed from the site and not redistributed across the playing field before we remove our holding objection.

Conclusion: Given the above assessment, Sport England wishes to submit a holding objection to this application to allow time to resolve the matters and ensure that the proposed development meets exceptions 4 and 5 of its Playing Fields Policy and paragraph 74 of the NPPF. If your Council decides not to ensure that the additional information set out above is provided or secure this through conditions (agreed with Sport England) then Sport England would wish to raise an objection to this application. Should the local planning authority be minded to approve this application without the above being addressed, then given Sport England's subsequent objection and in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 the application should be referred to the Secretary of State via the National Planning Casework Unit.

Thames Water

No impact piling condition recommended. Informative relating to ground water and the installation of petrol/oil interceptors and fat traps recommended.

Transport for London (Summary)

The main issues raised to be resolved before the application can be considered in line with the transport policies set out within the London Plan (2015):

- Justify the proposed level of car parking and implement a car parking management plan;
- Undertake a full PERS and CERS audit to identify local walking/ cycle improvement needs;
- Review proposed cycle parking location and access arrangement for cyclists in light of comments;
- Identify adequate measures to address lack of desire lane on the junction of Marsh Lane/ Whitchurch Lane/ Honey Pot Lane/ Wemborough Road junction
- To review mode share and disaggregated public transport modes into respective modes
- To identify and secure adequate mitigation measure to address junction capacity impact to junctions expected to operate beyond their capacity, including the junction with Marsh Lane/ Whitchurch Lane/ Honey Pot Lane/ Wemborough Road;
- Impose assertive targets for walking and public transport use in the travel plan to further reduce car trips, to be secured by planning obligations;
- Provide detailed DSP and CLP to regularise servicing and construction arrangements; these should be secured by conditions;
- Secure the school travel plan by obligation, including the staggering of starting and finishing time to minimise highway and traffic impact.

The Council's drainage team, environmental health office, biodiversity officer, landscape architect and the highways authority have been involved at pre-application phase and during the course of the application. Their advice is incorporated into the relevant appraisal section of the main report (below).

Applicant's Response

The applicant has provided an Addendum Technical Note in response to TfL's comments, summarised below:

- a Car Park Management Plan has been prepared;
- the Transport Assessment already provides a comprehensive review of pedestrian/cycling conditions and the scheme proposes key pedestrian improvements, so PERS/CERS audits are not considered to be necessary.

- the location of the cycle parking will be reconsidered as part of the landscaping details and a cycle route strategy has been prepared; a comprehensive review of local cycle infrastructure has been provided;
- a junction improvement scheme is proposed at the Marsh Lane/ Whitchurch Lane/ Honey Pot Lane/ Wemborough Road junction;
- a revised peak hour trip generation summary has been provided;
- a Travel Plan with targets to TfL Stars 'Gold' accreditation has been submitted; and
- a Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP) have been developed and supplied.

APPRAISAL

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

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

In this instance, the Development Plan comprises The London Plan (2015) and the Local Plan. The Local Plan comprises as relevant to the site) the Harrow Core Strategy (2012), the Development Management Policies Local Plan document (2013), the Site Allocations Local Plan document (2013) and the accompanying Local Plan policies map.

MAIN CONSIDERATIONS

Planning Policy for Protection of Open Space
 Local Plan Site Allocation MOS 6
 Core Strategy Area Spatial Objective
 Planning Policy for Provision of Sport Facilities
 Planning Policy for Floodlighting
 Planning Policy for Provision of Educational Facilities
 Residential Amenity
 Design and Layout
 Highways and Transport
 Noise
 Air Quality
 Carbon Dioxide Emissions Reductions
 Sustainable Design and Construction
 Flood Risk
 Sustainable Drainage
 Trees
 Landscaping
 Ecology and Biodiversity
 Land Contamination
 Heritage
 Electricity & Gas Supply
 Water Use and Waste Water Capacity
 Waste and Recycling

Planning Policy for Protection of Open Space

Paragraph 73 of the NPPF (2012) states that:

Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sport and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreation facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreation provision is required.

Paragraph 74 goes on:

Existing open space, sports and recreation buildings and land, including playing fields, should not be built on unless:

- o an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- o the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- o the development is for alternative sport and recreation provision the needs for which clearly outweigh the loss.*

Additional advice is provided in the National Planning Practice Guidance. Amongst other things, the guidance confirms that it is for local planning authorities to assess the need for open space and opportunities for new provision in their areas.

Policy 7.18 B of the London Plan (2015) states that:

The loss of protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate.

Policy 3.19 B of the Plan states that a net loss of sports and recreation facilities, including playing fields, will be resisted. Part C of the Policy calls for sports facility proposals on existing open space to be considered carefully in light of open space protection policies and the borough's own assessment of needs and opportunities.

Policy CS 1 F of Harrow's Core Strategy (2012) states that:

Harrow's open spaces and green grid will be managed as an interconnected, multifunctional environmental resource that contributes to biodiversity, adaptation to climate change, and to people's health and wellbeing. The quantity and quality of the Green Belt, Metropolitan Open Land and existing open space shall not be eroded by inappropriate uses or insensitive development. The reconfiguration of existing open space may be permitted where qualitative improvements and/or improved access can be secured without reducing the quantity of the open space. The provision of the new open space will be sought as part of major development proposals, and to deal with identified deficiencies, such as in the provision of play areas for both children and young people.

The reasoned justification for this policy is explained at paragraph 4.11 of the Core Strategy:

In total there are 1,334 hectares of land in open space within Harrow. However the Council's recent assessment of existing and future open space requirements demonstrates that there are considerable variations in the level and quality of provision across the Borough and identifies significant shortfalls in the availability of accessible open space for a range of uses, when assessed against recommended standards of provision. In light of this and in view of the forecast population increase and planned residential development in the Borough, there is a presumption against any net loss of open space, regardless of ownership and accessibility.

In his report finding that the Core Strategy is sound, the examining Planning Inspector observed on the issue of open space protection:

75. Given the existing deficiency in the provision of open space, the Council's position is understandable... Whilst a developer may offer qualitative or access improvements, the loss of the open spaces would not be recoverable. The Council's policy of concentration of development is unlikely to result in developments which can make their own, full, on-site provision of open-space. It seems likely that in many cases this will need to be compensated for by commuted payments for the improvement of existing open spaces or the acquisition of land – including the open land which is in private ownership - to provide the necessary open space. If the quantity of available open space is reduced by development, the opportunities for additional provision of public space or the improvement of existing open space will be less. Those benefits which would accrue from permitting the loss of open space in terms of quality and access could be benefits which would equally accrue from requirements made by other 'brownfield' developments without there being the need to countenance any quantitative loss to secure them.

Policy DM 18 of the Development Management Policies (2013) Local Plan gives effect to the strategic position established in the Core Strategy. Part A states that land identified as open space on the policies map will not be released for development. Part B sets out detailed criteria for the reconfiguration of open space subject to no net loss. Part C sets out detailed criteria for ancillary development (changing accommodation, pavilions & etc.) on open space and Part D deals with existing ancillary buildings. Part E states that proposals harmful to open space will be refused and Part F resists inappropriate change of use of open space.

Harrow's Open Space, Sport and Recreation Study (2011) (the "PPG 17 Study") provided an assessment of the quality, accessibility and quantity of the Borough's open spaces. In terms of quantity – and based on recommended standards of provision per 1,000 persons – the Study found there to be a total⁸ shortfall of -117.38 hectares open space and predicted that this shortfall would as a result of population⁹ growth increase to -138.77 hectares in 2026. It is this evidence that underpins the Core Strategy and Development Management Policies Local Plan's presumption against any net loss of

⁸ The sum of deficiencies across all typologies (parks, children's play space, amenity greenspace, natural/semi-natural space, sports and allotments) and the sum of deficiencies minus surpluses across the various sub areas identified for the purposes of analysis in the Study (central, north-east, north-west, south-east and south-west).

⁹ Based on GLA 2008 Ward Population Projections (Low).

designated open space.

The PPG 17 Study included the subject site within the ‘outdoor sport’ typology. It recorded that the site provides a children’s play space (rated low quality), ten football pitches (rated as of average, below average and poor quality) and – in terms of changing accommodation – only a derelict pavilion. The Study recorded no cricket or rugby pitches and no tennis courts or bowling greens at the site.

Across the Borough as a whole, the Study found there to be a shortfall of -12.37 hectares land in the outdoor sport typology, increasing to -18.86 hectares in 2026.

The PPG 17 Study sets out the recommended quality standards for pitches, other forms of outdoor sport and changing facilities falling within the outdoor sport typology. The relevant recommended standards, and the quality score attributed by the Study to those found at Whitchurch Playing Fields, are reproduced in the Table below:

Pitch/Game Type	Recommended Quality Standard	Assessed Quality Standard
Football	71%	54% (F1) 57% (F2) 57% (F3) 51% (F4) 47% (F5) 60% (F6) 62% (F7) 61% (F8) 47% (F9) 38% (F10)
Changing Facilities	63%	Derelict (pavilion)

The PPG 17 Study also looked at the supply of sports halls as part of an assessment of indoor sports facilities. It found there to be a deficiency equivalent to -25 badminton courts but forecast that this deficiency would fall marginally to -22 badminton courts by 2026. However it should be noted that, since the Study was published, there has been a loss of sports hall provision equivalent to 4 badminton courts by the closure of the Zoom Leisure facility at the former Kodak Sports Ground. The Study recommended an accessibility standard of 20 minutes’ drive time between residents’ homes and indoor sports facilities and notes that, by this measure, Harrow’s population has access to 2 or more sports halls.

Finally, in terms of Multi-Use Games Areas (MUGAs), the PPG 17 Study found there to be very limited provision across the Borough and recommended an accessibility standard of 15 minutes walking time to MUGAs, tennis courts and synthetic turf pitches. Applying this standard, the application site is within an area of deficiency as mapped in the Study.

As a footnote to the above summary of Harrow’s PPG 17 Study, it should be noted that – since its preparation – population projections have been revised upwards. Logically, the likely implication of such revised projections will be to increase the forecast future shortfall of open space, sport and recreation in the Borough; however no update of the

Study to analyse more precisely the implications of the revised forecasts has been carried out.

In 2011 the Council adopted an open spaces strategy for the Borough. The Strategy does not form a part of the development plan for the purposes of the Planning Acts, but may nevertheless be a material consideration. In relation to outdoor sports, it recommends:

- a review of the arrangements with various sports and clubs using Council facilities;
- working towards better quality sports pitches to encourage higher levels of participation; and
- the development of a strategic approach to outdoor sports provision.

In 2013 the Council adopted an outdoor sports strategy (again, not part of the development plan) for the period 2013 to 2023. The strategy identifies Whitchurch Playing Fields in joint second place in a table¹⁰ of priorities for football pitch improvement.

As called-for by the NPPF, the Council has used a robust and up-to-date assessment of need for open space, sport and recreation facilities as a basis for planning policies in the Local Plan. The assessment – the “PPG 17 Study” - shows that there is an existing shortfall in open space, sport and recreation facilities across the Borough and that, with projected population growth over the plan period, that shortfall can only increase. The PPG 17 Study also recognises that there are some significant quality and accessibility issues. Nevertheless, given the gravity of the existing and projected future shortfall in the quality of open space, the Core Strategy is unequivocal that loss of open space will not be countenanced and this position is carried through to the provisions of Policy DM 18 of the Local Plan.

The proposal would, in effect, result in the loss of approximately 1.5 hectares of open space, equating to around 14 per cent of the application site. This is calculated as the area of: the main school building and sports hall; the curtilage of the school buildings (including car parks); and the maintenance access from Marsh Lane. The proposed MUGA, playing pitches and leftover areas would continue to constitute open space, sport and recreation facilities (irrespective of whether they are freely available to the public or whether there is controlled access through the school) and so should not be regarded as a ‘loss’ in planning policy terms. Nevertheless, approximately 1.5 hectares would be eroded by inappropriate use, and the school building & sports hall (which, it is considered, would not constitute wholly ancillary development in terms of Policy DM 18 C) would amount to insensitive development in that they would not preserve the openness of the open space. The proposal would therefore be contrary to Policy CS 1 F of the Core Strategy (2012) and Policy DM 18 A & E of the Harrow Development Management Policies (2013) Local Plan.

Turning to the exceptions criteria set out at paragraph 74 of the NPPF for building on open space land: the Council’s PPG 17 Study clearly shows that the land is not surplus to requirements; and, with the exception of the sports hall (insofar as there would be community access to it), the proposed development would not be for alternative sports and recreation provision. However, it should be noted that Sport England is satisfied in principle that the loss resulting from the proposed development would be replaced by better provision on the site in terms of quantity and quality, where quantity refers to the

¹⁰ Table 15.1 of the Strategy.

facilities provided (number/mix of sports pitches, their carrying capacity, changing accommodation & etc.) rather than the physical area of land.

It is acknowledged that the proposal would secure enhanced facilities on the site and the NPPF (together with Sport England's conclusions on the matter) are, of course, important material considerations. Furthermore, such improvements would undoubtedly be consistent with Harrow's open spaces and outdoor sports strategies. However, the position in the Local Plan is clear: qualitative improvements do not justify any net loss of designated open space. The proposal is therefore contrary to the aforementioned provisions of the development plan in that it would involve the loss of some 1.5 hectares open space. The proposal amounts to a departure from the development plan and planning permission should only be granted if it appears that other material considerations point to a decision other than in accordance with the development plan.

Local Plan Site Allocation MOS 6

Recognising the shortfall in open space, sport and recreation facilities, the Local Plan responds with a range of policies and site allocations to increase provision. One of those allocations, Site MOS 6 in the Site Allocations (2013) Local Plan, designates the subject site for community outdoor sports use. The following commentary is included as part of the allocation in the Local Plan:

6.15 The site is currently open space and is an important recreational destination. The site is suitable for community outdoor sports use. Development will be restricted to the minimum necessary to support outdoor sports use, and must not prejudice the role of this site as a flood storage area. Note that part of the site is identified in this Site Allocations Local Plan as a new Site of Importance for Nature Conservation (BD38); any outdoor sport use of this site must be compatible with and not prejudice the nature conservation value of the site.

6.16 Part of the Edgware Brook flows through the site and the site therefore includes some associated areas of medium and high probability flood risk. Development on the site will be directed to those parts of the site in lower flood risk, consistent with the vulnerability classification of the proposed development, in accordance with the NPPF sequential approach to development and flood risk.

The development of the site for a secondary school would be contrary to this allocation, although it is acknowledged that the development of the school in conjunction with the proposed community use agreement would deliver the objective of community access - albeit controlled and outside of school hours - to the enhanced outdoor sports facilities (as well as the proposed sports hall). Nevertheless, the proposal amounts to a further departure from the development plan in terms of the site allocation and planning permission should only be granted if it appears that other material considerations point to a decision other than in accordance with the development plan.

Core Strategy Area Spatial Objective

The site falls within the Core Strategy's Kenton & Belmont sub area. Area objective 3 is to provide for improved access to open space, through enhanced connectivity, having regard to opportunities to enhance biodiversity and improve flood risk management.

The issues of biodiversity and flood risk are appraised separately elsewhere in this report. In terms of access to open space, the whole of the site is currently freely accessible for informal recreation and sport use by the whole community. As noted in the

preceding section of this report, approximately 1.5 hectares of accessible open space would permanently be lost to the proposed development although the sports hall would be made available for access-controlled community use outside of school hours. The MUGA and other outdoor courts to the north of the school complex, and the enhanced outdoor sports pitches to the north of the Edgware Brook, would also be made available for access-controlled community sports use outside of school hours. This would leave an area of 2.3 hectares south of the Edgware Brook freely accessible to the community for informal recreation such as walking, running and non-organised sport/play activities.

Although local residents would not continue to benefit from unfettered access to the whole site, the area south of Edgware Brook would continue to be available for informal recreation activity. The introduction of outdoor gym equipment in this area would provide some new opportunities for informal sport/recreation not currently available at the site.

However, as noted above, the allocation Site MOS 6 in the Local Plan is to deliver community sports use at the site and this allocation inevitably implies, therefore, that unimpeded access to the whole of the site for informal sport/recreation activities may not continue. To those residents and organised sport/recreation groups that would make use of the enhanced but access-controlled outdoor facilities, who presently travel elsewhere to meet their needs or make-do with the poor quality pitches currently provided on the site, the proposal can be considered to provide for improved access to open space consistent with Kenton & Belmont sub area objective 3.

Planning Policy for Provision of Sport Facilities

Paragraph 73 of the NPPF states that access to high quality opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Policy 3.19 *Sports Facilities B* of the London Plan lends support to proposals that would increase the provision of sport and recreation facilities and encourages multi-use public facilities for sport and recreational activity wherever possible.

Policy CS 1 *Overarching Policy G* of Harrow's Core Strategy similarly supports appropriate proposals for enhancement of sport and recreation facilities, and commits the Council to work with landowners and institutions to support public access to such facilities. Policy DM 46 *New Community, Sport and Education Facilities B* of the Development Management Policies (2013) Local Plan supports the provision of new sport facilities where: they are located within the community that they would serve; they are safe and in an area of good public transport accessibility; and there would be no adverse impact upon residential amenity and highway safety. Part C of the Policy states that new indoor sport development should make provision for community access to the facilities provided.

The application site does not benefit from a particularly good level of public transport accessibility and the PPG 17 Study does not show a deficiency of sports halls in terms of accessibility. Nevertheless, putting aside the loss of open space, in the context of these policies on new sports provision and given the PPG 17 Study finding on the quantum of sports hall supply across the Borough, the provision of a new sports hall with access-controlled community use is to be welcomed. By its very nature, the availability of the sports hall for use outside of school hours can be expected to serve the wider (i.e. non-school related) local community and would be a safe, purpose-built environment for indoor sport and recreation activity.

Local Plan Policy DM 47 *Retention of Existing Community, Sport and Education Facilities A* allows for the loss of existing sports facilities where, *inter alia*, there are adequate similar facilities within walking distance which offer equivalent provision or the redevelopment of the site would secure an over-riding public benefit. Policy DM 48 *Enhancing Outdoor Facilities A* provides support for proposals that would increase the capacity and quality of outdoor sports facilities subject to: no conflict with open space policies; no detriment to heritage or biodiversity; and no adverse impact on residential amenity and highway safety.

As noted elsewhere in this report, Sport England is satisfied in principle that the loss resulting from the proposed development would be replaced by better provision on the site in terms of quantity (including carrying capacity) and quality of facilities for sport and recreation. Although there would be a substantial diminution of available land for more informal sport and recreation activities such as walking and running, some space would nevertheless be retained to the south of the Edgware Brook and other nearby open spaces (Stanmore Marsh, Centenary Park and Canons Park) may provide alternative nearby opportunities for these activities. Therefore, and again putting aside the loss of open space, the proposal would be consistent with these policies on the retention and enhancement of sports facilities.

Other sections of this report deal with the implications of the development for residential amenity, noise, highway safety, biodiversity and heritage conservation.

Planning Policy for Floodlighting

Paragraph 129 of the NPPF states that, by encouraging good design, planning policies and decisions should limit the impact of artificial light on local amenity and nature conservation. London Plan Policy 3.19 B and Local Plan Policy DM 48 C provide a support for lighting needed to enhance sport facilities/participation unless there would be harm to amenity, biodiversity and the character of open land.

The subject application does not include any proposals for floodlighting, but in its consultation response Sport England has advised that the necessary below-ground infrastructure be installed as part of the proposed development to enable ease of installation in the future. It is for the applicant to decide whether to act on this advice. Any future proposal for floodlighting will need to be assessed on its own merits and having regard to, amongst other considerations, any impact (and any necessary mitigation measures) upon the amenity of neighbouring residents, biodiversity and the character of the open land arising from any associated light and noise pollution.

Planning Policy for Provision of Educational Facilities

In 2011 the Secretary of State for Communities and Local Government and that for Education issued a joint policy statement on planning for schools development. The overall tone of the statement serves to underline the importance attached to schools development by the Government, including the following:

It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations. We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever

possible, “yes”.

The statement goes on to set out 8 policy principles for planning for schools development. A copy of the statement is attached to this report at **Appendix A**.

Paragraph 72 of the NPPF states that:

The Government attached great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- *give great weight to the need to create, expand or alter schools; and*
- *work with schools promoters to identify and resolve key planning issues before applications are submitted.*

London Plan Policy 3.18 *Education Facilities D* states that:

...proposals for new schools (including free schools) should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.

Part E of the Policy encourages extended/multiple use of educational facilities for community or recreational use, whilst Part F goes on to encourage co-location and sharing of services between schools to maximise [efficient] land use.

The preparation of Harrow's Core Strategy and other Local Plan documents was underpinned by an evidence base including an Infrastructure Assessment and Delivery Plan (IDP) based upon (then) up-to-date population projections and other evidence. The IDP identified a need for a new primary school to serve the opportunity area together with the expansion of existing primary schools in the short term, and the need for increased secondary education provision from 2016 onwards. In response, Core Strategy (2012) Policy CS 1 Z permits the development of physical or social infrastructure needed to meet projected future requirements, whilst Policy CS 1 AA provides a commitment to help secure the provision of a new primary school and a new secondary school. Within the Harrow & Wealdstone Area Action Plan (2013), allocated Site 2 *Kodak and Zoom Leisure* requires the provision of a new primary school to be tied to the first phase of housing delivery on the site, whilst Site 3 *Teachers' Centre* of that Plan allocates land for the development of a secondary school, co-located adjacent to the existing Whitefriars Primary School (now developed).

Policy DM 46 *New Community, Sport and Education Facilities B* of the Development Management Policies (2013) Local Plan supports the provision of new educational facilities where: they are located within the community that they would serve; they are safe and in an area of good public transport accessibility; and there would be no adverse impact upon residential amenity and highway safety. Part C of the Policy states that new education development should make provision for community access to the facilities provided.

Thus, the Local Plan allocates sufficient land to meet the (then) projected requirements for a new primary and secondary school, and sets out a policy framework for school expansion (recognising that this would also be needed) and for new school provision (recognising that some flexibility needed to be built into the Plan to respond to unforeseen changes in circumstance).

On 16th July 2015 a detailed report on school roll projections for the period 2016-2024 was presented by the Portfolio Holder for Children, Schools & Young People to Cabinet. In response to (principally, amongst other factors) updated population projections, taking into account migration trends and new housing development, and taking into account trends in flows of pupils out to neighbouring boroughs/in from neighbouring boroughs, the report makes projections of demand for primary and secondary school capacity in the Borough and compares this with projections of supply. The projections are expressed in terms of total pupil numbers/places and in terms of 'form of entry' (1 form of entry = 30 pupils/places). Primary refers to year Reception-6 which covers ages 4 to 10 year olds and secondary refers to year groups 7-11 which covers ages 11 to 15 year olds. Thus, Reception is the entry (or 'reception') year for primary stage education. Following the Council's decision to the change in the age of transfer in 2010, year 7 is the entry year for secondary stage education.

Although not relevant to the subject planning application, for the avoidance of doubt it is noted that the Cabinet report also considers provision for early years and for special educational needs and disability.

Primary school places

The Cabinet report projects¹¹ that in 2015/16 there is a deficit of -381 pupil places across all primary schools in Harrow and that this deficit is projected to increase steadily year-on-year to -2,439 pupil places by 2024/25. A three-phase school expansion programme is in place to address the existing and projected shortfall. Of particular relevance to the subject planning application, the Cabinet report notes that Krishna Avanti Primary School was expanded from 1 to 2 forms of reception in September 2013 and that the Avanti House School provided 2 forms of reception from September 2014¹².

Primary school place projections and planning are carried-out on an area basis: five geographic areas and the sixth 'area' deals with voluntary aided schools on a Borough-wide basis. The Cabinet report includes Krishna Avanti Primary School and the primary component of Avanti House School in this sixth area, noting that they both include elements of random allocation meaning that pupils could live anywhere in the Borough (or, indeed, come from neighbouring boroughs).

Secondary school places

The Cabinet report goes on to project¹³ that, in 2015/16 there is a modest surplus of +1,059 pupil places across all secondary schools in Harrow and that this surplus is projected to increase to a peak of +1,238 places in 2016/17, before falling steadily to a surplus of +334 places in 2021/22. Thereafter, the projections show a modest but growing year-on-year deficit: -287 places in 2022/23; -895 places in 2023/24; and -1,399 places in 2024/25.

The Council's education department has advised that:

¹¹ See Table 15 of Appendix B to the Cabinet Report.

¹² See section 5.4 of Appendix B to the Cabinet Report.

¹³ See table 29 of Appendix B to the Cabinet Report.

- the surplus of places up to 2021 is across all secondary year groups and has been achieved through taking opportunities to make successful applications for government funding as these were made available
- this has achieved additional capacity at central Government expense which may not have been possible if these opportunities had not been taken; and
- the projections show that even with the delivery of all this additional capacity, including the Avanti House School places, there will be a shortfall across Harrow of 14 Year 7 forms of entry by 2024/25.

Therefore, although surplus places are projected until 2021/22, all these places (and more) will be required in 2024/25, and in the years thereafter, as primary years pupil cohorts gradually transfer to secondary schools. It should be noted that the capacity of secondary schools recorded in the Cabinet report¹⁴ takes into account increases secured as part of phase 1 of a secondary school expansion programme: places provided by Avanti House School at its temporary Pinner site (from September 2012); additional capacity at Bentley Wood High School (from September 2014); the phased expansion of Whitefriars Community School (from September 2015); the opening of Pinner High School (from September 2016); and the planned expansion of Salvatorian College (from September 2017).

As with the primary school, secondary school place projections and planning are carried-out on an area basis comprising: three geographic areas and fourth 'area' to deal with voluntary aided schools on a Borough-wide basis. The Cabinet report¹⁵ notes of secondary planning area 4 that:

The 6 forms of entry at Avanti House [School] give priority to the pupils attending Krishna Avanti Primary School and those pupils attending the primary phase at Avanti House will continue in the school. Up to 120 places or 4 forms of entry could be filled by these pupils.

The Cabinet report states that Phase 2 secondary expansion planning will require expansion of places at a number of existing high schools as well as potentially an additional new school above the current free school plans in the Borough. The Council's education department has advised that:

- sites for a new high school in Harrow will be challenging to identify, and planning and delivery can be expected to take some years;
- current high school sites are also constrained by existing student numbers and site scoping work will be needed to explore potential options; and
- the Government has confirmed the continuation of the free school programme and, if a site can be identified, a new high school may be a free school funded by the Government.

The Cabinet report shows that the Avanti House School, at its site in Stanmore¹⁶ its temporary site in Pinner, is already making a contribution to the supply of primary school places within the Borough, for which there is an existing and projected future shortfall. The School also makes a contribution to the supply of secondary school places within the Borough. Although the projections point to an over-supply of secondary school places in the short term, it follows that the pressure currently being experienced across the Borough's primary school will, in forthcoming years, translate into pressure at

¹⁴ See Sections 5.6 & 5.8 of Appendix B to the Cabinet Report.

¹⁵ See section 5.8/page 51 of Appendix B to the Cabinet Report.

¹⁶ i.e the former Peterborough and St. Margaret's School in Common Road, Stanmore.

secondary school level and so reduce the over-supply until a deficit in secondary school places across the Borough is reached in 2022/23. The Cabinet report also indicates that a new secondary school may be required even with the places provided by Avanti House School.

The implication of not accommodating the Avanti House School on a site within the Borough, or sufficiently close to the Borough boundary as to enable the School to make a contribution to the supply of school places serving Harrow, would be to exacerbate the projected shortfall in primary school places and to bring forward (and exacerbate) the projected shortfall in secondary school places. In view of the above evidence, it is therefore recommended that considerable weight may be attached to the need to find a site capable of permanently accommodating the Avanti House School in a location that would serve Harrow pupils.

A 'Sequential Assessment' dated June 2015 has been submitted with the application. The Assessment documents the search criteria used and the alternative sites considered, although (notwithstanding the title of the Assessment) the review of sites is not set-out in any order of sequential preference. The search criteria are reproduced, and the consideration of alternative sites is summarised, at **Appendix B** to this report.

Based on a search area covering the whole of the London Boroughs of Barnet and Harrow, a total of 117 alternative sites are considered in the Assessment. These were identified for consideration in the Assessment primarily through a review of allocated sites in Barnet's and Harrow's Local Plan and related planning documents, together with a search of agents' websites. Of the 117 sites considered in the Assessment, 58 have been discounted as being too small/incapable of accommodating the proposed development. Of the remaining 59, the Assessment finds that, amongst other reasons: 14 are also considered to be too small (for example, an where allocation comprises a collection of smaller/fragmented sites or buildings or is of unsuitable configuration); 21 are unavailable because they are already being brought forward by another developer and/or site acquisition costs are likely to be too high (typically as a result of planning permission for residential development); 11 are not available for some other reason (typically where a site is in existing operational use); 8 are either Green Belt/Metropolitan Open Land/Local Nature Reserve sites; 1 is already redeveloped; and 3 are considered to conflict with the purposes of the relevant site allocation. Those conflicts are: contrary to allocation for retention/re-provision of leisure centre and supporting residential development (Harrow Leisure Centre site); contrary to allocation for intensification of waste function and industrial uses (Harrow Civic Amenity & Depot site); contrary to allocation objective to retain original education building (Harrow College Brookshill Campus site). The Assessment concludes that only 1 of the 117 sites - Whitchurch Playing Fields – is suitable.

The Assessment demonstrates the difficulty of finding a suitable site to accommodate a secondary school, of the scale and with the facilities proposed, in a location that would serve residents in outer north-west London. It is acknowledged that, in response to the difficulty of finding a permanent site that could accommodate all of Avanti House School's requirements as a through-school, flexibility has been shown through the disaggregation of the primary school component (to be accommodated at the site of the former Peterborough & St. Margaret's School in Common Road, Stanmore) from the secondary school component that is the subject of this application. Given the current strength of the housing market it is perhaps not surprising that the Assessment's review of sites allocated for residential redevelopment has found that they are predominantly

already being taken forward or are likely to be too expensive to acquire. Similarly, given the drive to deliver development on previously-developed land and the predominantly suburban character of Barnet and Harrow, neither is it surprising that so many of the allocated previously-developed sites are too small for a development of the scale proposed. Given the strength of policy protection, it is accepted that Green Belt, Metropolitan Open Land and Local Nature Reserve sites may be safeguarded in preference to other potential sites. And although the selected site, Whitchurch Playing Fields, should also be considered contrary to its Local Plan allocation, its development for educational purposes does not raise the same practical issues that would arise in respect of the leisure centre, civic amenity/depot and Brookshill campus sites.

In these circumstances, and having regard to the submitted evidence of the applicant's consideration of other sites within the London Boroughs of Barnet and Harrow, it is recommended that the assertion that Whitchurch Playing Fields is the only suitable and readily available site for the proposed development be accepted.

Given that there is a now evidenced need for increased secondary school capacity over and above that originally envisaged when the Local Plan was being prepared, and on the basis that the unavailability of the allocated Teachers' Centre site is accepted, then it follows to consider the proposal in accordance with the criteria set out for new education facilities by Policy DM 46 *New Community, Sport and Education Facilities B* of the Development Management Policies (2013) Local Plan. This states that proposals for the provision of new educational facilities will be supported where:

(a) they are located within the community that they are intended to serve;

Paragraph 4.6 of the applicant's 'Sequential Assessment' states that the school was established on the understanding that it would operate within the London Borough of Harrow or Barnet. Furthermore, as explained in the July 2015 Cabinet report, the Avanti House School (and indeed the Krishna Avanti Primary School) are in special Borough-wide area categories for school place planning purposes reflecting their status as faith based voluntary aided schools. That Cabinet report also indicates that the secondary component of the Avanti House School is expected to draw much its intake from its own primary school component (in Common Road, Stanmore) and from Krishna Avanti Primary School (in Camrose Avenue, Edgware) – both in relatively close proximity to the Whitchurch Playing Fields site. It is therefore considered that the proposed secondary school would be located appropriately within the community that it is intended to serve.

(b) subject to (a) they are safe and located in an area of good public transport accessibility or in town centres; and

By its very nature as a purpose-built school to current design standards, it is anticipated that the development and educational use of the site would be safe for its users. More particularly, it is noted that the Design & Access Statement submitted with the application shows that the proposed buildings (and indeed the vast majority of the site) would fall beyond a 150 metres exclusion zone of the Marsh Lane gas station.

With a public transport accessibility level (PTAL) of 1b the application site does not benefit from a particularly good level of public transport accessibility. However, since the selected site appears to be the only one that is suitable and readily available for the proposed development, and as it does have the positive attribute of being relatively close to feeder primary schools so as to be regarded as being located appropriately within the community that it is intended to serve, as noted under (a) above, then the proposal is considered to be reasonably acceptable under this criteria. Clearly, a robust

travel plan will be needed to ensure that the development is managed to achieve sustainable transport choices by pupils, staff and other users of the site.

(c) there would be no adverse impact on residential amenity (see Policy DM 1) or highway safety.

Other sections of this report deal with the implications of the development for residential amenity, noise and highway safety.

Part C of the Policy states that new education development should make provision for community access to the facilities provided. A draft Community Use Agreement has been prepared by Council officers in dialogue with the applicant. The draft Agreement would make provision for:

- one full size football pitch to be made available to persons other than the school at all times;
- two community sports days per annum; and
- use of the sports facilities for a minimum of 100 hours per annum.

The draft Agreement requires the School to manage bookings and to make charges (consistent with the Council's standard fees & charges) for the use of the facilities.

In accordance with Policy DM 46 C, this Agreement should be secured through a section 106 Planning Obligation. Subject to such an agreement, it is considered that the proposal would not conflict with the relevant criteria set out in Local Plan Policy DM 46 and so should be supported in accordance with part B of that Policy.

Taking all of the above into account, it is considered that the evidenced need to ensure the continued provision of the secondary school places (to serve the Borough) provided by the Avanti House School, the Secretary of States' policy statement and paragraph 72 of the NPPF are the material considerations that point to a decision other than in accordance with the development plan in this case. It is therefore recommended, on balance of these other material considerations, that planning permission may be granted.

Residential Amenity

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 DM 1 *Achieving a High Standard of Development C* requires all development to achieve a high standard of privacy and amenity and D sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers.

Visual impact

The existing playing fields feature as a substantial open, green space in the outlook of numerous residential properties that surround the site. In this context, the introduction of development onto the site will have some significant visual impact on many neighbouring residential occupiers. However, being able to see a building or other structure is not of itself indicative of visual harm, and it is therefore necessary to consider in greater detail the specific relationships that would result between the proposed buildings and structures and the nearest affected neighbouring properties.

The east end elevation of the school building would be sited 18.2-20.9 metres behind the rear garden boundaries of, Littlecot, Cedar House and nos. 2 & 4 in Green Verges, and distances of 25.4-27.9 metres would be maintained between that end elevation and the main rear elevations of those neighbouring dwellings. This is the closest relationship between any proposed building on the site and the nearest neighbouring dwellings. It should be noted that there would be minor site levels re-profiling to this part of the site, resulting in the finished ground floor level of the school building being 0.81 metre above the level of the rear boundary of the neighbouring property in Green Verges¹⁷.

The east end elevation would have a width of 36 metres and would rise to 3 storeys (11 metres). Clearly, the proposal is for a large building – significantly larger than any other building in the immediately surrounding area - and it would appear as such when viewed both from the gardens and in the outlook of the rear windows of the aforementioned nearest properties in Green Verges. The proposed provision of surface car parking along this side of the proposed building severely limits the potential of landscaping to minimise or soften the impact here. In visual terms the resulting impact could not, it is considered, be regarded as achieving a high standard of amenity.

However, the need for the proposed school (and for it to be accommodated on the subject site) has been established elsewhere in this report. The siting of the proposed buildings on the site responds to the requirement to avoid the flood risk associated with that part of the Edgware Brook which runs through the site and the retention of a consolidated area of open space for outdoor sports facilities. The orientation of the building is such that the end (rather than the long) elevation faces the rear garden boundary of the aforementioned nearest properties in Green Verges, and the building's siting in this part of the site minimises the number of properties so acutely affected. In these circumstances, it is not recommended that permission be withheld for this reason.

The school building would, of course, also be visible from other surrounding neighbouring properties. Most nearby, others in Green Verges, those at the eastern end of Old Church Land and those in the south-eastern corner of Cranmer Close. It should be noted that there would be minor site levels re-profiling resulting in the finished ground floor level of the school building being 2.11 metres below the level of the north site boundary¹⁸. Whilst again acknowledging the scale of the proposed building (many of these neighbouring properties would see the long rather than the end elevation) in contrast to the suburban scale of the surrounding context, the separation distances and opportunities for landscaping at the site boundaries are such that it is not considered that the school building would be detrimental to the visual amenities of the occupiers of any other surrounding properties.

The north elevation of the sports hall building would be sited 55-61 metres to the south of the rear garden boundaries of nos. 5 & 6 Cranmer Close, and distances of 63-69 metres would be maintained between that elevation and the nearest parts of the rear elevations of those neighbouring dwellings. This is the closest relationship between the proposed sports hall and the nearest neighbouring dwellings.

The north elevation of the sports hall would have a width of 45 metres and would rise to a height of 9 metres. The sports hall would have an inherently utilitarian appearance and its north elevation, devoid of fenestration and unrelieved by the single storey component

¹⁷ Refer to cross section C-C on drawing L-1439-GAS-004 Rev. 01.

¹⁸ Refer to cross section A-A on drawing L-1439-GAS-002 Rev. 01.

that features in its other elevations, is the most visually stark elevation. However given the separation distances involved and the potential for landscaping at the site boundaries, it is not considered that the sports hall would be detrimental to the visual amenities of the occupiers of the aforementioned properties in Cranmer Close nor any other surrounding properties.

There would be a modest but nevertheless clear gap of some 23 metres at the pitch point between the proposed school and sports hall buildings. This gap is considered crucial to maintain the perception of the buildings on the site as two separate modules (and their appearances articulating their particular albeit connected uses). With this gap, it is not considered that the combination of both buildings on the site would be such as to be detrimental to the visual amenities of any neighbouring occupiers.

It is proposed to erect a 2.4 metres high close-boarded timber fence adjacent to the rear boundaries of properties in Green Verges, nos. 82-96 and 114-122 (evens) Old Church Lane and properties in Cranmer Close, and to the south flank boundaries of Littlecot (Green Verges) and 86 Abercorn Road. A typical domestic fence height would be in the region of 1.8 metres, so the fencing proposed would be likely to appear higher than existing prevailing fence heights around rear gardens. However, the proposed fencing is necessary both for the security of the school and as an acoustic barrier to provide some mitigation against noise associated with the proposed school use of the site. In these circumstances, and whilst there would inevitably be some increased visual impact of fencing to the height proposed, it is not considered that this aspect of the proposal is unacceptable in amenity terms.

In addition, 3 metres high weldmesh fencing would be erected around the proposed MUGA and netball/tennis courts which would be situated to the rear of nos. 4-6 Cranmer Close. This would be substantially screened by the close boarded fencing mentioned above leaving only the top 0.6 metre exposed to view, and given the open cellular form of weldmesh fencing it is not considered that the additional visual impact of this fencing would be so significant as to be unacceptable.

New 1.8 metre high weldmesh fencing is proposed to part of the west boundary of the site (adjacent to Abercorn Road) opposite the front of nos. 3-25 Abercorn Road. Insofar as this would open-up views into the playing fields from the ground floor of those properties it is considered that this aspect of the proposal would enhance visual amenity for the neighbouring occupiers. The retention (with repairs as necessary) to the existing fencing along the site frontage to remainder of Abercorn Road and Wemborough Road would preserve the visual amenity of the occupiers of other neighbouring property facing the site.

Privacy

The distances and levels between the east end elevation of the proposed school building and the nearest neighbouring residential property in Green Verges is as described for visual amenity above. This elevation would include: at ground floor level, a class room window, doors to the school kitchen and a panel of windows and doors the dining room; at first floor level, high level windows to a class room, seminar rooms and the sixth form study room; and at second floor level, small windows to ICT suites, group rooms and a resources room. In addition, the east end elevation would contain a ground to roof level panel (with glazed and 'curtain walling' aluminium panes) contiguous with the position of an internal stair well.

Notwithstanding the +0.81 metre change in levels, overlooking from the east end elevation ground floor windows/doors would be reasonably obscured by the proposed 2.4 metres high fencing described above, and although limited space is available here landscaping may be used to provide additional mitigation. It is considered that the use of high level windows above ground floor level in this elevation is an appropriate response to the relationship with Green Verges property, and a sufficient safeguard against unacceptable actual or perceived overlooking of those properties. As an additional safeguard to the privacy of the neighbouring occupiers, it is considered necessary that any planning permission be subject to a condition requiring the glazed panes of the stair panel in the east end elevation to be obscure glazed.

Full size windows are proposed in all other elevations of the school building. Those in the south and west elevations would not overlook any residential property. Given the distances (100+ metres) between the north elevation and neighbouring property in Old Church Lane, and the oblique angle of view between north elevation and other property in Green Verges, it is not considered that the resulting actual and perceived overlooking relationship would be detrimental to the privacy of the neighbouring occupiers.

Turning to the proposed sports hall building, the main component (the 9 metre high sports hall) would have no windows and the single storey component (containing the changing accommodation and other ancillary facilities) would have windows only in its east elevation (facing the main school building). Given the separation distances and proposed site perimeter fencing there would be no overlooking from the doors at ground floor level that are a feature of all elevations of the sports hall building.

As noted above, there would be minor site levels re-profiling as part of the development of the proposed school complex and associated curtilage facilities. The car park at the east end of the school building would slope upwards from the rear boundary of the neighbouring property in Green Verges to the finished ground floor level of the building (+0.81 metre). The outdoor facilities to the north of the school building (amenity grass, memorial gardens and playground) would occupy gently rising ground (to a peak of +1.19 metres at a distance of approx. 100 metres) relative to the rear boundary of the nearest neighbouring property in Green Verges¹⁹. The proposed MUGA and netball/tennis courts would sit on land re-profiled to produce a flat surface to the same level as the north site boundary, with further re-profiling used to manage the fall in levels between the southern extent of these facilities and the north elevation of the school building²⁰. The proposed mini soccer pitch, in the north-eastern corner of the school complex, would have a flat level that would be between +0.23 & +0.46 metre higher than the levels at the rear boundary of neighbouring property in Green Verges, and between -0.15 & -0.24 metre lower than adjacent levels at the north site boundary²¹.

It is evident that the facilities within the curtilage of the school complex would generally be higher than neighbouring site levels in Green Verges, but generally level with or lower than levels at the north site boundary (contiguous with neighbouring property in Old Church Lane and Cranmer Close). Unfavourable levels differences at the site edges would, in the main, be relatively modest such that the potential for overlooking would be reasonably obscured by the proposed 2.4 metres high fencing and – where sufficient space is available for meaningful planting – additional mitigation may be secured with

¹⁹ Refer to cross section B-B on drawing L-1439-GAS-003 Rev. 01.

²⁰ Refer to cross section A-A on drawing L-1439-GAS-002 Rev. 01.

²¹ Refer to landscape drawing L-1439-GAP-004 Rev. 01.

landscaping. Given the separation distance involved, it is not considered that the level of the playground to the north of the proposed school building would be such as to be harmful to the privacy of neighbouring occupiers in Green Verges.

The use of the curtilage facilities by staff and pupils of the school and the wider community use of the outdoor sports facilities would bring a range of activity to the site including activity close to the site boundaries which might give rise to a perception of a loss of audible privacy. However, the site is currently publicly accessible for outdoor sports and recreation use and so any such perceived loss privacy would not, it is considered, be material.

Daylight, sunlight and overshadowing

A BRE²² Assessment of daylight, sunlight and overshadowing, dated 6th October 2015, has been submitted with the application. The Assessment tests the impact of the proposed development upon residential property nos. 1-15 Green Verges, nos. 4-6 Cranmer Close and nos. 108-124 (evens) Old Church Lane, and upon Whitchurch Primary School.

For daylight, the Assessment uses the BRE's Vertical Sky Component (VSC) methodology which measures the amount of skylight reaching a window. A target of 27% VSC is recommended and reductions in VSC no greater than 20% of baseline conditions are regarded as unlikely to be noticeable to occupants. The results show that, after the proposed development, all but two of the tested properties would have windows with VSC well above the target of 27% (typically between 35 and 40 per cent) with either no measured loss (in the majority of cases) or with nominal measured loss (between 1 and 4 per cent to Whitchurch Primary School and the highest residential losses being 2.5 per cent at nos. 1, 2 & 4 Green Verges). Of the two properties (nos. 114 & 124 Old Church Lane) with windows²³ registering VSC below the target 27%, the Assessment shows that this is due to baseline conditions which would not be altered by the proposed development.

For sunlight, the Assessment uses the BRE's Annual Probable Sunlight Hours (APSH) methodology which measures the percentage of annual and winter probable sunlight hours for any window within 90 degrees of due south. The recommended target is for 25% of annual probable sunlight hours to relevant windows, including at least 5% between 21st September and 21st March. Noticeable losses relative to baseline conditions are said to occur when the loss exceeds 20%, and if the annual loss is greater than 4% then the room may appear colder. The results show that all tested windows achieve well in excess of 25% annual probable sunlight hours and that the vast majority achieve well in excess of 5% winter probable sunlight hours, with no measured losses as a result of the proposed development. Three tested windows (at nos. 4, 6 & 13 Green Verges) were found not to achieve in excess of 5% winter probable sunlight hours, but the Assessment shows that this is due to baseline conditions which would not be altered by the proposed development.

For overshadowing, in accordance with the BRE, the Assessment measures the amount of sunlight reaching an amenity area (an area with a reasonable expectation of sunlight) on 21st March. The recommended target is for 50% of an amenity area to receive at least 2 hours of sunlight on 21st March. If this target is not met, then a reduction no greater

²² British Research Establishment.

²³ It should also be noted that other tested windows at these properties were above the target for VSC.

than 20% of baseline conditions is regarded as unlikely to be noticeable to occupants. It should be noted that the Assessment takes account of fixed existing and proposed fences. The results show that all surrounding residential gardens would, after the proposed development, achieve 2 hours of direct sunlight over at least 50% of their area on 21st March.

Although strictly beyond the scope of BRE, the submitted Assessment goes further to model the overshadowing impact of the proposed development on 21st December and 21st June. Throughout the year, the shadow cast by the proposed school building (during morning hours) and sports hall (at all times) would fall wholly within the application site itself; and by its nature, the proposed 2.4 metres high close boarded boundary fencing would cast a shadow over adjacent garden areas, the times of day and extent of which would vary dependent upon relative orientation and season. Turning specifically to the school building, this would cast a shadow in the direction of neighbouring property in Green Verges during the afternoon hours, as the sun's position in the sky moves through to the west, and in the direction of Whitchurch Primary School during the evening hours of the mid-summer months when the sun sets towards the north-west. The modelling shows that, from about 1.00pm onwards on 21st December, the shadow cast by the building would reach the gardens of neighbouring property in Green Verges, a number of which would be substantially in shadow by 3.00pm. The modelling shows that on 21st June, when the sun's position in the sky is at its highest point of the year, the shadow cast by the school building wouldn't reach the boundary of the nearest neighbouring property in Green Verges until 6.00pm, and that as the sun begins to set in subsequent hours the long shadow cast would fall to the south/south-east of the proposed building, predominantly affecting the application site itself and Whitchurch Primary School, but also affecting (at 8.00pm) part of the rear garden of Littlecot in Green Verges.

Having regard to the applicant's BRE Assessment of daylight, sunlight and overshadowing, this being a more scientific and robust tool than the Council's 45 degree code, it is evident that the development would have no discernible impact on many surrounding residential properties and that, where impacts are detected, these would fall within parameters that are recommended and widely recognised as being acceptable. The additional analysis carried out in respect of overshadowing shows that, as with other aspects of amenity, it is neighbouring properties in Green Verges (and particularly those at the southern end of Green Verges) that would experience the greatest impact. However, it is reiterated that the proposal has been shown to comply with the relevant BRE guidelines and it is considered that this demonstrates that a high standard of amenity, as required by Local Plan Policy DM 1 C, would be achieved.

Pollution

Relevant issues of noise and air pollution, including that which would impact neighbours during the construction phase, are addressed in the relevant sections below.

As noted elsewhere in this report the application does not, despite advice from Sport England to the contrary, include any proposal for floodlighting. Nevertheless, in the context of the existing unlit playing fields, the proposal would introduce new sources of artificial light associated with breakout from within the proposed buildings, lighting of car parking areas and pathways, security lighting & etc. The potential for light pollution from these sources to affect the amenity of neighbouring occupiers is particularly acute where the proposed school complex adjoins the rear gardens of property in Green Verges, although all potential light pollution impacts should be avoided wherever possible and otherwise minimised. To address this matter, and in conjunction with ecological

considerations, it is considered that any permission should be subject to a condition requiring details of any external lighting to be agreed prior to installation.

Design and Layout

Paragraph 56 of the NPPF reiterates the Government's commitment to good design. However, the NPPF is also clear (see paragraphs 60 & 61 in particular) that local planning authorities should not attempt to impose architectural styles or particular tastes, and emphasises that good design goes beyond solely the consideration of visual appearance and architecture.

Good design, in its widest sense, is addressed through a number of London Plan (2015) policies. Policy 7.1 *Lifetime Neighbourhoods C* calls for development that enabled people to live healthy and active lives, and to maximise the opportunity for community diversity, inclusion and cohesion. Part D of the Policy states that the design of new buildings and spaces should reinforce the character, legibility, permeability and accessibility of the neighbourhood. Policy 7.2 *An Inclusive Environment C* requires design & access statements to explain how issues of inclusive access are addressed through proposed development. Policy 7.3 *Designing Out Crime B* states that development should reduce opportunities for criminal behaviour and contribute to a sense of security. Policies 7.4 *Local Character B* and 7.6 *Architecture B* set out the criteria for securing high quality design that responds to surrounding contexts.

Core Strategy (2012) Policy CS 1 requires development proposals to respond positively to the local and historic context, and to reinforce positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design. Policy DM 1 *Achieving a High Standard of Development* of the Development Management Policies Local Plan (2013) A requires all development to achieve a high standard of design and layout and B goes on to set out a number of design and layout considerations to this end. Policy DM 2 *Achieving Lifetime Neighbourhoods A* requires proposals to contribute to the creation of lifetime neighbours and B requires major proposals to demonstrate how they contribute to the creation of lifetime neighbourhoods within and beyond the site boundary.

A Design & Access Statement has been submitted with the application. In terms of the layout, this highlights that the strategic parameters for the development as follows:

- the sequential preference to locate buildings on that part of the site with the lowest level of flood risk;
- the Highway Authority's preference that the existing vehicular access from Wemborough Road be used to serve the proposed development;
- the need to comply with baseline designs for buildings published by the Education Funding Agency (EFA); and
- the aspiration to minimise the impact on neighbouring properties.

The result is that the proposed school complex is directed to the eastern playing field, this being the part of the site with the lowest risk of flooding, and the buildings are directed towards the southern half of this part of the site where they have a logical relationship with the existing access road. Within the constraints of the EFA's baseline designs and informed by massing studies, and to allow for optimal retention of existing trees of amenity value within the site and minimal possible impact upon neighbouring properties, the school building is configured on a broadly east-west axis at the southern edge of this part of the site whilst the sports hall is placed so that it is as far separated as

it can possibly be, within the eastern playing field, from surrounding residential property.

Within the context of its predominantly residential surroundings – domestic scale buildings with traditional suburban street frontage and gardens – the proposal would introduce a contrasting development footprint and urban grain. Some degree of contrast in these respects may also be observed when the proposal is compared to the existing complexes at neighbouring Whitchurch and Stanburn Schools. However, as explained above, the Design & Access Statement demonstrates that proposal has been informed by relevant layout considerations including: the context provided by neighbouring buildings and spatial separation in the interests of privacy and amenity; the need to retain natural features of merit within the site; the functionality of the development; and safe access arrangements. It is therefore considered that the proposal responds appropriately to site circumstances to achieve a high standard of general site layout.

The architectural inspiration for the treatment of the elevations of the proposed school building is not explained in the applicant's Design & Access Statement. However, at section 5.5. (materials strategy) of the Statement the following information is provided:

The building is a simply expressed rectangular form that balances the robustness of traditional, locally evident materials with playfulness and colour, in a design that is not too consciously fashionable and will stand the test of time. Horizontally orientated windows flood light into classrooms and create an attractive rhythm to horizontal form; punctuated by panels of render. Feature areas of the elevation are created by the introduction of a secondary render colours, providing logic to the façade. The robust brick plinth and render finishes above give identity to teaching areas as well as help to reduce the mass of the elevation.

The building would have horizontal proportions and this is followed-through into the proportions of the fenestration, albeit broken-up by vertical emphasis openings to light stair wells. The building would have a brick finish up to the window sills at ground floor level and would otherwise be rendered. The render would be painted different colours in an attempt to break up the mass of the elevations. The school's main entrance, located broadly at the centre of the south elevation, would be visually picked-out by a canopy (with the brick plinth extended up to the canopy either side of the entrance) and contrasting painted render above. Many of the windows would feature louvered ventilation panels and the north elevation would contain an entire opening providing louvered ventilation to a second floor plant room.

The Council's Design Officer has commented on the appearance of the proposed school building, summarised as follows:

- the use of brick and different coloured renders is overly complicated and there is no rationale to the vertical coloured sections;
- there is no clear strategy to the organisation of windows on the elevations and minimal reveals – a cohesive approach to façade composition is required;
- ventilation louvers dominate the facades and should be eliminated;
- full size (rather than high level) windows should be used on the east elevation and greater use of full height glazing could be used on the ground floor of this elevation;
- a higher parapet is needed and the lift overruns are not shown; and
- the main entrance would benefit from greater definition.

It appears that the form of the school building has been dictated to a large extent by the

EFA's baseline designs which (the Design & Access Statement explains) were developed to "...*deliver a better education environment within tight cost constraints for the purposes of the Priority School Building Programme*". The building would be of no great architectural merit and in this respect is considered to be disappointing. Nevertheless, the Design Officer's comments (with the exception of that calling for the provision of 'full size' windows in the east elevation) have been conveyed to the applicant and a response has been received, summarised as follows:

- the rendered insulation system maximises thermal efficiency; different colours are proposed to break up the long elevations; a complete brick façade was avoided in an attempt not to urbanise the setting;
- the patterning of the elevations express the internal arrangement of the buildings; the design of the windows is arrived at through climate based daylight modelling and to avoid internal overheating;
- the ventilation louvers provide room by room environmental control;
- the height of the parapet has been minimised in response to public consultation responses about the height of the proposed building; some ventilation works will be visible but the lift overrun will be minimal; and
- a change in render colour is used as a device to differentiate the entrance.

As with the school building, the sports hall would have a brick finish up to the equivalent of ground floor window sill height and would be rendered above. The submitted drawings indicate that contrasting colours would be applied to the 9 metres high part of the building (contain the sports hall) and the single storey part (containing the changing and ancillary accommodation). The scale of this building and the absence of fenestration to most elevations would, it is considered, give it a starkly utilitarian appearance. However, such an appearance would be consistent with the utilitarian function of the building and so need not, it is considered, be inappropriate. The Council's Design Officer has commented on the proposed materials and, again, these comments have been conveyed to the applicant, who has responded that a consistent materials palette has been used for the school building and sports hall to unify the development, but with variations in colour to differentiate the two buildings.

In terms of the functionality of the proposed buildings, the Council's Design Officer has commented that the long corridors of the main school building and that the sports hall building would benefit from opportunities for natural light and ventilation. The school's corridors would get some natural light from an internal courtyard and, potentially, from the stair well windows; however there would be a number of sections of corridor without opportunity for natural light. Whilst undoubtedly an undesirable attribute of the proposal, information contained in the submitted Design & Access Statement suggests that such corridors are a feature of EFA's baseline design and so are evidently deemed appropriate by the EFA for new school buildings. Turning to the sports hall building, the introduction of windows would give rise to potential for noise breakout which, in the interests of neighbours' amenity, should be avoided. The method of ventilating the proposed development is dealt with as part of the consideration of sustainability issues elsewhere in this report.

The proposal would provide a purpose-built, modern secondary school on a site that is located within the catchment of the community that it is intended to serve, and would provide new indoor sport and enhanced outdoor sport facilities which, secured through a community use agreement, would be accessible to the wider community. It would, therefore, help to enable people to live health & active lives and provide appropriate

opportunities for community inclusion & cohesion, entirely consistent with Lifetime Neighbourhoods principles.

The submitted Design & Access Statement notes that the proposed new buildings will comply with the requirements of Part M²⁴ of the Building Regulations, the Equality Act 2010 and British Standard 8300²⁵. Specifically, it confirms that:

- main entrances would have a min. 1 metre clear opening, level threshold and approach shallower than 1 in 20;
- doors would be wheelchair accessible with visibility panels, easy reach/gripable door furniture and closers requiring minimum opening force;
- spaces to comply with minimum manoeuvrability requirements for wheelchair users; and
- lighting and colour schemes to meet best practice guidance for the visually impaired.

As an EFA funded proposal, inclusive design principles will have informed the design and layout of the development. Furthermore, as noted in the Statement, the new buildings must comply with the relevant requirements of the Building Regulations (together with other relevant statutory provisions) relating to inclusive access. To ensure that the proposal as a whole (and not just the buildings) delivers a fully inclusive environment for future staff, students and visitors to the site, it is considered that details of the site layout including path widths and any ramps/gradients & etc be controlled as a condition of any planning permission.

The Association of Chief Police Officers (ACPO) publication *New Schools (2014)* sets out up-to-date design and layout guidance for minimising opportunities for crime in new school development. The proposal's performance against the relevant planning issues set out at section 1 of the publication is assessed below:

Urban design and planning policy

The location of the school complex in the east playing field provides the opportunity for some natural surveillance from surrounding residential property, albeit that the proposed boundary fencing and (once established) new landscaping may limit this. When in use the school building itself would provide a high degree of natural surveillance of this part of the site. The west playing field would also benefit from being overlooked by dwellings on the facing side of Abercorn Road.

The guidance recommends that new schools be planned on a single site, wherever possible, and notes that security is more easily managed within a single building. In this regard it is noted that the proposed secondary school would indeed be self-contained within its own site and within a single building.

Perimeter security

The guidance emphasises the importance of securing school site boundaries, but warns against the use of fencing that creates a 'fortress' impression. The site perimeter would be bounded by 2.4 metres high close boarded fencing where it is contiguous with the boundary of adjoining residential property and, as this fencing would serve in part to mitigate impact on neighbours' amenity, this is considered

²⁴ Part M deals with access to, and use of, buildings.

²⁵ Design of buildings and their approaches to meet the needs of disabled people (2009).

to be the appropriate response. A 1.8 metres high weldmesh fence would be used to define the rest of the perimeter of the wider school site.

Entrances at the perimeter

Consistent with the guidance, the proposal would channel access for vehicles and pedestrians to a single point at the perimeter: at the head of the existing access road. Two additional perimeter access points are proposed (1 from the access road into the west playing field and 1 from Marsh Lane) both of which are for maintenance only, and would be managed by the school.

A carriageway loop is proposed adjacent to the west end elevation of the school building and to the south east of the proposed sports hall. This would provide for 'drop off/pick-up' movements and mini bus parking spaces just inside the main entrance, thus avoiding the need for such activity penetrating further into the site.

Vehicle parking and access

Surface car parking is proposed adjacent to the south and east of the school building. The parking area to the south would be heavily overlooked by windows in the south elevation of the building and activity associated with the main entrance to the school, also located on the south elevation, would be a further deterrent to criminals. The east end elevation has more limited natural surveillance due to the use of high level windows at upper levels; however it is considered that this would be adequately compensated for by a large expanse of windows and glazed doors at ground floor level serving the school's dining hall.

Cycle parking facilities are proposed as follows: for short stay/visitors to the south of the school building; for staff and sixth formers to the west of the school building; and for other pupils' provision would be made at locations to the north, south and west of the sports hall. The facilities to the south and west of the main school building and to the south of the sports hall would benefit from high levels of natural surveillance and activity associated with the school. However that to the west and particularly the north of the sports hall would be relatively isolated and so, it is considered, left unnecessarily vulnerable. It is therefore recommended that any permission be subject to a condition to secure cycle revised parking details in a location that better reflects Secured by Design principles.

Access within the school site

As the sports hall, MUGA and tennis/netball courts and the pitches in the west playing field would be the subject of controlled community access, particular attention has been given in the layout of the proposal to the creation of a secure inner school complex within the site so that supervised access (out of school hours) may be permitted to the remainder of the site. Once through the main gates, the car parks to the south (front) and east end elevations and drop off/pick up loop would be accessible to all users. Between the north-east corner of the school building and the east site boundary there would be a 2.4 metres high timber close boarded fence; 2.4 metres high weldmesh fencing would be placed between the school building and the sports hall, between the sports hall and the MUGA, and between the MUGA and the north boundary fence. As a result, the area to the north of the school building would be entirely enclosed as a secure area, segregated from the rest of the school site.

Community users would be directed around the south and west sides of the

sports hall where there would be independent access into that building and, beyond it, independent access to the MUGA and tennis/netball courts. Segregated community and school changing facilities are proposed.

External issues

The guidance recognises that public footpaths outside boundary fencing may affect security and that, in such circumstances, the use of defensive planting should be considered (but not to the detriment of natural surveillance). The potential for such planting along the Abercorn Road and access road boundaries may be considered as part of hard and soft landscaping details (as a condition of any planning permission).

The guidance also recommends that potentially troublesome meeting places such as recessed doorways and secluded/isolated spaces should be avoided. No recessed doorways are proposed to either the school building or the sports hall. However a tract of land to the north of the proposed sports hall would, it is considered, be largely obscured the line of sight of the school building and – by absence of fenestration in the north elevation of the sports hall, would not benefit from particularly high levels of natural surveillance. This tract would fall beyond the 'inner' secured school area although of course would be within the secure boundary of the wider site. It is considered that additional fencing is required between the north-west corner of the sports hall and the tennis/netball courts so that access to the tract of land is entirely controlled by school staff. This may be secured as part of the hard and soft landscaping details (as a condition of any planning permission).

Storage facilities

The proposed sports hall building makes provision for the storage of internal and external sports equipment used by the school and community groups. This avoids the need for separate external storage facilities, which may be more vulnerable to attempted break-in.

The proposed bin store would be located to the north-east of the school building. It would be sited sufficiently distance from the building and the boundary of property in Green Verges as to avoid the risk that bins, or indeed the enclosure itself, may be used as a climbing aid to criminal activity.

Utility services and mail delivery

The proposed school building includes provision of plant rooms & etc, so avoiding the need for utilities such as meters to be housed without. It is envisaged that mail deliveries personnel and meter readers would report to the main school reception.

Building shell

Given the location of the proposed buildings on the site and their design, the risk of climbing (to gain unlawful entry) and of graffiti is considered to be minimal.

Internal layout issues

A site access and circulation drawing submitted with the application shows that staff, sixth formers and visitors would be directed to the main entrance on the south elevation of the school building, whilst pupils would be directed along the west end of the building into the secure north area, where they would access the building via a secondary entrance on the north elevation. The guidance

recommends a single point of entrance but advises that, where additional entrances are required, the crime risk may be minimised if they are located within access controlled areas beyond the school forecourt. Clearly this is the case here.

In line with the guidance, the general office/reception desk would have a clear view of the buildings main entrance and reception/waiting area. Toilet facilities would be distributed in multiple locations throughout the building. The arrangement of the internal corridors would optimise lines of sight and enable visual supervision of stair well areas. A sick room would be provided on the ground floor adjacent to the general office.

Security lighting

During the course of the application, the applicant has submitted an external lighting and security philosophy layout drawing. It states that external lighting (except for safety and security lighting) shall be automatically switched off between 23:00 hours and 07:00 hours and be controlled by time clock and photocells, albeit with a manual override facility. It also sets out principles for external lighting: only to light what is necessary and when necessary; and external lights to be positioned to avoid light spill into the night sky and neighbouring properties.

The Council's lighting engineer has been consulted on the drawing and any relevant comments received will be included as addendum information. However it should be noted that the drawing only sets out the approach to be adopted to external lighting across the site. It is considered necessary that details of external lighting be controlled as a condition of any planning permission.

The area to the south of the Edgware Brook within the site would be retained as fully publicly accessible open space. This would continue to benefit from natural surveillance surrounding property, principally dwellings on the facing side of Wemborough Road, but also by the school and community users of the outdoor sports facilities to the north of the Brook (who would have a clear view through the proposed 1.8 metres high weldmesh fencing). The existing perimeter fencing would be retained (with repairs as necessary) around the publicly accessible southern area, with pedestrian access points onto Abercorn Road and the access road from Wemborough Road. The Council would retain control of this portion of the site and so would be in a position to determine whether access should be restricted (e.g. at night) by locking of the gates.

Conclusion on Design and Layout

The Council's Design Officer has expressed reservations about the appearance of the proposed school and sports hall buildings which have not been addressed by the applicant. The appearance of the buildings represents one of the least meritable attributes of the proposed development. However, paragraph 60 of the NPPF states that, although visual appearance and architecture are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. The appearance of the building aside, it is considered that the proposal is consistent with Lifetime Neighbourhoods principles, would (subject to detailed control through the Building Regulations and planning conditions) achieve inclusive access, and would perform well in relation to Secured by Design guidelines. It is therefore concluded that, in a wider sense, the proposal would achieve a reasonably high standard of design and layout.

Highways/Transport

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development and contributing to wider sustainability and health objectives²⁶. Encouragement is given to solutions which support reductions in greenhouse gas emissions and reduce congestion²⁷. Paragraphs 32 and 36 call for transport assessments and travel plans for all developments that would generate significant amounts of movement. The application has been accompanied by a Transport Assessment and a draft Travel Plan.

The London Plan includes a suite of transport policies aimed at facilitating more sustainable development and a modal shift away from private car use across the capital. These are (a relevant to the subject application) Policies: 6.3 *Assessing Effects of Development on Transport Capacity*; 6.9 *Cycling*; 6.10 *Walking*; and 6.13 *Parking*. Relevant Local Plan Policies are: DM 42 *Parking*; DM 43 *Transport Assessments and Travel Plans*; DM 44 *Servicing*.

Background

The Education Funding Agency (EFA) in conjunction with the governors of Avanti House Free School (AHFS) is proposing to build a secondary School on existing green field land at Whitchurch Playing Fields, Stanmore.

The proposed AHFS is planning to take occupation of the site from the beginning of the 2017 / 2018 academic year with an annual intake of 180 students per annum from Year 7 – 11 plus sixth form. At full occupation the school will serve 1,260 students supported by 120 full-time equivalent (FTE) staff.

The details and recommendations of the TA, including traffic surveys and assessments have been reviewed and these formal highway observations form the view of the highway authority concerning the potential impact of the development and any mitigating measures considered necessary.

Location

The application site is located on existing greenfield land at Whitchurch Playing Fields which is situated to the north of Wemborough Road and the east of Abercorn Road in a predominately residential area. Directly to the south-east of the site is Whitchurch First and Junior Schools which have recently been granted planning permission for expansion from 695 to 905 pupils to reach full capacity in September 2020.

Whitchurch School has both the infant and junior schools located on the same site. The main entrance to the school site is located on Wemborough Road in Stanmore, close to the junction with the A4140 Marsh Lane / Honeypot Lane. Wemborough Road is a local distributor road which carries a relatively high volume of traffic. The southern side of the road is residential and the northern side is generally fronted by open green spaces adjacent to the school. To the north of the school there is a recreation ground. Most of the houses on Wemborough Road have their own driveways, and on street parking is unrestricted.

Wemborough Road is a two-way residential road which forms a crossroad junction with Marsh Lane (A4140) / Whitchurch Lane (B461) / Honeypot Lane (A414) to the east and

²⁶ See NPPF paragraph 29.

²⁷ See NPPF paragraph 30.

a 4-arm roundabout with Abercorn Road / St. Andrew's Drive to the west. To the east of the signal junction is Canons Park Underground Station and to the north Stanmore Underground Station.

Wemborough Road is the subject of a 30mph speed limit which continues along St. Andrew's Drive, Abercorn Road, Marsh Lane and Whitchurch Lane. The road has a vehicular weight restriction of 7.5T except for access.

St Andrew's Drive has no on-street parking restrictions except within the vicinity of the roundabout. Abercorn Road is subject to on-street parking restrictions within the vicinity of the roundabout and the Stanburn Primary School access, with single yellow line parking restrictions present on the southbound side of the carriageway operational Monday-Friday 0800-0930 & 1500-1630.

Honeypot Lane (A4140), a dual carriageway, is subject to a 30mph speed limit near to the proposed school and a 40 mph speed limit to the south beyond the shopping parade and is provided with grass verges between the footway and both the north and southbound carriageways. Both Honeypot Lane (A4140) and Marsh Lane to the north of the crossroad junction are subject to double yellow line parking restrictions.

Whitchurch Lane (B461) is subject to double yellow line restrictions for an approximate distance of 500m east of the crossroad junction and thereafter single yellow line restriction apply. Wemborough Road forms three priority junctions with Gyles Park, Bush Grove and Bromfield. Bush Grove and Bromfield are subject to single yellow line parking restrictions Monday – Friday 1400-1500 whereas Gyles Park has no on-street parking restrictions.

North of the development site, Old Church Lane connects with other neighbouring residential streets and cul-de-sacs including Cranmer Close and Lansdowne Road. Wemborough Road is subject to recently implemented single yellow line parking restrictions, save for the pedestrian crossings and bus stops outside the school entrance. These were introduced following the Canons Park Area parking review. The parking restrictions are operational Mon–Fri, 2-3pm, aiming to reduce parking congestion created by commuters using Canons Park LU Station.

On-street parking bays are located outside Canons Park shopping parade which specifies restrictions Monday – Saturday 0800-1830. Parking is free for permit holders or pay and displays machines are available for a maximum stay of 2 hours. Single yellow restrictions apply Monday – Saturday 1000-1100 & 1400-1500 at this location also.

To the north of the Marsh Lane junctions with London Road and The Broadway London Road provides access to the M1 via the A41 and the Broadway provides access to north Stanmore and further north towards Watford.

Wemborough Road has various controls included pedestrian crossing and “school keep clear” zig-zags and double yellow lines directly outside the school entrance and covering much of the road between there and the junction with Marsh Lane. However, further west on Wemborough Road there is a stretch of road that has no parking restrictions, on which parents can park.

Transport impact and proposed mitigations

Start times

The opening hours for the new school will be 07:00-17:30 and include a comprehensive range of pre and post-school activities including a breakfast club and additional education / training and sporting activities after school which will operate on a daily basis. In addition to the separate start / finish times by key stage, this will result in staggering the start and finish times of the school.

The majority of both staff and students of Avanti House Free School (AHFS) will be arriving and departing at different times to those of the network peak and the neighbouring Whitchurch Schools, which operate start times of 08:45/08:55 and finish times of 15:15/15:20. It is also the case that the arrival / departures times of the proposed school will be during the AM and PM 'shoulder' peak periods on the wider highway network thereby minimising the impact of school-related trips on the operation of the surrounding highway and transport networks.

Public Transport

Whilst a significant proportion of students within the catchment area will be able to use a public bus service, or combination of bus services to travel to school, it is proposed to supplement this with a private school operated bus service. The service to be provided over a single bus or two mini-buses and discussions with Transport for London and a local coach firm is on-going.

The nearest bus stops to the application site are located on Wemborough Road, the closest being 250m west of the pedestrian entrance to the school. The bus stops further west are provided with bus shelters, seating, timetable information, with the exception of Stop BL which is not provided with sheltering. The stops are served by route 186. To the east of the site, services 79, 186 and 340 stop regularly along Whitchurch Lane (B461) and benefit from shelters, seating and timetable information. The walking route from the school to the bus stops on the south side of Whitchurch Lane is via two sets of controlled crossing facilities.

The closest bus stop for Route N98 is located 480m south of the site on Honey Pot Lane and is provided with a bus shelter, seating and timetable information. Abercorn Road, west of the school, links bus service 324 which stops approximately 420 metres from the school entrance. The service runs between Stanmore London Underground (LU) Station and Brent Cross via Kingsbury. The walking route is provided with a zebra crossing at the roundabout, south on Abercorn Road.

The nearest rail / London Underground station to the proposed school is Canons Park, approximately 600 metres (10 minute walk-time) to the east. Canons Park is operated by London Underground on the Jubilee Line located between Stanmore to the north and Queensbury to the south. A service is provided every 5 minutes and bus routes 79, 186 and 340 stop outside the station. Edgware Station (London Underground) is the northern terminus on the Northern Line, approximately 2.4km from the proposed site and is also served by bus services 79, 186 and 340. Services arrive in Edgware every 12 minutes.

Pedestrians

Wemborough Road is provided with lit footways on both sides of the carriageway and approximately 10 metres from the main site entrance is a pelican crossing across

Wemborough Road. Existing school signage and carriageway markings are present alerting drivers to the fact that children will be crossing the road.

Pedestrian infrastructure within the vicinity of the site is of a good standard with pedestrian crossing points present along key pedestrian desire lines and the local footway network provided with lit footways. Abercorn Road to the west of the site benefits from three pedestrian crossing points. The 4-arm roundabout to the west of the site benefits from pedestrian crossing zones, with either zebra crossing facilities or pedestrian refuge islands and tactile paving on all arms of the junction.

Located to the east of the site is a signalised crossroad junction linking Marsh Lane / Whitchurch Lane (B461) / Honeypot Lane (A4140) / Wemborough Road which benefits from pedestrian crossings with tactile paving and pedestrian refuge islands on all arms of the junction. Honeypot Lane is provided with staggered signalised pedestrian crossing facilities.

Cycling

There is a network of signed and recommended routes for cyclists within the vicinity of the proposed school. It is also worth noting that with the introduction of restricted parking on the northern side of Wemborough Road, the cycle lane will be useable for greater periods of the day and provide greater opportunity for students / parents / staff to cycle to and from school on dedicated routes.

Whitchurch Lane benefits from on-road cycle markings (diag. 1057) alerting drivers to the presence of cyclists. A dedicated cycle lane is present along the eastbound side of the carriageway approximately 160 metres from the signalised junction.

Where dedicated cycle routes are not present, carriageway widths are wide enough to accommodate both cyclists and vehicles and visibility is generally of a good level aiding inter-visibility between cyclists and vehicles.

Parking

Parking demand data was obtained in order to gauge current parking levels within the car park to the south of the site in order to assess the impact of the development on parking supply. It was agreed through the scoping process, that the car park would represent the optimum location for school related set-down / pick-up, and thereby reduce the risk of these activities occurring on the public highway, and in particularly where waiting restrictions apply.

There is no prescriptive car parking standard within the London Plan or Harrow Council's Development Management Policies document in respect of education-based land uses. It is proposed therefore to provide a total of 69 parking spaces (including 5% disabled provision, 10% active electric vehicle charging points and 10% passive electric vehicle charging points). This level of parking is considered appropriate based on site specific demand for the school and any proposed 'out of hours' leisure activities. The disabled and electric vehicle provision accords with London Plan standards and reflects consultation with the GLA. It should also be noted that the implementation of the School Travel Plan will seek to minimise travel by car, and thereby reduce impact on parking accumulation within the car park to the south of the school.

The figure of 69 car parking spaces has been derived on the basis of the travel

behaviour of existing AHFS staff. The current AHFS Travel Plan indicates that 53% of staff travel by car with a further 24% of staff car sharing. In terms of preferred mode of travel, 41% of staff said they would prefer to travel by car, whilst 41% would prefer to car share. An average of these figures would see a 63.3% proportion of staff arriving / departing school by car. On the basis that the school will be targeting a 6% modal shift away from car travel as part of achieving a STARS 'Gold' accredited Travel Plan, it should be expected that the proportion of staff travelling to and from school by car will fall to c. 57.3%. Applying this to 120 FTE staff would therefore require a parking supply of c. 69 spaces.

Whilst it is envisaged that the proportion of staff driving to school may increase further over time, it is considered that 69 parking spaces will provide sufficient parking for staff, visitors and for activities outside of school hours. The level of parking is considered a balance, such that it does not represent an over-supply of parking that would encourage staff to travel to school by car.

Specific guidance in respect of cycle parking is provided in the adopted London Plan Further Alterations (March 2015) document. It is therefore proposed to provide 1 long-term cycle parking space per 8 students / staff plus an additional short stay space per 100 students. In this regard, at full capacity, the school will provide as a minimum covered long-stay cycle parking for 173 cycles and 12 additional short stay spaces.

At full capacity, the school will provide as a minimum covered long-stay cycle parking for 173 cycles and 12 additional short stay spaces. This will support cycle trips undertaken by pupils and staff, which is expected to be in the order of 10 movements during the peak hour periods. This is anticipated to increase significantly through the Travel Planning process, which will focus in particular on cycle training, maintenance and safety.

Traffic

An assessment of local highway capacity was undertaken at three junctions, Whitchurch Lane / Honeypot Lane / Wemborough Road / Marsh Lane signalised crossroads, Whitchurch Schools Access / Wemborough Road priority junction (Site Access); and Wemborough Road / St Andrews Drive / Abercorn Road roundabout.

In assessing these junctions it is concluded that the Whitchurch Schools / Wemborough Road priority junction and roundabout junction to the west of the site will continue to function within capacity. It is predicted that under 'base + development' conditions the signal junction to the east of the site will experience over 100% degrees of saturation on the Honeypot Lane and Wemborough Road arms in the AM peak.

In retaining the current layout (maintaining the same 'all movements' traffic function) and converting the crossing facilities on both arms to deliver controlled facilities, this would require a significant re-staging of the junction operation to deliver an 'all-red' pedestrian phase.

The results of an indicative modelling exercise demonstrate that the addition of simple signalised crossing facilities on the northern and eastern arms of the junction would severely compromise junction performance. During the AM and PM peak modelled 'base' scenarios almost all arms operate at over 100% degree of saturation with the Wemborough Road and Honeypot Lane arms experiencing queuing of up to

100 vehicles, even before traffic associated with the Avanti House Secondary School is accounted for.

A second approach has therefore been pursued considering whether additional controlled crossing facilities could be incorporated into the existing junction staging operation.

Further Investigations have been undertaken at the Wemborough Road / Honeypot Lane / Marsh Lane junction in order to provide additional controlled crossing facilities at the signalised crossroads to the east of the site. An improvement scheme involving changes to the junction has been developed incorporating pelican crossings over the northern junction arm with highway modifications on the north, west and southern arms in order to improve capacity.

The scheme involves providing a controlled staggered pelican crossing over March Lane to be integrated into the existing junction staging. Localised widening of the carriageway on Honeypot Lane approach arm to create dedicated 'Left Turn' lane, ahead lane, and ahead / right lane improving efficiency of traffic movements from this arm. Increased exit lane width and taper on Marsh Lane to reduce the risk of vehicle collisions for simultaneous ahead movements from Honeypot Lane.

Adjustments to kerb line from Honeypot Lane entry lane to Wemborough Road to create a shallower radius to improve manoeuvres for large vehicles. Carry out some localised widening of the Wemborough Road approach lanes to allow large vehicles to queue simultaneously in each lane.

It is considered that the above measures would aid pedestrian safety at the junction by offering a controlled crossing facility over the northern Marsh Lane arm, in particular connecting the school with bus stops on the northern side of Whitchurch Lane.

The addition of a left-turn lane on the Honeypot Lane approach and kerb adjustments on other junction arms would improve traffic congestion through the junction as indicated by the LINSIG model outputs in the TA. These findings demonstrate that the scheme proposed could mitigate the impact of school related traffic, whilst delivering the wider benefit of the controlled pedestrian crossing, improved junction manoeuvrability for larger vehicles and a vehicle safety benefit in the increased exit width and taper on Marsh Lane.

The total cost of these works is likely to be in the region of £250,000 and would be subject to further investigations to establish the cost of any necessary diversion of statutory undertaker's plant. This would also be subject to a section 106 agreement with the EFA.

Improvement measures	Observations
Junction improvements to the Marsh Lane / Honeypot Lane junction to provide a controlled staggered pelican crossing over Marsh Lane arm with localised widening of the carriageway to be integrated into existing junction.	This measure is supported and will improve capacity and pedestrian safety at this busy junction.

The school to provide a private school operated bus service to supplement the existing bus network.	This measure is supported
The school to introduce and monitor staggered hours at start and finish times	This measure is supported
Increase enforcement of waiting, loading and stopping restrictions in a systematic and regular manner in order to ensure a good level of compliance.	An extension of restrictions allows the possibility of a greater range of enforcement. We have purchase two state of the art camera enforcement vehicle specifically to target enforcement of parking and loading restrictions in and around schools in support of the schools expansion program.

Details of interventions are summarised in the table below:

Improvement measures	Observations
Junction improvements to the Marsh Lane / Honeypot Lane junction to provide a controlled staggered pelican crossing over Marsh Lane arm with localised widening of the carriageway to be integrated into existing junction.	This measure is supported and will improve capacity and pedestrian safety at this busy junction.
The school to provide a private school operated bus service to supplement the existing bus network.	This measure is supported
The school to introduce and monitor staggered hours at start and finish times	This measure is supported
Increase enforcement of waiting, loading and stopping restrictions in a systematic and regular manner in order to ensure a good level of compliance.	An extension of restrictions allows the possibility of a greater range of enforcement. We have purchase two state of the art camera enforcement vehicle specifically to target enforcement of parking and loading restrictions in and around schools in support of the schools expansion program.

Through the public consultation process it has been noted that there has been support for the concept of a vehicular access way from Marsh Lane, creating a route through to Wemborough Road. It has been suggested that such a route could operate as one way with entry from Marsh Lane, drop-off / pick-up outside the school, and exit onto Wemborough Road.

This would be of concern because this may encourage more car trips and would be too close to the existing signalised crossroads and could cause conflict in respect of vehicles queuing back from the signals and blocking the school access junction. As Marsh Lane is a key distributor route in the area and any new access points are generally resisted because some parents might choose to drop-off / pick-up on Marsh Lane which raises safety issues with vehicles stopped on a busy route and children

potentially crossing between stopping / queuing cars. Such behaviour would be disruptive to traffic flow and the operation of the signal junction to the south.

For these reasons we would not support any form of access to the school from Marsh Lane. As such, a school access from Marsh Lane is not proposed as part of the scheme.

School Travel Plan (STP)

Harrow places a strong emphasis on School Travel Plan`s (STP`s) and associated walking and cycling measures that deliver health benefits and a reduction in air pollution.

The council travel planning officer's work closely with schools to produce a STP document. This work is done in partnership with the schools, parents and children to change travel habits and travel modes and use any infrastructure schemes developed in accordance with the travel plan that will encourage walking, cycling or public transport use.

The school is committed to implementing a TfL STARS accredited Travel Plan that will be underpinned by a comprehensive and deliverable Action Plan. The Action Plan clearly outlines a list of initiatives to be undertaken so as to promote the Travel Plan to students, parents/ carers and staff;

The key objective of the STP is to set out a package of measures for reducing the number of car trips generated by parents and staff at the school and to improve safety on the school journey. In terms of planning obligations it is intended that the STP will be secured by way of a Section 106 Agreement, should consent be granted.

Annual travel surveys of staff and students will be conducted, and survey results will be submitted to Harrow Council for monitoring. Following initial occupation, travel surveys will be carried out in the Autumn term of the 2017/2018 academic year. The Travel Plan Coordinator will be responsible for undertaking the initial and subsequent surveys as well as monitoring other aspects of the Travel Plan.

The TfL STARS accredited Travel Plan will be underpinned by a comprehensive and deliverable Action Plan. The Action Plan will clearly outline a list of actions to be undertaken so as to promote the Travel Plan to students, parents/ carers and staff. The success of the Travel Plan will be judged against TfL STARS accreditation criteria. This scheme rewards schools for efforts made toward reducing the travel impact of their activities, and has three accreditation levels, Bronze, Silver and Gold.

The school will be targeting gold accreditation within 2 years of opening (to be maintained thereafter), which will involve completing a number of sustainable transport initiatives.

The school has indicated that it is committed to the regular monitoring and review of the STP as a means of ensuring that it meets the aims, objectives and targets as set out within the Plan. The output of the annual monitoring and review process will be a Monitoring Report made available to the Council and other stakeholders.

Should it transpire that targets are not being met the TPC will, in consultation with the Harrow Council School Travel Plan Officer, amend the Action Plan detailing agreed activities to be undertaken and timescales for the implementation of recommendations/

modifications.

Refuse Collection, Deliveries & Servicing

Given the nature of the proposed development, the number of service vehicles that will deliver to AHFS on a daily or weekly basis will be minimal. These will be limited to waste collection, deliveries to the canteen and general supplies. A framework Delivery and Servicing Plan (DSP) has been developed and is included as part of this planning submission. Conclusions within the DSP include the following:

- The number of delivery and servicing movements at the Avanti House Secondary School would be minimal.
- The majority of delivery and servicing movements would be undertaken by a vehicle no larger than a transit van, with swept path analysis undertaken for a range of access options.
- Servicing movements would as far as possible be undertaken outside of school start / finish times and would therefore not conflict with access to cycle parking;
- Refuse collection would be undertaken within the school, outside of school operational hours.

Swept path analysis has also been undertaken and appended to the DSP demonstrating that all delivery, servicing, emergency and refuse collection vehicles can enter and exit the development site in a forward gear.

Proposed Construction Activities and mitigation

The construction works are programmed to take a total of 68 weeks, with a view to the school being operational at the beginning of the 2017/2018 academic year.

In order to mitigate the impact of construction vehicle movements we would recommend they are restricted during morning and evening peak hours. Measures to protect existing footways and marked pedestrian routes using barriers / signage, as appropriate should also be in place.

Conflict between construction site traffic and Whitchurch School traffic / pedestrian movements will be avoided wherever possible and in particular during school set-down / pick-up periods, when parents and pupils are most likely to be circulating the car park area.

The internal traffic will be managed to avoid any congestion within the school site associated with the relocation of the existing car park as this could restrict the movement of traffic within the school grounds.

The routes are assigned to direct and strategic roads and as such drivers would be expected to comply with the preferred routing method i.e. via the M1 / A41 / A410 Spur Road / A410 London Road / A4140 Marsh Lane and Wemborough Road.

The contractor must sign up to Harrow Council's Considerate Contractors Scheme, and develop a Construction Management Plan.

A framework Construction Logistics Plan is included as part of this planning submission and provides swept path analysis to confirm that construction vehicle access can be gained to the site, with the ability to turn on site and depart in forward gear. Any modifications required to the access way to facilitate the movement of construction

vehicles to and from the school, will be subject to agreement.

Conclusion

There is no doubt that the school will have an impact on the highway network and this has been considered fully within the Transport Assessment. On the basis of the findings within the Transport Assessment and in the context of the guidelines it is not considered that there are any residual cumulative impacts in terms of highway safety or on the operational capacity of the surrounding transport network that should result in planning permission being withheld on transport grounds providing the mitigating measures are put in place.

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.

A Noise Impact Assessment (NIA), dated 30th March 2015, has been submitted with the application. The NIA provides information on the following potential sources of noise: external plant; the sports hall; music; and the car park. It goes on to make recommendations for the mitigation of noise. The findings of the NIA and dialogue with the Council's Environmental Health Officer form the basis of the appraisal below.

The NIA confirms that, to establish a baseline, survey measurements were taken on Wednesday 28th and Thursday 29th January 2015 at four locations in the field to the north of Whitchurch Primary School.

Avoiding adverse noise impacts on health and quality of life

Details of the plant/equipment to be installed have not been provided, however it is noted that both the main building and the sports building would incorporate a dedicated plant room. The NIA makes recommendations for services plant daytime and night-time noise limits to be met (with all items of plant operating simultaneously) and concludes that, where plant meets these limits, noise at the nearest residential dwelling will be at least 10dB below those limits. The Council's Environmental Health Officer has confirmed that this approach is acceptable.

The NIA includes a prediction as to the noise likely to be generated by use of the proposed sports hall based on measurements taken at an outdoor multi-pitch facility with 50 players, corrected to take account of the reverberant conditions inside a sports hall. The prediction is that the noise generated would be 8dB(A) at the nearest residential dwellings and the NIA concludes that this may be categorised as a 'low impact' in accordance with BS 4142. The Council's Environmental Health Officer has validated this conclusion. However it should be noted that the NIA prediction is predicated on assumptions about the acoustic qualities of the proposed building (including doors) and has assumed mechanical ventilation with closed windows and doors, although such a

system of ventilation is not proposed (the school, like most others, would have opening windows). As noted in the mitigation section below, a noise management plan is recommended as a condition of any planning permission.

The NIA also addresses the potential of the sports hall to be used for entertainment purposes involving the use of amplified music. In this regard, the NIA calculates the maximum reverberant music level that should be allowable in the hall to ensure that a limit of 10dB below the daytime representative background noise level is achieved at the nearest residential dwellings. The maximum reverberant music level is calculated to be 105db(A) which, the NIA notes, is higher than is likely to be required; nevertheless the NIA recommends that any amplified music system is set to a level not exceeding 80dB and concludes that the resulting noise levels at the nearest residential dwellings would be categorised as 'low impact depending upon the context' in accordance with BS 4142. The Council's Environmental Health Officer has confirmed that this is an appropriate approach and is acceptable.

An objector has questioned the applicability of BS 4142 in respect of amplified music from the sports hall and has stated that, instead, Institute of Acoustics guidance on noise from pubs and clubs should be used. In response the Council's Environmental Health Officer has advised that, whilst BS 4142 is not intended to be applied to the rating and assessment of sound from music and other entertainment, and that it may be criticised for not taking sufficient account of low frequency noise, its principles remain nevertheless useful (in the absence of any other specific guidance from the Government) for making a judgement about impact on residential property. The Officer has also advised that the alternative guidance referred-to has not been used as it does contain objective criteria for assessment²⁸.

Surface car parking would be provided to the rear of residential property in Green Verges. The NIA considers the noise implications of the car park in terms of: door slam; driving; and starting/pulling out. Using a worst case scenario²⁹ and observing that noise from cars may be regarded as less sensitive 'anonymous noise', the NIA calculates that this activity would give rise to a cumulative noise level that would be 1dB below the representative background noise level at the Green Verges dwellings and concludes that this would be categorised as 'low impact depending upon the context' in accordance with BS 4142. The Council's Environmental Health Officer has validated this conclusion.

The NIA does not address the potential for noise from use of the proposed Multi Use Games Area (MUGA) and so, at the request of the Council's Environmental Health Officer, supplementary noise assessment (SNA) in this regard is set-out in a letter dated 25th September 2015. Noting that the measured ambient noise level on the field is 50dB, the SNA concludes that it would be impossible for use of the MUGA to achieve a target lower than this at the boundary of receptors. Using noise data from measurements taken at an outdoor multi-pitch facility with 50 players, the SNA predicts a highest noise level at the MUGA of 67dB but concludes that this would fall to:

- 60dB or less at 5 metres from the MUGA boundary;
- Less than 60dB at 10 metres or more from the MUGA boundary; and
- 50dB or less at 25 metres from the boundary.

²⁸ Proposed criteria were included in a draft version but these were not subject to a satisfactory validation process.

²⁹ The arrival and departure of vehicles to all 28 car parking spaces to the rear of the Green Verges dwellings in any hour period.

Mitigating and minimising the potential adverse impacts of noise (without placing unreasonable restrictions on development)

From the above assessment it can be seen that, to ensure that adverse noise impacts are avoided, the following mitigations would be required:

- the installation of plant/equipment to a specification which ensures that its operation during the daytime and, if required, night time does not give rise to noise levels at the nearest residential property above 10dB below recommended limits;
- details of the building fabric of the sports hall (including doors and windows) should be agreed prior to construction to ensure that the potential for noise to leak out from the building is minimised;
- noise limiters/warning devices to be incorporated within the installed sound and power supply systems of the development, and speakers (whether temporary or permanent) to be installed so as to insulate them from the fabric of the buildings; and
- no amplified music to be in operation between 23:00 hours and 07:00 hours.

The Council's Environmental Health Officer has advised that the recommendations of the NIA be secured through the submission and agreement of a noise management plan. He has advised that such a plan could also cover keeping windows and doors closed whenever possible, management of persons arriving and leaving the car park, supervision arrangements (particularly in the evenings), contact and complaint arrangements, & etc. It is therefore recommended that such a plan be required as a condition of any planning permission. A separate condition is recommended as regards the building fabric of the sports hall.

The Council's Environmental Health Officer has further advised that, given the relatively close proximity of the MUGA (and indeed the other outdoor sport facilities) to properties beyond the north boundary of the site, noise is likely to be audible at all times when these facilities are in use. He has advised that the proposed 2.4 metres high close boarded fence along the east and north boundaries must be provided (and thereafter retained) as a barrier to noise, and that use of the facilities after 21:00 hours – by which time background noise levels in the area have diminished - should be prohibited. It is therefore recommended that these matters be controlled as conditions of any planning permission. Subject to these, the Council's Environmental Health Officer concludes that, overall, the proposed MUGA and other outdoor sports facilities are acceptable in noise terms.

The above mitigations are considered necessary in light of the evidence about the potential noise impacts of the development upon neighbouring residential occupiers and, in the context of the site and the proposed use, it is not considered that these would place unreasonable restrictions on the school.

Improving/enhancing the acoustic environment

At present there is uncontrolled access to the playing fields. The proposal would result in access to the majority of the site being controlled through the school and the subject planning application does, as noted above, provide the opportunity to secure a noise management plan and other controls (including hours of use) over the use of the site. In these respects the proposal represents an opportunity to better manage the acoustic environment of the site.

Separating new noise sensitive development from major noise sources

The site not be located near any major piece of road or rail infrastructure nor is it adjacent to any industrial activity. The proposed new school would be in close proximity to the existing Whitchurch and Stanburn Primary Schools; however it is not considered that either school would be likely to adversely affect the operation of the other in terms of noise.

Promote new technologies/improved practices to reduce noise at source

In addition to the mitigations referred to above, the Council's Environmental Health Officer has advised that noise emitted from any plant at the site should be controlled to ensure that it is surprised to a level lower than that of existing background levels. It is therefore recommended that this be secured as a condition of any planning permission. Furthermore, given the scale of the project and the proximity of surrounding residential property, it is also recommended that measures to manage noise and vibration during the demolition and construction phases of the development be secured as a condition of any planning permission.

Air Quality

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 SPGs³⁰ 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 (AQA), dated October 2015, has been submitted with the application. The AQA includes an estimation of the existing background NO₂ and PM₁₀ background concentration levels at the site. The findings of the AQA and dialogue with the Council's Environmental Health Officer form the basis of the appraisal below.

Increased exposure to poor air quality

To consider whether the proposal would increase exposure to poor air quality (NO₂ and PM₁₀ concentrations) the AQA models the predicted concentrations at 4 receptor locations comprising each corner (ground floor level) of the proposed main building and assuming no improvement in the performance of vehicles and no improvement in background concentrations. The AQA concludes that none of the air quality objectives are predicted to be exceeded at the school site and that the increase in concentrations taking into account the proposed development is insignificant. The Council's Environmental Health Officer has indicated that the AQA is satisfactory in this regard.

Provision to address problems of air quality

Although the assessment finds that the site would not be exposed to unacceptable NO₂ and PM₁₀ concentrations, it nevertheless remains a consideration that the whole of the Borough has been designated as an AQMA. In this regard, therefore, it is imperative that

³⁰ *Sustainable Design and Construction* supplementary planning guidance (2014) and *The Control of Dust and Emissions during Construction and Demolition* supplementary planning guidance (2014).

the development is consistent with the Mayor of London's 'air quality neutral' objective (see below) and that there is a robust Travel Plan in place to ensure that use of non-motorised transport options is optimised by staff, students and sports groups travelling to/from the site.

Measures to reduce emissions during construction

To address the potential air quality implications of the development during the construction phase, the AQA makes recommendations to mitigate, insofar as possible, the potential for dust and emissions to arise from this source of activity. These include:

- screens/barriers around dusty activities;
- ensure vehicle engines are switched off when stationary;
- avoid the use of diesel or petrol powered generators; and
- use of water and coverings to reduce dust from stockpiles and vehicle loads.

The Mayor's SPG details measures for the mitigation of construction impacts. It is considered that measures for the control of dust and emissions during the demolition and construction phases of the development should be secured as a condition of any planning permission.

Proposals to be 'air quality neutral' and not 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 as appendices 5 & 6 of the Mayor's SPG. The SPG confirms that developments that do not exceed these benchmarks will be considered to avoid any increase in emissions across London as a whole and therefore be treated as 'air quality neutral'.

The submitted AQA states that it has not been possible to undertake an 'air quality neutral' assessment due to an absence of data on how to assess the impact of a new school. The Sussex Air Quality Partnership's Guidance on emissions mitigation has, instead, been used to calculate the value of mitigation that is required to be spent on measures to mitigate air quality impacts. This is calculated as £22,275. The AQA states that sum would be used to contribute to measures already proposed as part of the application to help mitigate air quality impacts; namely:

- a travel plan aimed at reducing car travel to/from the site;
- junction improvements at the Marsh Lane/Wemborough Road/Whitchurch Lane/Honeypot Lane junction aimed at reducing vehicle waiting times and enhancing pedestrian crossing facilities;
- the provision of cycle parking and electric vehicle charging points on the application site

The Council's Environmental Health Officer has advised that, irrespective of whether the Mayor's 'air quality neutral' or the applicant's adopted methodology is used, they would effectively lead to the same conclusion i.e. that emissions associated with the site would be likely to be greater after the proposed development than before.

Whilst the mitigations referred to by the applicant would undoubtedly help to reduce emissions associated with the development, it is not possible at this stage to quantify whether the scale of reductions would be enough to bring the development as close to air quality neutral as possible (for a greenfield site). In these circumstances, the Council's Environmental Health Officer has recommended that the applicant be required

to work with the Council to participate in appropriate mitigation works or promotional activities that would contribute to the achievement of air quality outcomes in the area of the site, and it is recommended that such provision be made as part of a Planning Obligation.

Ensure on site provision of measures to reduce emissions

Measures to ensure the mitigation of construction impacts (including dust and emissions) could be accommodated on the site and, as noted above, such measures may be secured as a condition of any planning permission. The proposal will also make provision on site for cycle parking and for the charging of electric vehicles.

Assessment of air quality implications of biomass boilers

A gas-fired site-wide heating system is proposed. The proposal would not involve burning of solid biomass fuel.

However, Appendix 7 of the Mayor's SPG sets out emissions standards for gas fired as well as solid biomass systems. The appendix 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 as a condition of any planning permission.

Other air quality issues: plant and equipment

The school kitchen would be located at ground floor level in the north-east corner of the proposed school building. No details of air conditioning, extract equipment or other plant associated with the school kitchen, or indeed as may be required for any other part of the development, has been submitted. It is therefore recommended that such details be reserved as a condition of any planning permission.

Carbon Dioxide Emissions Reductions

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 5.2 *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 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 Statement.

CO2 Reduction Target

The Mayor's minor alterations to the London Plan propose amendments to Policy 5.2 which include a change in the carbon dioxide target for non-domestic development during the period 2014-2016 from 40% to 35% minimum improvements on the 2013 Building Regulations. The submitted Energy Statement states that the proposal would achieve a **20%** decrease in carbon dioxide emissions.

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

use less energy (lean measures)

The submitted Energy Statement identifies improvements on the 2013 Building Regulations through construction elements: external walls, windows, roof, floor and air tightness. Design measures that also contribute to the 'be lean' objective are cited as including use of water efficient fittings, optimising use of natural daylight, the installation of a heat-recovery ventilation system, room by room ventilation controls and efficient gas boilers. The full range of 'be lean' measures are stated as projected to achieve a 12.8% reduction in carbon dioxide emissions.

supply energy more efficiently (clean measures)

London Plan Policy 5.6 *Decentralised Energy in Development Proposals* applies a hierarchy to the selection of appropriate energy systems for major development proposals and calls for opportunities to extend CHP systems beyond the site boundary to adjacent sites to be examined. Policy DM 13 *Decentralised Energy Systems* of the Development Management Policies Local Plan document supports decentralised energy networks and seeks connection to existing systems, where feasible.

The submitted Energy Statement demonstrates that there is no existing district heating infrastructure within the vicinity of the site. However the proposed development would have its own site-wide heat³¹ network to link the school building and the sports hall. The plant room would be located in the second floor of the school building with the necessary pipework situated along the south and west sides of the school building and sports hall. The Statement confirms that provision for the future connection to a district scheme will be incorporated into the design of the site-wide network.

use renewable energy (green measures)

London Plan Policy 5.7 *Renewable Energy* requires development proposals to achieve reductions in carbon dioxide emissions through the use of on-site renewables, where feasible. Policy DM 14 *Renewable Energy Technology* of the Development Management Policies Local Plan document echoes this requirement.

The submitted Energy Statement states that it is proposed to utilise photo-voltaic (PV) panels, requiring approx.. 220 sq. metres roofspace, to achieve a 7.2% reduction in carbon dioxide emissions.

The submitted Energy Statement includes carbon reductions from other proposed measures to demonstrate a carbon dioxide reduction overall of 40.14%. However this is not the same as a 40% improvement on the Building Regulations. It is noted that the Mayor of London's 'stage one' response does not identify non-compliance with this London Plan target as a fundamental objection to the development. Nevertheless, the applicant has been invited to justify non-compliance with the London Plan target; any response will be reported to the Committee as addendum information.

Sustainable Design and Construction

As noted above, the NPPF requires new development to comply with adopted local

³¹ The Statement advises that the heat profile of the proposal would be significantly less than that required for a combined heat and power (CHP) network.

policies on decentralised energy supply and to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. London Plan Policy 5.3 *Sustainable Design and Construction* requires development proposals to meet the minimum standards outlined in the Mayor's SPG and sets out the principles for sustainable design and construction. Policy DM 12 *Sustainable Design and Layout* of Harrow's Development Management Policies (2013) Local Plan document sets out Harrow's local requirements.

Minimising carbon dioxide emissions across the site

As explained in the preceding section of this report, the proposal would achieve the London Plan's targets for CO2 emissions reductions both from the development.

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 Harrow's Policy DM 12 and the Mayor's draft SPG.

The submitted Energy Statement identifies a range of 'passive' cooling measures to be used to prevent the proposed buildings from overheating. These include: solar performance glazing (to manage solar gain on relevant elevations); a heat recovery ventilation system for the winter months; and room by room ventilation controls. Given the retention of open space and existing trees at the site, it is not anticipated that the proposal would be likely to result in a localised urban heat island effect.

Efficient use of natural resources

The measures for reducing carbon dioxide emissions from the buildings, and Green Travel Planning measures, would all contribute to more efficient use of non-renewable fuel sources. No information has been submitted regarding the natural resources that would be deployed in the construction of the proposed development.

A site waste management plan, recommended as a condition of any planning permission, would help to identify opportunities to maximise the re-use and recycling of natural resources used on the site.

Minimising pollution

It is not considered that the proposed uses pose a significant threat of future land contamination or water pollution. Green Travel Planning measures would help to secure the use of more sustainable transport modes to/from the site. Issues relating to the potential for air quality, noise and light pollution are dealt with in detail elsewhere in this report.

Minimising waste and maximising reuse/recycling

A demolition and construction waste management plan, to be secured as a condition of any planning permission, would help to identify opportunities to maximise the re-use and recycling of waste material generated by the proposed

development. Once operational waste and recycling materials would be collected in accordance with normal arrangements.

Avoiding impacts from natural hazards

The only identified natural hazard relevant to the site is that of 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 users

As set out elsewhere in this report, the proposal would be consistent with Lifetime Neighbourhoods principles and relevant Secured by Design guidelines. From the submitted information it is considered that the development would offer a good level of comfort and security to future users.

Sustainable procurement

No information has been submitted regarding the procurement of resources that would be deployed in the construction of the proposed development. However the demolition and construction waste management plan referred to above would help to identify any opportunities for materials re-use and to minimise waste of new materials.

Biodiversity and green infrastructure

Issues relating to the impact of the development upon biodiversity and ecology are dealt with in detail elsewhere in this report.

Flood Risk

With the exception of its south-western corner, the whole of the west playing field is mapped by the Environment Agency as falling within fluvial Flood Zones 2³² and 3³³. This flood risk is associated with the Edgware Brook which flows through the site in an open channel (between culverted sections beyond the site). The remainder of the site is within fluvial Flood Zone 1. In addition' land to the south and east of the site is mapped as being subject to surface water flood risk³⁴. The whole of the site is within a Critical Drainage Area as designated in the Local Plan.

The NPPF sequential test aims to avoid inappropriate development in areas at risk of flooding by directing development away from areas of highest risk. The proposal responds by accommodating the proposed sports hall, school building and associated campus in the east playing field and so entirely within fluvial Flood Zone 1. Educational establishments are classified as more vulnerable development and this classification of development is appropriate within Flood Zone 1³⁵.

In accordance with the NPPF a Flood Risk Assessment (FRA) has been submitted with the application.

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

³² Which equates to between a 1 in 100 and 1 in 1,000 annual probability of river flooding.

³³ Which equates to a 1 in 100 or greater annual probability of river flooding.

³⁴ Modelled 1 in 100 and 1 in 30 year events.

³⁵ See flooding sections of the National Planning Practice Guidance.

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 DM 9 *Managing Flood Risk* of the Development Management Policies Local Plan document includes design and layout criteria for proposals requiring an FRA and these are addressed below.

The applicant's FRA confirms that the location of the proposed development on the site responds to flood risk by avoiding those parts of the site that are mapped as falling within Flood Zones 2 and 3. In this way the proposal minimises the risk that flooding poses to the proposed development and avoids a potential loss of flood storage capacity that would otherwise risk increasing the potential for flooding elsewhere. It also negates the need for the proposed buildings to have raised finished floor levels and other flood resistant/resilient design measures.

However, Policy DM 9 requires proposals to be resistant and resilient to all sources of flooding, including surface water. In this respect, the Council's drainage team has raised concern that the mapped surface water flood risk, in combination with the fluvial flood risk, leaves no scope to provide the school with a dry means of escape. This matter is not addressed in the applicant's FRA and is echoed in the response of the Environment Agency. The applicant has been invited to explore how the school could dryly/safely evacuated in the modelled flood events; any response will be reported to the Committee as addendum information. As a minimum, it is considered that an emergency flood plan should be prepared for approval and it is therefore recommended that this be required as a condition of any planning permission.

The FRA states that flood risk from ground water, private drains, sewers and other potential sources of flooding is considered to be low.

Sustainable Drainage

Both the London Plan³⁶ and Harrow's Core Strategy³⁷ seek to achieve greenfield rainwater run-off rates from new development through the integration and deployment of sustainable urban drainage systems. The objective is to help restore a more natural response to rainfall within river catchments, and to address/prevent localised surface water flooding. It is noted that the site is within a critical drainage area (CDA) as identified locally as a result of Harrow's Surface Water Management Plan (2012).

London Plan Policy 5.13 *Sustainable Drainage* sets out a hierarchy of sustainable drainage measures, with the aim of managing surface water run-off as close to source as possible. Policy DM 10 *On Site Water Management and Surface Water Attenuation* of Harrow's Development Management Policies Local Plan sets out the design and layout criteria for major development proposals. Both policies also cross-refer to the need for water consumption efficiency.

³⁶ Policy 5.13

³⁷ Paragraph 4.32

The applicant's FRA outlines the proposed surface water strategy for the site. It states that surface water discharge from the developed part of the site would be restricted, using an artificial control device, to 15.3 litres per second into a new open channel that would discharge directly into the Edgware Brook. It also states that the surfaces of the car parking areas and the MUGA/netball/tennis courts would be of a design and be formed with materials that would enable them to contribute to the storage of surface water. Furthermore, an attenuation pond is proposed within the school part of the site. Taking into account predicted climate change impacts and noting that the west playing field would continue to drain at pre-development rates, the FRA concludes the overall surface water discharge of the site would be limited to 5 litres per second.

Detailed drainage plans have been submitted and the Council's Drainage team has not raised any concern regarding the non-separation of surface and foul water drainage systems. It is considered that a SUDS maintenance plan and details of measures for the efficient use of mains water can be secured as conditions of any planning permission.

Trees

London Plan Policy 7.21 *Trees and Woodland* states that existing trees of value should be retained and that, wherever appropriate, additional trees should be planted in new development. Policy DM 22 *Trees and Landscaping* of the Development Management Policies Local Plan document resists the loss of TPO and other trees of significant amenity value only where it can be demonstrated that their loss would be outweighed by the wider public benefits of the proposal.

A detailed tree survey has been submitted with the application. The survey provides a comprehensive quality assessment of trees within the site using the following industry standard grading system:

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

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

The survey identifies a total 89 individual or groups of trees throughout the site and categorises them as follows: 6 x A1; 1 x A3; 36 x B1; 6 x B2; 31 x C1; 4 x C2; and 5 x U.

There are three main tree masses within the site: a broadly linear formation following the line of the Edgware Brook; an 'L' shaped linear formation along the west and south edges of the eastern playing field; and a short avenue along the access from Marsh Lane. These tree masses are all the subject of Tree Preservation Orders (TPO). In addition there is an individual Scots Pine tree in the north-east corner of the site which is protected by a TPO.

The trees to be retained, and those to be removed, as identified on drawing L-1439-

PRP-005 Rev. 07. A total of 7 individual trees and 1 group³⁸ of trees is proposed for removal, as follows ['T' & 'G' numbers cross refer to those used in the submitted survey]:

Tree	Category	TPO	Location	Reason
T7	B1	Yes	South perimeter of east field	To enable new site access to be formed
T24	U	No	North perimeter of east field	Recommendation of tree survey
T37	U	Yes	South-west perimeter of east field	Recommendation of tree survey
T39	U	Yes	South-west perimeter of east field	Recommendation of tree survey
T45	B1	Yes	South perimeter of east field	To enable new site access to be formed
T46	B1	Yes	South perimeter of east field	To enable new site access to be formed
T85	U	No	North perimeter of east field	Dead
G11	C2 (group)	No	South-east corner of east field	To accommodate school building and parking areas

It should be noted that one further tree [T36] had also been identified for removal. Following discussions with the Council's Landscape Architect, however, an amended plan has been submitted identifying this for retention as a 'monolith' feature. However, the Council's Landscape Architect has advised that the position of the swale (one of the sustainable drainage features) would need to be adjusted to allow T36 to be retained as now proposed. It is recommended that this be secured as a condition of any planning permission.

The loss of any existing trees is, of course, regrettable. However, the above table demonstrates that of the 7 individual trees identified for removal, 4 are category 'U' indicating that they are not of themselves of any amenity value and are identified for removal in light of the recommendations of the tree survey as to their quality/condition. The 'C2' rating of the group of trees identified for removal indicates a low, mainly landscape amenity value and consequently their loss, which is required to facilitate the development, is not considered to be unacceptable.

The remaining three trees identified for removal are rated B1, indicating an enhanced level of arboricultural amenity value, and are the subject of TPO protection. In this case, the wider public benefit of the proposed development – in terms of securing secondary school place provision – is set out elsewhere in this report, as is the need for it to be accommodated on the application site (by reference to evidence of a search for other potential sites) and on the east playing field of the site (this being sequentially preferable in flood risk terms). Access to the site from Marsh Lane was ruled out by the Highway Authority in pre-application discussions and, in any event, that may have necessitated the removal of the protected avenue trees situated there. Therefore, access to the proposed development could only realistically come from the south access road from

³⁸ Reported as comprising 4 goat willow, 1 hawthorn, 6 birch stems and 1 poplar.

Wemborough Road, meaning that it would have to break through the line of trees along the south perimeter of the east field.

Taking all of the above circumstances into account, it is considered that the loss of the three B1-rated trees to facilitate the development is outweighed by the wider public benefit of the proposal, consistent with Policy DM 22.

All remaining trees, identified for retention, should be protected during the course of the construction works to ensure their survival. Details of protection measures should therefore be secured as a condition of any planning permission. The tree survey also identifies some trees where works are advisable; such works to any TPO protected trees would, of course, require separate application to the Council.

Landscaping

Paragraph 58 of the NPPF states that planning decisions to ensure that developments are visually attractive as a result of, *inter alia*, appropriate landscaping. London Plan Policy 7.5 *Public Realm* seeks landscape treatment of the highest quality and calls for opportunities for greening to be maximised. Policy DM 22 *Trees and Landscaping* of the Development Management Policies Local Plan requires landscaping that: is appropriate to the character of the area; is well laid out; achieves a visual setting for buildings; provides sufficient space for new planting to grow; and supports biodiversity.

Notwithstanding the regrettable loss of a relatively small number of existing trees, the majority of the trees on and around the site would be retained and these would continue to form the dominant soft-landscape characteristic of the site. A landscape masterplan has been submitted (drawing L-1439-PRP-006 Rev. 07) to show the key components of proposed new hard landscaping and additional soft landscaping on the site. These include:

- permeable block paving to form parking areas to the south and east of the proposed school building;
- a habitat/discovery 'Lime avenue' along the existing access strip from Marsh Lane;
- a horticultural area, outdoor class/dining area, meditation gardens, and informal hard play area to the north of the proposed school building;
- the mini soccer pitch would be laid to grass, the MUGA would have a synthetic pitch and tennis/netball courts would be porous tarmac;
- an attenuation pond (fenced-in for safety) would be situated to the south of the proposed sports building;
- tarmac paths and amenity grass areas would be formed around the school part of the site; and
- wildflower areas and additional perimeter planting around the school part of the site.

The west playing field would be laid out for sports use and so would remain much as existing. The south-west corner would also include 3 playing pitches and 'trim trail' gym equipment, and an area is earmarked for habitat enhancement.

The landscape masterplan demonstrates a thoughtful approach to the site's existing soft landscape attributes, environmental & ecological considerations, and to the hard & soft landscaping requirements of the proposed school. Accordingly, it is considered that the general approach to landscaping is a positive one and is consistent with Policy DM 22. The Council's Landscape Architect has recommended that details be secured with regards to certain of the landscape matters and that a detailed planting plan is required.

These matters, and implementation of the approved landscaping scheme, can be secured as conditions of any planning permission.

Ecology and Biodiversity

At paragraph 118 the NPPF sets out the principles for conserving and enhancing biodiversity, which include resisting development that would: (i) cause significant harm that cannot be avoided, mitigated or compensated-for; or (ii) have an adverse affect on a Site of Special Scientific Interest (SSSI). Opportunities to incorporate biodiversity in and around developments are encouraged.

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

The site does not contain or adjoin an SSSI but does incorporate a Site of Importance for Nature Conservation (SINC). The SINC follows the line of the Edgware brook through the site and covers a further area to the west of the derelict pavilion and to the west & north of the existing public car park. It is rated as of local importance.

The applicant has submitted a Biodiversity Management Plan, dated October 2015.

Protection

The submitted Biodiversity Management Plan includes an assessment of the site's existing ecological value, with findings as follows:

- habitats on the site are provided by trees, grassland, hedgerow and running water, but are of significance predominately to the site (with the exception of mature trees that have a wider local significance);
- due to the presence of mature trees on site (potential habitats for roosting bats) an inspection of selected³⁹ trees was carried-out by a licensed person and no evidence of bat roosting was identified;
- however the same inspection did find evidence of current and previous bird nesting;
- habitats on the site are considered to have negligible potential to support widespread reptiles, otter and water vole.

As noted elsewhere in this report, the majority of the trees on the site would be retained however a small number of trees are proposed to be removed. The Biodiversity Management Plan recommends mitigation by the installation of bat and bird boxes within the development and planting of new native trees where possible. It is also recommended that vegetation clearance and arboricultural works take place outside of the bird nesting season of March to August, and that external lighting be controlled to ensure that conditions conducive to bats are maintained (to ensure the success of bat boxes).

Also as noted elsewhere in this report, one tree on the site, which had been identified for removal, is now proposed to be retained as a 'monolith' feature. The Biodiversity Management Plan observes that even trees rated as being of poor amenity value can still be a habitat resource for bats and birds, and that dead wood is of high value for

³⁹ Those likely to be impacted by the proposed development.

fungi and invertebrates.

Enhancement

The submitted Biodiversity Management Plan makes the following recommendations for biodiversity enhancements:

- new native tree and hedgerow planting, where possible, and new wildflower grassland planting as part of the soft landscaping works;
- the proposed attenuation pond to be designed and planted to maximise its biodiversity value;
- a range of bird boxes, as follows: general nest boxes; swift boxes; house martin nests; sparrow terrace; and an owl box suitable for tawny owls;
- creation of deadwood habitats at suitable locations within the site; and
- infrequent grass cutting for a 3 metres wide strip alongside the SINC boundary.

The Council's Biodiversity Officer has indicated that he is broadly satisfied with the Biodiversity Management Plan and it is considered that the recommendations contained therein may be secured as a condition of any planning permission. A specific condition is also proposed to control external lighting at the development, in the interests of amenity and biodiversity. The landscape masterplan has been amended and shows substantial areas earmarked for habitat enhancement, including a larger area of the south-western corner of the site, details of which can be secured as part of the control of landscape details, by condition.

London Plan Policy 5.11 *Green Roofs and Development Site Environs* states that major development proposals should be designed to include roof, wall and site planting. It is considered that with appropriate planting on the roofs of the sports hall and school building, the development could further enhance the biodiversity value of the site. The Council's Landscape Architect and Biodiversity Officer have advised that consideration should be given to the installation of biodiverse roofs, which would enhance the biodiversity of the area in accordance with the Harrow Biodiversity Action Plan. A brown roof could use a mixture of suitable recycled inorganic materials and compost and could be seeded and plug planted with a variety of suitable native/wildlife attracting species, many of which can be purchased as 'of the shelf' mixtures. Alternatively, the brown roof could be left to naturally re-colonise with wildflowers and grasses which would create a brownfield (or wasteland) habitat, also in accordance with the Harrow Biodiversity Action Plan. The low substrate fertility would mean plants (whether self-seeded or planted) do not grow tall and need little maintenance

To secure compliance with London Plan Policy 5.11 and to further the enhancement aims of Local Plan Policy DM 21 and the Harrow Biodiversity Action Plan, it is recommended that details of roof planting be secured as a condition of any planning permission.

Subject to the above, it is considered that the proposal appropriately protects and enhances biodiversity, consistent with Policies DM 21 and DM 22.

Land Contamination

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.

A Phase 1 Geo-Environmental Assessment Report, dated February 2014, has been submitted with the application. The Report considers a range of potential sources of contamination including the nearby Stanmore gas holder station, unexploded ordnance and made ground on the site and concludes that further works (a phase 2 investigation) should be undertaken. It also notes that the site does not lie within a Groundwater Source Protection Zone or a nitrate vulnerable zone, and that there are no sensitive land areas or historic landfill sites within 1km of the site.

Accordingly a Phase 2 Ground Investigation Report, dated March 2014, has been submitted with the application. This Report incorporates the findings of intrusive site investigation comprising 15 boreholes to depths of 4 metres. The report concludes that no risks were identified that would require further assessment.

The Council's Environmental Health Officer has confirmed that he is content with the findings of the aforementioned reports. Consistent with Policy DM 15, it is therefore considered that the proposed use is compatible with the condition and environmental sensitivity of the land, and that no mitigation works are necessary.

Heritage

London Plan Policy 7.8 *Heritage Assets and Archaeology* calls for development affecting heritage assets and their settings to conserve their significance. Core Strategy Policy CS1 D resists proposals that would harm the significance of heritage assets including their setting. Policy DM7 *Heritage Assets* of the Development Management Policies Local Plan document sets out detailed criteria for assessing the impact of proposals that affect heritage assets.

There are no scheduled ancient monuments, conservation areas, statutory or locally listed buildings within or immediately adjoining the site. It is not considered that the proposal would materially affect the setting of any such assets within the wider area.

However, just beyond the north-west corner of the site is the Old Church Lane archaeological priority area. This is a Local Plan designation and reflects the potential of sites within the zone to contain below ground archaeology associated with the historic settlement of Stanmore.

The Greater London Archaeological Advisory Service (Historic England) has advised that, notwithstanding that the site itself is beyond the reach of the designated archaeological priority area, a geophysical survey is required. Depending on the results, a field evaluation (excavation) may also be required. These requirements have been identified because an investigation directly to the north-west of the site recorded evidence of activity from the prehistoric to the medieval period, and because the large scale nature of the proposed works could result in extensive removal of previously unrecorded archaeological remains.

In response to Historic England the applicant has commissioned and supplied a Geophysical Survey Report, dated January 2016. It reports that a detailed magnetic gradiometer survey conducted at the site did not find any anomalies that can be

characterised as being of either probable or possible archaeological origin. A copy of the report has been supplied to Historic England; any response will be reported to the Committee as addendum information.

It is notable that the application site falls within the wide setting consultation area of the Stanmore Country Park Extension (Wood Farm) protected view towards Harrow-on-the-Hill, as identified at Schedule 3 of the Development Management Policies Local Plan. However given the situation of the site, some distance between the viewing location and the landmark the subject of the protected view, considerably to the left (east) of the landmark and on lower ground, together with the low-rise nature of the proposed development, there would be no material impact in the composition of this long range view.

Electricity and Gas Supply

Policy 5.4A *Electricity and Gas Supply* of the London Plan 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.

A Services Utility Report, dated October 2015, has been submitted with the application. This states that, for electricity, the applicant has been in dialogue with UK Power Networks, the district network operator, and that subject to a new substation in the local area, the high voltage network has available capacity to feed the proposed development. For gas, the report states that a new pipe would be laid from the mains supply in Marsh Lane to the boiler plant room within the proposed main school building.

Water Use and Waste Water Capacity

London Plan Policy 5.15 *Water Use and Supplies* states that development should minimise the use of mains water by incorporating water saving measures and equipment. 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. Policy DM10 *On Site Water Management and Surface Water Attenuation* of the Development Management Policies Local Plan requires proposals to make provision for the installation and management of measures for the efficient use of mains water.

The submitted Services Utility Report includes information on water supply. This states that a connection would be made from the mains supply in Marsh Lane to a storage tank with pressure booster in the plant room within the proposed main school building. However no details of measures to secure the efficient use of mains water within the proposed development have been submitted. Such measures are critical given the rationale for the policies requiring them: to help minimise a projected future imbalance between demand and supply for potable water in London and the south-east. To ensure that the requirements of the policies are met in this respect, it is therefore recommended that any planning permission be subject to a condition to this end.

It is noted that Thames Water has not objected to the proposal in relation to the capacity of the surrounding foul water network to serve the development.

Waste and Recycling

London Plan Policy 5.13 *Sustainable Design and Construction* requires development to

minimise the generation of waste and maximise reuse or recycling. These sentiments are echoed in Core Strategy Policy CS1 X. Policy DM45 *Waste Management* of Harrow's Development Management Policies Local Plan requires proposals to make satisfactory provision for general waste, the separation of recyclable materials and the collection of organic material for composting.

A bin enclosure, shown indicatively as accommodating 16 'Euro' type bins, is proposed to the north-east of the main school building. The Council's Waste Management team leader has not objected to the proposal, but has pointed out that due to the location of the bin store (requiring a bin lorry to enter the site for collection) the block paved parking areas would need to be constructed to a specification that could withstand a 26 ton vehicle weight. This is a matter for the applicant and so an informative in this regard is recommended.

No details of the measures for handling waste during the demolition and construction phases of the development have been submitted. However, it is considered that a site waste management plan can be secured as a condition of any planning permission.

Demolition of Existing Pavilion Building

It is proposed to demolish the existing pavilion building situated in the south-east corner of the site. At the time of the officer's site visit the building was observed to be in some considerable state of disrepair indicating that it is unlikely to have been used for some time.

As a former park pavilion, it is considered that the building would have been a community and/or sport facility. Local Plan Policy DM 47 *Retention of Existing Community, Sport and Education Facilities* permits the loss of existing such facilities only where there is no longer a need for that facility, there are adequate similar facilities within walking distance, the activities carried on are inconsistent with the amenity of neighbours or the redevelopment of the site would secure an over-riding public benefit. Credit should not be given for the condition of the building, as this would set an undesirable precedent; however in this case the proposed development would provide a sports hall and changing rooms with community access, and for reasons set out elsewhere in this report the redevelopment of the site (as a whole) would secure an over-riding public benefit in terms of secondary school places. Accordingly, the loss of the pavilion building would comply with Policy DM 47.

Dust, noise and other impacts during the demolition works may be controlled with appropriate conditions of any planning permission.

OTHER CONSIDERATIONS

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 would contribute to the delivery of state-funded secondary education places in the Borough, within a faith school environment, and would provide indoor and outdoor sports facilities to which there would be controlled community access. The development would be designed to achieve modern standards of inclusive access around the site and to/within the buildings. By providing educational and sport opportunities within the community it would contribute to achieving a 'Lifetime Neighbourhood'. It is therefore considered that the proposal would achieve a high level of inclusive access and would contribute positively to social cohesion.

In light of the above, it is considered that the proposed development would not result in any infringement on Equalities legislation.

Human Rights Act

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights ("the Convention") directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

This report has outlined the consultation that has been undertaken in relation to this planning application and the opportunities for people to make representations to the Council as the local planning authority. Members need to satisfy themselves that the measures proposed to minimise, *inter alia*, any adverse effects of the development are acceptable and that any potential interference with Article 8 rights will be legitimate and justified.

Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

In this context, the balance to be struck between individual rights and the wider public interest has been carefully considered. Officers consider that any interference with Convention rights is justified. Officers have also taken into account the mitigation measures governed by planning conditions and the associated section 106 Planning Obligation to be entered into.

S17 Crime & Disorder Act

The proposed development has been designed to meet the Education Funding Agency's

requirements as to site security and staff & student safety. The proposal would lead to increased activity in and around the site that would benefit natural surveillance. 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.

Consultation Responses

A response to issue raised in representations and not otherwise dealt with in the main report above will be included as Addendum information.

CONCLUSION

The proposal represents a departure from the development, being a development on open space and for a use contrary to the site's allocated purpose. However, it is concluded that the projected future shortage of secondary school places, and a firm Government planning policy statement as to the support to be given to schools development, are compelling other material considerations that point to a decision other than in accordance with the Local Plan in this instance.

It is recognised that the proposal raises legitimate local concerns about the transport impacts, amenity, noise, air quality, flooding and landscape/nature conservation. Every effort has been made in the design and layout of the development to address these and, as explained in this report, it is recommended that a number of further mitigations be secured through a section 106 Planning Obligation and as conditions of planning permission. Subject to these and referral to the Mayor of London, it is recommended that planning permission be granted.

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 in accordance with the details submitted in the planning application.

Pre-Commencement Conditions

3 No development shall take place, including any works of demolition, until a dust, noise and vibration management plan has been submitted to, and agreed in writing by, the local planning authority. The plan shall detail measures for the control and reduction of dust emissions, noise and vibration impacts 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, noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, in accordance with Policies 7.14 & 7.15 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013). To ensure that measures are agreed and in place to manage and reduce dust during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

4 No development shall take place, including any works of demolition, until a demolition and construction 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 agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed 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). To ensure that measures are agreed and in place to manage and re-use waste arising during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

5 No development shall take place, including any works of demolition, until a revised construction and logistics plan has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed plan or any amendment or variation to it as may be agreed in writing by the local planning authority.

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 commence until details of the means of protection of the trees, hedgerows and other existing planting to be retained within the site, and adjacent trees within adjoining sites, have been submitted to, and agreed in writing by, the local planning authority. The details shall include:

- a) arrangements for audited arboricultural monitoring of the site during the construction works;
- b) identification of root protection areas;
- c) the method of any excavation proposed within the root protection areas;
- d) the type, height and location of protective fencing; and
- e) measures for the prevention of soil compaction within the root protection areas.

The construction of the development shall be carried out in accordance with the details so agreed or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the retention and survival of trees, hedgerows and other planting of significant amenity value within the site that are to be retained, and trees within adjoining sites, are safeguarded during construction, in accordance with Policy DM 22 of the Development Management Policies Local Plan (2013).

Progression Point Conditions

7 Before the construction of any building on the site reaches damp proof course level, and unless it is demonstrated to the satisfaction of the local planning authority that a 'brown' roof is not feasible and/or practical, details of the provision of appropriate

planting for biodiversity on roofs within the development shall be submitted to, and agreed in writing by, the local planning authority. The details shall comprise:

- a) identification of the roof areas to be used for planting for biodiversity;
- 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 or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON : To ensure that planted roofs are provided as part of the development, in accordance with Policy 5.11 of the London Plan (2015); to ensure that the development contributes to sustainability objectives in accordance with London Plan Policies 5.3 and 5.9 and Policy DM 12 of the Development Management Policies Local Plan (2013); and to ensure that the development contributes to urban greening and biodiversity objectives in accordance with London Plan Policy 5.10 and Local Plan Policy DM 21.

8 Before the construction of the sports hall building on the site reaches damp proof course level, details of the acoustic qualities within the building fabric of the sports hall as assessed in the Environoise report dated 30th March 2015 shall be submitted to, and agreed in writing by, the local planning authority.' The development of the sports hall shall be carried out in accordance with the details so agreed.

REASON: To ensure that neighbouring occupiers are not exposed to unreasonable noise and disturbance, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

9 Before the construction of any building on the site reaches damp proof course level, the following specifications shall be submitted to, and agreed in writing by, the local planning authority:

- a) the detailed design of all ramps, steps and pathways within the external areas of the development;
- b) the thresholds, door opening widths and landing areas at all entrances between the external areas of the development and the approved buildings; and
- c) the levels and layout of pedestrian route(s) between the parking areas within the site and the entrances of the approved buildings.

The development shall be carried out in accordance with the specifications so agreed, or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON : To ensure that the development contributes to the creation of a Lifetime Neighbourhood and an inclusive environment, in accordance with Policies 7.1 & 7.2 of the London Plan (2015) and Policy DM 2 of the Development Management Policies Local Plan (2013).

10 Before any building on the site reaches damp proof course level, details of the materials to be used in the external surfaces of the buildings shall be submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed or any amendment or variation to them as may be agreed in REASON : To ensure that the development achieves a high standard of design in accordance with Policy 7.6 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

11 Before the construction of any building on the site reaches damp proof course level,

and notwithstanding the details shown on the approved drawings, a drawing to show revised cycle parking arrangements on the site, and to show how the area to the north of the sports hall building will be secured, shall be submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON : To ensure that the development achieves a high standard of design, and is safe & secure, in accordance with Policy 7.6 of the London Plan (2015) and Policies DM 1 and DM 2 of the Development Management Policies Local Plan (2013).

12 Before the construction of any building on the site reaches damp proof course level, a plan for the on-going maintenance of the sustainable drainage measures to be implemented across the development shall be submitted to, and agreed in writing by, the local planning authority. The plan shall thereafter be implemented for the lifetime of the development, or any amendment or variation to the plan as may be agreed in writing by the REASON : To ensure that adequate measures for the control and disposal of surface water from the development are maintained on the site, in accordance with Policy 5.13 of the London Plan (2015) and Policies DM 10 of the Development Management Policies Local Plan (2013).

13 Notwithstanding the details shown on approved drawings numbered L-1439-PRP-005 Rev. 07 and L-1439-PRP-005 Rev. 07, no work on the swale shall commence until a drawing revising the alignment of the swale in relation to retained trees (including tree T36) has been submitted to, and agreed in writing by, the local planning authority. The swale shall be REASON : To ensure that trees of significant amenity value of the site and identified for retention are not adversely affected by the construction of the swale, in accordance with Policy 7.21 of the London Plan (2015) and Policy DM 22 of the Development Management Policies Local Plan (2013).

14 Before any landscaping is carried out within the site, including any works preparatory to such landscaping, a scheme for the hard and soft landscaping of the whole site shall be submitted to, and agreed in writing by, the local planning authority. Details shall include:

- a) 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;
- b) existing and proposed site levels, clearly identifying changes to landform;
- c) details of hard surface materials;
- d) details of all boundary treatment, including fences, means of enclosure and gates;
- e) detailed drawings and specifications for the areas identified for habitat retention, protection and enhancement on approved drawing numbered L-1439-PRP-005 Rev. 07;
- f) detailed drawings and specifications of proposals for a trim trail in the location identified for this purpose on approved drawing numbered L-1439-PRP-005 Rev. 07;
- g) details of the layout of all sports pitches, the outdoor learning/classroom area on the site of the former pavilion, footpaths and gates to those parts of the site to be made permanently accessible to the community; and
- h) details of the buffer zones either side of Edgware Brook and flood protection bund and protection for these zones during preparatory and landscaping works.

The development shall be carried out in accordance with the scheme so agreed, and shall thereafter be retained.

REASON: To ensure that the development secures satisfactory hard and soft

landscaping details for all parts of the site, in accordance with Policies DM 1 and DM 22 of the Development Management Policies Local Plan (2013).

15 No impact piling shall take place until a piling method statement has been submitted to, and agreed in writing by, the local planning authority. The statement shall detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure and the programme for works. All piling activities on the site shall be undertaken in accordance with the statement so agreed.

REASON : To ensure that sewerage infrastructure is safeguarded from potential damage in the interests of flood risk management and reduction, in accordance with Policy DM 9 of the Development Management Policies Local Plan (2013).

Pre-Use Conditions

16 Before the construction of any building on the site reaches damp proof course level, details of the provision of appropriate bird nesting boxes, bat roosting boxes/tubes and invertebrate habitat for the enhancement of biodiversity within the development shall be submitted to, and agreed in writing by, the local planning authority. The details shall comprise:

- a) species catered for, number, location, orientation and type of bird boxes incorporated into or affixed to new buildings;
- b) number, location, orientation and type of bat boxes/tubes incorporated into or affixed to new buildings;
- c) number, location, orientation and type of bird and bat boxes affixed to appropriate trees; and
- d) location and form of invertebrate habitat i.e. log piles and stag beetle loggeries.

The development shall not be first used until the details so agreed have been implemented, and shall thereafter be retained.

REASON : To ensure that the development appropriately protects and enhances the biodiversity value of the site in accordance with Policy 7.19 of the London Plan (2015) and Policies DM 20 and DM 21 of the Development Management Policies Local Plan (2013).

17 The outdoor sports facilities shall not be brought into first use until 2.4 metres high close boarded fencing, as indicated on the approved drawing L-1439-PRP-002 Rev. 09, has been erected in accordance with details that shall first have been submitted to, and agreed in writing by, the local planning authority. The details shall include metric scale drawings to show the precise alignment of the proposed fencing (in relation to the boundary and any neighbouring walls and fences to be retained) at all points along its length and its appearance, and a detailed specification of its acoustic qualities. The fencing shall thereafter be retained in accordance with the details so agreed.

REASON : To ensure that the fencing is appropriate to the character of the area and is well laid out in relation to neighbouring property and existing landscaping; and to ensure that the fencing makes the maximum possible contribution to noise reduction consistent with the amenity of the neighbouring occupiers; in accordance with Policy 7.15 of the London Plan (2015) and Policies DM 1 and DM 22 of the Development Management Policies Local Plan (2013).

18 The development hereby approved shall not be first used until a noise management plan has been submitted to, and agreed in writing by, the local planning authority. The development shall be used at all times in accordance with the noise management plan so agreed, or any amendment or variation to it as may be agreed in writing by the local

planning authority.

REASON : To ensure that neighbouring occupiers are not exposed to unreasonable noise and disturbance, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

19 The site wide heating system boiler(s) shall be installed and thereafter retained in accordance with a specification that shall first have been submitted 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).

20 The development hereby approved shall not be first used until an emergency plan for the safe evacuation of staff, pupils and visitors to the site in the event of a modelled 1 in 100 year fluvial flood event and 1 in 30 year surface water flood event, taking into account the predicted effects of climate change upon those modelled events, has first been submitted to, and agreed in writing by, the local planning authority. The plan shall thereafter be put into effect in accordance with implementation measures that shall be specified in the plan.

REASON : To safeguard the users of the development in the event of fluvial and surface water flooding within the wider area, in accordance with Policy 5.12 of the London Plan (2015) and Policy DM 9 of the Harrow Development Management Policies Local Plan (2013).

21 The development hereby approved shall not be first used until a noise management plan has been submitted to, and agreed in writing by, the local planning authority. The development shall be used at all times in accordance with the noise management plan so agreed, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON : To ensure that neighbouring occupiers are not exposed to unreasonable noise and disturbance, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

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

REASON : To ensure that the development makes appropriate provision for soft landscaping in accordance with Policy DM 22 of the Development Management Policies Local Plan (2013).

23 The development hereby approved shall not be used until details of the measures to make efficient use of mains water within the school building and sports hall have been submitted to, and agreed in writing by, the local planning authority. The measures shall be implemented in accordance with the details so agreed or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the development makes efficient use of mains water in

accordance with Policy 5.15 of the London Plan (2015) and Policy DM 10 of the Development Management Policies Local Plan (2013).

24 Before the sports hall, artificial grass pitches, MUGA and grass pitches are brought into use, a management and maintenance scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the local planning authority. This should include measures to ensure that the surface of the artificial grass pitch is replaced at the end of its usual lifespan. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the sports hall, artificial grass pitches, MUGA and grass pitches.

REASON : To ensure that a new facility is capable of being managed and maintained to deliver facilities which are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport.

25 The development hereby approved shall not be first used until photo voltaic panels have been installed in accordance with a drawing showing the location, orientation and pitch of the photo voltaic panels that shall first have been submitted to, and agreed in writing by, the local planning authority. The panels shall thereafter be retained.

REASON : To ensure that the development makes appropriate provision for the minimisation of carbon dioxide emissions in accordance with Policy 5.2 of the London Plan (2015).

On-Going Conditions

26 The outdoor sports facilities shall not be used before 07:00 hours and after 22:00 hours on any day, unless otherwise agreed in writing by the local planning authority.

REASON : To ensure that neighbouring occupiers are not exposed to unreasonable noise and disturbance, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

27 The level of noise emitted from any plant (e.g. air conditioning system) installed on the site shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with British Standard 4142 (or any document revoking and replacing British Standard 4142, with our without modification). The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation. If requested in writing at any time by the local planning authority, measurements of the noise from the plant must be taken and a report/impact assessment demonstrating that the plant (as installed) meets the design requirements shall be submitted to the local planning authority within three months of such request.

REASON : To ensure that neighbouring occupiers are not exposed to unreasonable noise and disturbance, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

28 The approved Car Park Management Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority, shall be adhered to throughout the operation of the development.

REASON : To ensure that the on-site car parking is properly managed and available to meet the needs of the school and community users of the site, and does not give rise to conditions prejudicial to the free flow and safety of traffic using the surrounding public highway network, in accordance with Policy 6.3 of the London Plan (2015) and Policy

DM 42 of the Development Management Policies Local Plan (2013).

29 The approved Delivery and Servicing Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority, shall be adhered to throughout the operation of the development.

REASON : To minimise the impact of deliveries and servicing upon the amenity of neighbouring occupiers and to manage the impact upon the surrounding highway network, in accordance with Policy 6.3 of the London Plan (2015) and Policies DM 1, DM 43 and DM 44 of the Development Management Policies Local Plan (2013).

30 No external lighting shall be installed anywhere on the site until details of such lighting has been submitted and, and agreed in writing by, the local planning authority. Such details shall include:

- a) the siting, height and appearance of the proposed lighting and any associated mounting structures;
- b) the type and strength of luminance of the luminaires;
- c) isoline (lux) diagrams;
- d) times and controls of illumination;
- e) the measures proposed to reduce light pollution; and
- f) the measures proposed to ensure minimal UV light emittance of luminaires.

The external lighting shall be installed and thereafter retained in accordance with the details so agreed or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON : To ensure that the development achieves a high standard of amenity in accordance with Policy 7.6 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013); to ensure that the development appropriately protects and enhances the biodiversity value of the site in accordance with London Plan Policy 7.19 and Local Plan Policies DM 20 and DM 21.

31 Any telecommunications apparatus, extraction plant, air conditioning units and other plant or equipment that is required to be installed on the exterior of the buildings hereby approved shall be carried out in accordance with details that shall first have been submitted to, and agreed in writing by, the local planning authority, and shall be permanently retained as such thereafter. The details shall include siting, appearance, any arrangements for minimising the visual and (if relevant) odour impacts and any arrangements for mitigating potential noise or vibration.

REASON : To ensure that the development achieves a high standard of design and amenity; and to ensure that neighbouring occupiers are not exposed to unreasonable noise, disturbance and odour; in accordance with Policies 7.6 and 7.15 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

32 Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the proposals for emissions savings that are documented in the approved Energy Statement Rev. C dated 24th September 2015.

REASON : To ensure that the development makes appropriate provision for the minimisation of carbon dioxide emissions in accordance with Policy 5.2 of the London Plan (2015).

33 The refuse bins shall be stored at all times, other than on collection days, in the

designated refuse storage area.

REASON : To ensure a high standard of amenity for future occupiers of the development and to ensure that the bins do not impede inclusive access within the site, in accordance with Policies DM1 and DM2 of the Development Management Policies Local Plan (2013).

34 The windows in the east elevation of the school building and which would serve the stair core at the eastern end of that building shall be installed with obscure glazing and shall be non-openable, and shall thereafter be retained in that form unless otherwise agreed in writing by the local planning authority.

REASON : To safeguard the privacy of the occupiers of neighbouring property in Green Verges and to ensure that the development achieves a high standard of privacy and amenity in accordance with Policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

INFORMATIVES

1 INFORMATIVE:

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

2 INFORMATIVE: 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.

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

3 INFORMATIVE:

In aiming to satisfy the Community Safety condition(s) the applicant should seek the advice of the Borough Crime Prevention Design Advisors (CPDA). They can be contacted through the Crime Reduction Unit, Harrow Police Station, 74 Northolt Road, Harrow, Middlesex, HA2 ODN, tel. 020 8733 3465. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of this / these condition(s).

4 INFORMATIVE:

A Groundwater Risk Management Permit from Thames water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquires should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by e-mailing wwriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.

5 INFORMATIVE:

Thames Water recommends that petro/oil interceptors be fitted in all car parking facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil polluted discharges entering local watercourses.

6 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.

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 London Borough of Harrow seeks to encourage Secured by Design accreditation where appropriate. This is a national police initiative that is supported by the Home Office Crime Reduction & Community Safety Unit and the Planning Section of the DCLG. It is designed to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is recommended that the applicant apply for this award. For additional information, please contact the Borough Crime Prevention Design Advisor through the Crime Reduction Unit, Harrow Police Station, 74 Northolt Road, Harrow, Middlesex, HA2 ODN, tel. 020 8733 3465.

11 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: 3.18, 3.19, 5.2, 5.3, 5.4, 5.11, 5.12, 5.13, 5.15, 5.21, 6.3, 6.9, 6.10, 6.13, 7.1, 7.2, 7.4, 7.5, 7.6, 7.8, 7.14, 7.15, 7.18, 7.19, 7.21, 8.2.

Harrow Local Plan: Core Strategy: CS1 B, F, G, R, U, X, Y, Z; Site Allocation MOS 6; Development Management Policies: DM 1; DM 2; DM 7; DM 9; DM 10; DM 12; DM 15; DM 20; DM 21; DM 22; DM 42; DM 43; DM 44; DM 45; DM 46; DM 47; DM 48; DM 49, DM 50.

Plan Numbers: To follow as addendum information

Appendix A: Secretary of State for Communities and Local Government and Secretary of State for Education joint policy statement on planning for schools development



Planning Statement

On Behalf of:

Bowmer & Kirkland/Education Funding Agency

In Respect of:

Whitchurch Playing Fields, Wemborough Road, Stanmore, HA7 2EQ

For:

Development of Secondary School for The Avanti House Trust, associated car parking and community sports facilities.

Date:

October 2015

DPP One Limited
Company number 08129507
VAT number 138284595

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1.0 Introduction

- 1.1 This Statement has been prepared on behalf of Bowmer and Kirkland and The Education Funding Agency in respect of a full planning application for the development of a new secondary school and associated internal and external sports facilities at Whitchurch Playing Fields, Wemborough Road, Stanmore, Harrow, HA7 2EQ.
- 1.2 The proposed development will make provision for much needed secondary school places within a high quality modern school environment. The scheme will also allow for a provision of enhanced sports facilities from which the wider local community will benefit.
- 1.3 The full application is supported by a set of architectural drawings prepared by Pick Everard and landscape proposals produced by Colour Landscape Architects:

- 000-PE-02-ZZ-DR- A-0111 - Sports Block - External Elevations
- 000-PE-02-GF-DR- A-0100 - Sports block Ground Floor GA
- 000-PE-02-01-DR- A-0106 - Sports block Ground Floor Roof
- 000-PE-01-ZZ-DR- A-0203 - Classblock External Elevations
- 000-PE-01-ZZ-DR- A-0202 - Classblock External Elevations
- 000-PE-01-ZZ-DR- A-0201 - Classblock External Elevations
- 000-PE-01-GF-DR- A-0128 - Classblock Ground Floor GA Plan
- 000-PE-01-03-DR- A-0104 - Classblock Ground Floor Roof Plan
- 000-PE-01-02-DR- A-0130 - Classblock Second Floor GA Plan
- 000-PE-01-01-DR- A-0129 - Classblock First Floor GA Plan
- 000-PE-00-ZZ-DR-A-102 Avanti House_Site
- 000-DR-A-100_Existing Site Plan-Planning
- Access and Security L-1439-PRP-002
- Site access and circulation L-1439-PRP-003
- Landscape Strategy L-1439-PRP-004
- Trees to be retained and removed L-1439-PRP-005
- Landscape Masterplan [Whole Site] L-1439-PRP-006
- Landscape Masterplan [Area around the building] L-1439-PRP-007
- Sports Facilities L-1439-PRP-009
- Landscape Masterplan -Detailed Area 1 L-1439-GAP-001
- Landscape Masterplan -Detailed Area 2 L-1439-GAP-002

- Landscape Masterplan -Detailed Area 3 L-1439-GAP-003
- Landscape Masterplan -Detailed Area 4 L-1439-GAP-004
- Landscape Masterplan -Detailed Area 5 L-1439-GAP-005
- Landscape Masterplan -Detailed Area 6 L-1439-GAP-006
- Site Sections 1:200 L-1439-GAS-001
- Site Section A 1:100 L-1439-GAS-002
- Site Section B 1:100 L-1439-GAS-003
- Site Section C 1:100 L-1439-GAS-004
- Planting Strategy L-1439-PPP-001
- Planting Schedule L-1439-PPP-002

1.4 The application is also supported by the following documents:

- Agronomist Assessment
- Air Quality Assessment
- Daylight and Sunlight Assessment
- Design and Access Statement/Landscape Strategy
- Ecology Report
- EIA Screening Request
- Energy/ Sustainability Assessment
- Flooding/Drainage Strategy
- Ground Contamination Assessment
- Noise Impact Assessment
- Statement of Community Involvement
- Transport Assessment
- Travel Plan
- Tree Survey/Arboricultural Report
- Utilities Assessment

Screening Opinion

1.5 An EIA screening request was submitted to Harrow Council on the 23rd January 2015. Harrow advised on the 27th February 2015 that the proposed development did not constitute Environmental Impact Assessment development therefore an Environmental Statement would not be required.

- 1.6 In 12th August 2015 Harrow requested another EIA screening request be submitted due to the revisions made to the proposal since January 2015. An additional EIA screening request has therefore been submitted as part of this application, however we are of the continuing view that the proposed development does not constitute a development which would trigger the need for an Environmental Impact Assessment.

2.0 Site Description

Site Location

- 2.1 The proposed School site at the Whitchurch Playing Fields is currently a large area of open space which is designated as both open space and playing fields. The total site is approximately 10.5 hectares and is almost entirely covered by grass, but with a derelict sports pavilion located towards the centre, which has been out of use for a number of years following fire damage. There are also a small number of temporary type cabin accommodation units all of which are to be removed as part of any future development.
- 2.2 The site is bounded by Wemborough Road and the grounds of Whitchurch First and Junior Schools to the south, the rear gardens of properties fronting Old Church Lane to the north and Green Verges to the East and by Abercorn Road to the west. The surrounding area is predominately residential, with the North and East site boundaries directly adjoining the rear gardens of residential properties.
- 2.3 Access to the site is currently and is proposed to be taken from Wemborough Road via a simple priority junction. This access also serves the existing First and Junior Schools.
- 2.4 Other features on the site include the Edgware Brook which crosses the playing fields, separating a triangular piece of land from the main playing fields. Trees line the bank of the Edgware Brook and also split the current playing fields into two distinct areas. Many of the trees are protected through Tree Preservation Orders, either as individual trees or groups.

Planning History

- 2.5 The site was rejected by the Harrow Licensing Committee in 2013 to be considered as a Town and Country Village Green.
- 2.6 In June 2014 an application to extend the adjoining Whitchurch First and Junior School, to provide 600sq.m for an expansion from 3FE to 4FE was granted under Ref. P/1393/14. This development is currently being implemented.

3.0 Background of Avanti House School

- 3.1 Avanti House School is a Hindu faith school that works collaboratively with the wider community, especially partner organisations, to prepare pupils as responsible citizens. The school also promotes holistic, responsible lifestyles through a vegetarian diet, a curriculum that integrates yoga and meditation, and a built environment that actively fosters environmental concerns.
- 3.2 Avanti House is an all through school for 4-18 year olds with the campus split across two sites. This planning application relates to the secondary phase of the school. The school opened in September 2012 and can admit up to 180 secondary pupils per year. When full it will have 1260 secondary pupils on roll. The school now has pupils in years 7 – 10 and currently has 478 pupils on roll. In its first Ofsted inspection, in July 2014, it was rated Good with outstanding features.
- 3.3 Avanti has had several temporary sites since opening and is currently based in the building acquired for Pinner High School, another free school. In spite of the frequently move of site, the current, temporary site being a considerable distance from the Stanmore community that it predominantly serves and the lack, to date, of the security of a permanent build, the existing families have remained loyal to the school and it has grown in reputation and in size.
- 3.4 The school plans to remain at the temporary site in Pinner until their new building to which this application relates to is completed in August 2017. By this time there will be pupils in years 7-11 and the first cohort of pupils starting in sixth form (Year 12) and a number on roll close to 850.

4.0 Proposed Development

- 4.1 This application seeks consent for the development of an entirely new build secondary school including sixth form provision, for 1260 pupils aged between 11 and 18. The school development will also include extensive new sports facilities to enable a range of sports to be played at the site by school pupils; these will also be available for use by the wider local community outside of school core time during evenings, weekends and holiday periods.
- 4.2 The school will be run by the Avanti House Trust whose ethos is to prepare pupils for their respective life-journeys by promoting educational excellence and character formation. Emphasis is placed on independent thought and personal choice, which is supported by a mentoring system delivered in close partnership with parents.
- 4.3 One of the two specialisms at Avanti House is the performing arts, which is reflected in the facilities that will be provided within the school, with dedicated space for dance, drama, music and yoga. The range of spaces for performing arts will include both large and small areas e.g. performance areas and practice rooms.

Landscaping and Layout

- 4.4 The Avanti House Secondary School has been developed to create a clear site layout with regards to site access, circulation and use, whilst retaining the maximum area of sports fields. Proposed hard landscaping has been kept to a minimum and forms less than 10% of the overall site.
- 4.5 The site is divided into two parts on an East-West arrangement by a group of existing trees. The western and larger section of the site is being retained solely for the purpose of sports fields for use by both the community and the school. The quality of the pitches will be improved by the implementation of a maintenance strategy. This area could include:
- 3 No full sized football pitches
 - 4 No 5-a-side/mini soccer pitches
 - 1 no mini soccer pitch
 - A 400m athletics track
 - Cricket Square

4.6 The school development is proposed to take place on the eastern side of the site. The landscape proposals in this area include secure school external learning areas as well as:

- 4 Court Sports Hall and dance studio
- Internal Changing Facilities
- 2No Junior sized football pitches (one of which is an all-weather surface)
- 3 Tennis court sized MUGA.

Appearance and Design

4.7 The proposed appearance and design of the school is fully illustrated and discussed in greater detail within the submitted plans package and accompanying Design and Access Statement. In summary however, the proposed school is arranged over two buildings; the main three storey teaching block and a sports hall with changing rooms (for use by both the School and the Community). These buildings are developed from the EFA baseline designs and feature a number of efficiency and design enhancements that align with the Avanti School ethos and improve orientation, way finding and connectivity within each.

4.8 The arrangement of the main teaching block is based around having a central core and perimeter teaching spaces. The central core is occupied by rooms that do not need daylight such as WC's, Stores, and large hall spaces. A central open courtyard has also been introduced into the heart of this core improving the legibility of the building's use and to allow light to penetrate into the centre of the footprint.

4.9 The external facade of the building is to be finished in render, whilst the base of the building is to be largely constructed from brick.

Access

4.10 Access for staff, 6th form students and visitors is via the principal building entrance on the southern elevation. For the remaining pupils, access to the building is via their external learning environments to the north end of the building. A direct link between the site entrance and the north of the building is provided alongside the western elevation of the teaching block.

5.0 Planning Policy Guidance

- 5.1 Applications for planning permission should be considered against policies contained within the National Planning Policy Framework (NPPF), the London Plan and the Local Development Framework.
- 5.2 The LDF for this area comprises of the Harrow Core Strategy (adopted 2012), the Harrow Development Management Policies Local Plan (adopted 2013) and the Site Allocations Local Plan (adopted 2013). This policy review identifies the key policy themes that are relevant to the application, a more detailed review of all policies can be found within the separate Planning Policy Review at Appendix 1.

General Principles

- 5.3 The NPPF provides a positive framework for decision making. At the core of the Framework is the presumption in favour of sustainable development. The Government believes sustainable development can provide an economic benefit to the country (by contributing to a strong, responsive and competitive economy), social benefits (supporting vibrant and healthy communities) and an environmental role (by protecting and enhancing our natural, built and historic environment).
- 5.4 When determining planning applications, this presumption requires Local Authorities to approve development proposals that accord with the development plan without delay. The NPPF confirms that Local Planning Authorities should look for solutions rather than problems and work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Education

- 5.5 Para 72 of the NPPF notes that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
- give great weight to the need to create, expand or alter schools;
 - work with schools promoters to identify and resolve key planning issues before applications are submitted.
- 5.6 The Policy statement 'Planning for Schools Development', published in 2011, states the Government is

firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools - which include Academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards. By increasing both the number of school places and the choice of state-funded schools, the Government aim to raise educational standards and so transform children's lives by helping them to reach their full potential.

5.7 It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations. They expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, "yes".

5.8 In terms of The London Plan, Policy 3.18 Education Facilities confirms that;

(A) The Mayor will support provision of early years, primary and secondary schools and further and higher education facilities adequate to meet the demands of a growing and changing population and to enable greater educational choice, particularly in parts of London with poor educational performance.

(B) The Mayor strongly supports the establishment of new schools and steps to enable local people and communities to do this.

(C) Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes.

(D) In particular, proposals for new schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.

(E) Development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged.

(F) Development proposals that encourage co-location of services between schools and colleges and other provision should be encouraged in order to maximise land use, reduce costs and develop the extended school or college's offer.

- 5.9 Similarly, Policy DM 46: New Community, Sport and Education Facilities also seeks to promote new community facilities:
- 5.10 A. Proposals for the refurbishment and re-use of existing premises for community, sport and educational facilities will be supported.
- 5.11 B. Proposals for the provision of new community, sport and educational facilities will be supported where:
- a. they are located within the community that they are intended to serve;
 - b. subject to (a) they are safe and located in an area of good public transport accessibility or in town centres; and
 - c. there would be no adverse impact on residential amenity (see Policy DM1) or highway safety.
- 5.12 C. New education and indoor sport development should make provision for community access to the facilities provided.

Open Space

- 5.13 Para 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 5.14 In terms of The London Plan, Policy 7.18 Protecting Open Space and Addressing Deficiency confirms that:
- 5.15 (B) The loss of protected open spaces must be resisted unless equivalent or better quality provision is

made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate.

5.16 Local policy DM 18 Protection of Open Space also states :

- A. Land identified as open space on the Harrow Policies Map will not be released for development.
- B. The reconfiguration of land identified as open space on the Harrow Policies Map will be supported where:
 - a. the reconfiguration is part of a comprehensive, deliverable scheme;
 - b. there would be no net loss of open space;
 - c. the reconfiguration would achieve enhancements to address identified deficiencies in the capacity, quality and accessibility of open space, and it would secure a viable future for the open space; and
 - d. the reconfiguration would not be detrimental to any environmental function performed by the existing open space.
- C. Proposals for ancillary development on land identified as open space on the Harrow Policies Map will be supported where:
 - a. it is necessary to or would facilitate the proper functioning of the open space;
 - b. it is ancillary to the use(s) of the open space;
 - c. it would be appropriate in scale;
 - d. it would not detract from the open character of the site or surroundings;
 - e. it would not be detrimental to any other function that the open space performs; and
 - f. it would contribute positively to the setting and quality of the open space.
- D. Proposals that would secure the future of existing ancillary buildings on open space will be supported where:
 - a. there would be no loss of necessary capacity for the proper functioning of the open space; and
 - b. there would be no harm to the quality or proper functioning of the open space as a result of the proposal.
- E. Proposals that would be harmful to open space, having regard to the criteria set out in this policy, will be refused.

F. Proposals for the inappropriate change of use of open space will be resisted.

Sports Pitches

5.17 In accordance with the Town and Country (Development Management Procedure) (England) Order 2015 (DMPO) Sport England are statutory consultees for planning applications where development;

- Is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or
- Is on land which has been used as a playing field in the 5 years before the submission of the application; or
- Is allocated for use as a playing field in a development plan. Or
- Involves the replacement of the grass surface of a playing pitch on a playing field with artificial, man-made or composite surface.

5.18 Sport England's Policy P1 states that "Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the specific circumstances applies.

- E1: A carefully quantified and documented assessment of current and future needs has demonstrated to the satisfaction of Sport England that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport.
- E2: The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.
- E3: The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.
- E4: The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or

better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of the development.

- E5: The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

Transport

5.19 Para 32 of the NPPF advises that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

5.20 Furthermore, Para 36 notes that a key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement should be required to provide a Travel Plan.

5.21 In relation to The London Plan, Policy 6.3: Assessing effects of development on transport capacity, the Mayor recognises that transport plays a fundamental role in addressing the whole range of his spatial planning, environmental, economic and social policy priorities. It is critical to the efficient functioning and quality of life of London and its inhabitants that;

(A) Development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network.

(B) Where existing transport capacity is insufficient to allow for the travel generated by proposed developments, and no firm plans exist for an increase in capacity to cater for this, Boroughs should ensure that development proposals are phased until it is known these requirements can be met, otherwise they may be refused.

(C) Transport assessments will be required in accordance with TfL's *Transport Assessment Best Practice Guidance* for major planning applications. Workplace and/or residential travel plans should be provided for planning applications exceeding the thresholds and produced in accordance with the relevant TfL guidance. Construction logistics plans and delivery and servicing plans should be secured in line with the London Freight Plan and should be co-ordinated with travel plans.

5.22 Policy 6.13 Parking; advises that The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use. As a result, developments must:

- ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles
- provide parking for disabled people in line with Table 6.2
- meet the minimum cycle parking standards set out in Table 6.3
- provide for the needs of businesses for delivery and servicing.

5.23 Table 6.2 within the London Plan does not outline the number of disabled spaces required for educational facilities, however as per the GLA advice, adequate disabled parking should be provided at convenient locations for easy and safe access by disabled users. Table 6.3 outlines the requirement for Long- Stay cycle parking as 1 space per 8 staff + 1 space per 8 students and the requirement for Short – Stay cycle parking as 1 space per 100 students.

5.24 Policy CS 1- of the Harrow Core Strategy advises that parking for new development will be managed to contribute to the delivery of a modal shift from the private car to more sustainable modes. The Development Management Policies DPD will give local interpretation of London Plan parking standards and detail requirements for sustainable Travel Plans.

5.25 Policy DM 43: Transport Assessments and Travel Plans of the Harrow Development Management Policies DPD identifies that Proposals for major development will be required to submit a Transport Assessment for objective review by the Council. The Transport Assessment should quantify the impacts of the proposal upon public transport, the highway network, the cycle network and upon conditions for pedestrians (See Policy DM2: *Achieving Lifetime Neighbourhoods*).

5.26 Proposals for major development will be required to satisfactorily mitigate the impacts identified in the Transport Assessment and any other issues arising from the Council's assessment of it. Mitigation measures will be required to contribute to the desirability of achieving modal shift away from private car use and should include the preparation and implementation of Travel Plans. Where necessary,

construction logistic plans and delivery and servicing plans should be submitted with an application.

Design

5.27 The NPPF advises that 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.

5.28 Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

5.29 At local level, Policy CS 1 of the Harrow Core Strategy advises that proposals that would harm the character of suburban areas and garden development will be resisted. 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.

5.30 All new development must create and maintain accessible, safe and secure neighbourhoods in accordance with best practice standards. Where appropriate, development should also seek to promote and enhance biodiversity in accordance with the aims of the Harrow Biodiversity Action Plan and best practice.

Within Policy DM 1: Achieving a High Standard of Development of the Harrow Development

Management Policies, The Council state 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 policy also advises that:

- B. The assessment of the design and layout of proposals will have regard to:
- a. the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;
 - b. the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;
 - c. the context provided by neighbouring buildings and the local character and pattern of development;
 - d. the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;
 - e. the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;
 - f. the functionality of the development including but not limited to the convenience and safety of internal circulation, parking and servicing (without dominating the appearance of the development) and the appearance, capacity, convenience, logistics and potential nuisance of arrangements for waste, recycling and composting; and
 - g. the arrangements for safe, sustainable and inclusive access and movement to and within the site.

Privacy and Amenity Considerations

- C. 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.
- D. The assessment of privacy and amenity considerations will have regard to:
- a. the prevailing character of privacy and amenity in the area and the need to make effective use of land;
 - b. the overlooking relationship between windows and outdoor spaces;
 - c. the distances between facing windows to habitable rooms and kitchens;
 - d. the relationship between buildings and site boundaries (applying the Council's 45 degree code

- where relevant);
- e. the visual impact of development when viewed from within buildings and outdoor spaces (applying the Council's 45 degree code where relevant);
 - f. the adequacy of light and outlook within buildings (habitable rooms and kitchens) and outdoor spaces (applying the Council's 45 degree code where relevant);
 - g. the adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers;
 - h. the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution; and
 - i. the need to provide a satisfactory quantum and form of amenity space for future occupiers

Energy/Sustainability

- 5.31 Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).
- 5.32 NPPF Para 96 also notes that in determining planning applications, local planning authorities should expect new development to:
- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
 - take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 5.33 Sustainable and energy efficient design is also a key theme of the London Plan with Policy 5.2: Minimising Carbon Dioxide Emissions advising that carbon dioxide emissions from new development should be reduced by sustainable use of energy in accordance with the Mayor's energy hierarchy.
- Be lean: use less energy
 - Be clean: supply energy efficiently
 - Be green: use renewable energy

5.34 The Mayor will work with boroughs and developers to ensure that major developments meet the following targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations leading to zero carbon residential buildings from 2016 and zero carbon non-domestic buildings from 2019.

Non-domestic buildings:

Year	Improvement on 2010 Building Regulations
2010 – 2013	25 per cent
2013 – 2016	40 per cent

5.35 Major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy.

5.36 The highest standards of sustainable design and construction are also sought in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.3 Sustainable Design and Construction requires that development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process. Major development proposals should also meet the minimum standards outlined in the Mayor's supplementary planning guidance and this should be clearly demonstrated within a design and access statement. The standards include measures to achieve other policies in this Plan and the following sustainable design principles:

- minimising carbon dioxide emissions across the site, including the building and services (such as heating and cooling systems)
- avoiding internal overheating contributing to the urban heat island effect
- efficient use of natural resources (including water), including making the most of natural systems both within and around buildings
- minimising pollution (including noise, air and urban runoff)
- minimising the generation of waste and maximising reuse or recycling
- avoiding impacts from natural hazards (including flooding)
- ensuring developments are comfortable and secure for users, including avoiding the creation of adverse local climatic conditions

- securing sustainable procurement of materials, using local supplies where feasible,
- and promoting and protecting biodiversity and green infrastructure.

5.37 Policy 5.7 Renewable Energy also advises that the Mayor seeks to increase the proportion of energy generated from renewable sources, and expects that the projections for installed renewable energy capacity outlined in the Climate Change Mitigation and Energy Strategy will be achieved in London. Within the framework of the energy hierarchy (see Policy 5.2), major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.

Site Allocations Plan 2013

5.38 The Site Allocations Local Plan adopted in 2013 allocates sites, and identifies other planning designations outside of the Harrow and Wealdstone Intensification Area. The relevant policies are:

Site Mos6: Whitchurch Playing Fields, Wemborough Road, Belmont.

5.39 The site has been identified as Mos6, an open space that serves as an important recreational destination, suitable for community outdoor sports use. Development will be restricted to the minimum necessary to support outdoor sports use, and must not prejudice the role of this site as a flood storage area.

Site BD38: Edgware Brook at Whitchurch School -New Site of Local Importance

5.40 The Borough contains a number of sites that have been recognised by Greenspace Information for Greater London, as Sites of Importance for Nature Conservation (SINCs). A section of the playing fields has been identified as BD38, a new local Site of Importance for Nature Conservation.

6.0 Pre –Application Discussions & Public Consultations

- 6.1 The following chapter outlines the pre-application discussions that have been undertaken during the evolution of the development proposals.

London Borough of Harrow

- 6.2 In early 2014, planning officers were presented with the initial scheme ('control option REV A') for the Avanti School at the Whitchurch Site; whilst they agreed the need for additional education facilities, they had concerns over a range of issues relating to, community use, highways capacity, flooding, as well as the loss of open space.

Subsequent meetings have been held over the last 18 months with Harrow to address these issues which has lead to the current application proposals, as highlighted within the Design and Access Statement.

Sport England

- 6.3 Various meetings have been held with Sport England and local sports clubs throughout the past 12 months. At the initial meeting Sport England set out concerns regarding loss of playing fields. We have subsequently liaised with them and local sports clubs regarding the issues of community access, enhancement of the retained sports fields and opportunities for providing compensatory Sports facilities on the site i.e. bringing back into use the areas south of the brook to create three new pitches.
- 6.4 The latest submission pack which highlights these positive changes to the scheme was sent to Sport England to review on the 1st October 2015, however we have yet to receive their reply regarding the scheme at the time of submission.

Greater London Authority

- 6.5 A formal pre-application meeting was held on the 19th March 2015 at City Hall with various representatives from the Greater London Authority and Transport for London.
- 6.6 A formal response from the GLA was received on 2nd April 2015. The general theme of the response was positive, concern was raised in relation to the loss of playing fields, community use, biodiversity,

flood management, design, sustainable development and transport. All of these issues highlighted are explored within the documents accompanying this application and summarised within the planning assessment.

- 6.7 Additional information was submitted to the GLA on the 1st of May 2015 with a further meeting taking place on the 30th of June 2015.
- 6.8 The written response(Appendix 2) following this meeting was generally supportive of the proposal and stated: *'the layout principles underpinning the scheme are broadly supported and the applicant has sought to balance the need to maintain the open quality of the wider site against necessary flood risk mitigation and other site constraints.*
- 6.9 It is welcomed that the sports block, the 3G synthetic pitch and the natural playing fields to the west of the site are to be used by the community out-of-school-hours. The proposals for separate community changing facilities are also welcomed.'

Public Consultations

- 6.10 A public consultation event was held over two days in March 2015 to enable local residents to have the opportunity to view the plans at an early stage and to engage with the development of the design proposals. At each consultation event, consultees' feedback was recorded, with the aim of demonstrating how their feedback was used to influence the proposals at subsequent events. These are discussed in more detail within the Statement of Community Involvement.

7.0 Planning Assessment

- 7.1 This section assesses the proposal against all relevant local and strategic planning policy, in addition to The National Planning Policy Framework.

Principle of Development

- 7.2 In considering the principle of development in this case, there are a number of issues that need to be addressed in reaching a balanced judgement.

Need for School Places

- 7.3 Planning Policy at all levels seeks to provide for enhanced education facilities whether this be via replacement or new educational facilities to meet the needs of the expanding population. The policy statement- planning for schools development published by the Department for Communities and Local Government; August 2011 (Appendix 3) advises that:

"The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.
- Local authorities should make full use of their planning powers to support state-funded schools applications. This should include engaging in pre-application discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community."

- 7.4 The pressure for new schools is particularly acute in Harrow. As is confirmed in the cabinet paper from

July 2015 prepared by Harrow Council's Head of Community Services and included in the statement from the EFA at Appendix (4). It will be noted that development of the proposed Avanti School is seen as a key element in addressing the Borough's educational requirement between now and 2020.

- 7.5 Avanti House School is already an established part of the local education offer and has developed in importance over the years despite the Avanti House Secondary School lacking a permanent home. The school is currently housed in the building acquired for Pinner High School.
- 7.6 Prior to arriving at the Whitchurch Playing Fields Site, a number of alternative sites were considered as a permanent home for the Avanti House School. As explored within the accompanying Sequential Test (Appendix 5), the London Borough of Harrow contains very few sites of the size required to accommodate the proposed School (8.7 ha). This site search identifies all of the known sites within the site search area that were at some point available during the four year period over which the site search was conducted. In addition, the site search exercise has considered potential sites capable of accommodating the minimum size of size required to accommodate a Secondary School of the scale proposed (1.3ha).
- 7.7 The Sequential Test identified Whitchurch Playing Fields as the only suitable location for Avanti School, when considering availability, size and location. This is a situation which both the GLA and Harrow Council at officer level have agreed.
- 7.8 As noted in section 5, the provision of new community infrastructure including schools is supported by the NPPF, London Plan (2015) Policy 3.18; Harrow Core Strategy Policy CS 1 and Harrow Development Management Policy DM 46.

Open Space Policy

- 7.9 Whitchurch Playing Fields is designated open space as identified within the Harrow Site Allocations Plan. Commentary within the Plan states that development will be restricted to the minimum necessary to support outdoor sports use, and must not prejudice the role of this site as a flood storage area. Policy DM 18 within the Harrow Development Management Policies (2013) also states that land identified as open space on the Harrow Policies Map will not be released for development, but also makes clear that proposals for ancillary development on such land will be supported subject to certain criteria.
- 7.10 As identified with the Design and Access Statement the proposal has been developed to minimise the effect on open space, with the built form compressed onto the north eastern side of the fields only

occupying 14% of the site. The bulk of the designated open space will still be in use as playing fields and as discussed later will be enhanced in terms of its potential for formal recreation use. However, it is accepted that some open space will be lost as a result of the proposed development and it is acknowledged that open space protection policies carry significant weight.

Community and Sports facilities

- 7.11 In addition to this site being designated open space, it also comprises an area of formal playing fields. Initial enquiries with Harrow Council Leisure services indicated that the site was only subject to limited use for formal sports activity. However, following further discussions with Sport England, the Middlesex FA and ECB and local clubs, notably St Joseph's FC, it emerged that the site is used regularly during the football season at weekends and during daylight evenings and less frequently during the summer for Cricket.
- 7.12 It also emerged however that the site was historically used more extensively and following the loss of the on site pavilion in 2004, a number of local clubs no longer seek to use the site. There have also been comments regarding the reduced management/maintenance of the site and the loss without subsequent reinstatement of play pitches to the south of the Edgware Brook as a result of the flood alleviation works to the Edgware Brook.
- 7.13 The applicants are aware that both Sport England policy and para 74 of the NPPF oppose the quantitative loss of playing fields and whilst clearly the development of a school on the site would involve some loss of playing fields, we have sought to minimise the land take from playing fields both via promoting a compact school layout, including the construction of a three storey main teaching block, but also via an element of compensatory provision via the reinstatement of sports pitches to the south of Edgware Brook as shown on the application drawings.
- 7.14 As part of the proposal, the applicant also seeks to enhance the maintenance of the pitches to improve sward characteristics and improve the natural infiltration rates of the indigenous soils. This operation involves a concentrated maintenance regime which focuses on strengthening the current sward, improving infiltration rates through aeration procedure and improving the upper soil profile and turf surface through sand topdressing.
- 7.15 Nonetheless, the net area of playing pitches lost to the development would be some 0.42ha. However, the above 'loss' figure includes the Sports Hall a facility which is itself capable of being viewed as an 'exception' under Sport England Policy criteria E5. If the Sports hall is included as a retained or compensatory element, the net loss is only some 0.28ha.

- 7.16 The Sports Hall in this case, along with the new and retained sports pitches will be available for community use as part of a wider Community Use Agreement which will be drawn up in conjunction with Harrow Council and will also include changing rooms for sports teams utilising the site, a facility not currently available at the site. Current sports provision on the site is also largely dominated by football whereas the proposed facilities offer the potential for a wider range of sports on the MUGA's and all weather pitch including tennis and netball. In response to resident concerns however, no floodlighting is proposed.
- 7.17 Whilst we therefore acknowledge that there would still be a quantitative loss in playing pitches of some 0.28 ha, this represents only a 2.6% reduction on the area of playing pitches currently available and needs to be viewed alongside the qualitative improvements. Indeed, given the inclusion of the all-weather pitch, which offers the potential for more intensive usage than the natural turf pitches, there is arguably no actual loss in the sports potential of the site. To further ensure the local community, nearby schools and sports clubs have use of the proposed sports provision, a Community Use Agreement is proposed for the future usage of the site should consent for the development be secured.
- 7.18 This aligns with the objectives of the NPPF, London Plan (2015) Policy 3.19, Harrow Core Strategy Policy CS 1 and Harrow Development Management Policies DM 2, DM 46, DM 47 and DM 48.
- 7.19 To conclude on the principle of use issue therefore, it is acknowledged that conflicts exist between differing policy objectives. On the one hand, the development would involve the loss of some designated open space and playing fields in an area with a shortage of such facilities. This would be in conflict with national and local policy. On the other hand, there is an equally acknowledged need for additional school places within Harrow and the provision of additional education capacity is itself an objective which has equal if not greater policy support at all levels. Furthermore, as acknowledged by both the GLA and at officer level at Harrow, following an extensive sequential site search, it has been accepted that no alternative sites are available within the catchment of the Avanti School which could accommodate a permanent home for the school.
- 7.20 The applicants have sought to minimise the loss of open space/playing fields both by an approach to layout and design which seeks to minimise the land take for the school buildings and associated space but also by proposing the reinstatement as playing fields of part of the site which was lost to playing field use following the flood alleviation works to the Edgware Brook. In addition, the proposed development will introduce a number of qualitative benefits in terms of formal recreation including the provision of changing room facilities which the site presently lacks, more active maintenance of the playing fields themselves, which the sporting users have noted has declined in recent years and the introduction of new sports facilities via the MUGA's, all-weather pitch and sports hall. Given its nature the all-weather pitch also offers the ability for more intensive use. The bulk of the site will also continue

to be made available for wider community use to be covered by a Community Use Agreement between the applicants and Harrow Council.

Given the need for school facilities, the absence of alternative sites and the qualitative improvements in terms of sports provision that the scheme would bring forward, we conclude that the balanced assessment in this case falls strongly in favour of the proposed development.

Design

- 7.21 The proposed appearance and design of the school is fully illustrated and discussed in greater detail within the submitted plans package and accompanying Design and Access Statement. In summary however, the proposed school is arranged over two buildings; the main three storey teaching block and a sports hall with changing rooms (for use by both the School and the Community). These buildings are developed from the EFA baseline designs and feature a number of efficiency and design enhancements that align with the School ethos and improve orientation, way finding and connectivity within each.
- 7.22 The arrangement of the main teaching block is based around having a central core and perimeter teaching spaces. The central core is occupied by rooms that do not need daylight such as WC's, Stores, and large hall spaces. A central open courtyard has also been introduced into the heart of this core improving the legibility of the building's use and to allow light to penetrate into the centre of the footprint.
- 7.23 The external facade of the building is to be finished in render, whilst the base of the building is to be faced in brick.

Residential Amenity

- 7.24 The siting and massing arrangement of the proposal was determined by the aspirations to minimise the impact on neighbouring properties and open space. The very efficient plan ensures that the building remains three storeys and the compact footprint maintains the appropriate distances from the neighbouring boundaries and the properties themselves as shown in detail within the Design and Access Statement.
- 7.25 A BRE Assessment has been undertaken by ARUP which demonstrates that the new development is sufficiently far from the existing adjacent residential properties that it is unlikely to affect the skylight and sunlight enjoyed by the neighbouring properties.

- 7.26 A shadow study was also undertaken to assess the potential shadowing of adjacent gardens and amenity areas. This study demonstrated that, on the 21st of March, all adjacent residential gardens will receive at least 2 hours of sunlight for at least 50% of the area. In the majority of cases the new development will have no shadowing impact on the adjacent gardens, with shadowing limited to the gardens of properties at the south end of Green Verges from approximately 17:00 until sunset.
- 7.27 The report concludes that the significance of the effect of the proposed development on sunlight and daylight availability is therefore negligible, for all of the adjacent properties.
- 7.28 Whilst the design and access statement highlights that the development comfortably exceeds the minimum spacing standards in Harrow's design guidance and that the potential for overlooking is not significant, the design has been amended to provide for all windows on the upper floors in the eastern elevation of the teaching block to be high level windows. If required, these windows could also be treated with a film treatment that would allow for light ingress to the rooms but would prevent views out.
- 7.29 We of course recognise that the present open outlook from the rear of the residential properties will inevitably change. However, it is an established principle of planning that there is no right to a view and as highlighted above and in the Design and Access Statement, the scheme has been designed to have minimal impact on the amenity of local residents and comply with adopted policy and design standards.

Layout and Landscape

- 7.30 The proposed layout and arrangement has been determined by a number of constraints and site requirements:
- The need to minimise its footprint to help maximise the area of land for sport and open space
 - Impact on neighbours
 - The position of the entrance from the existing roundabout,
 - The requirement to minimise the impact on mature trees.
 - The provision for community parking for out-of-hours use of the Sports Hall
 - To respond to the Flood Risk Assessment
- 7.31 In response to these constraints the site is divided into two parts on an East-West arrangement by a group of existing trees. The Western and larger section of the site is being retained solely for the purpose of sports fields for use by both the community and the school. The pitches and athletics track

to the north of the Brook are to be retained and refreshed with new white line marking. In addition to this, it is proposed to bring the area to the South of the Brook back into use as sports fields with the ground upgraded to accommodate three new mini turf pitches. Further proposed works in this area are limited to a low level linear flood prevention bund, a swale connecting the surface water proposals to the Edgware Brook and native planting to improve biodiversity in the South-east of the site.

- 7.32 The focus of the school development is proposed to the eastern side of the site. The landscape proposals in this area include secure school external learning areas, all weather pitch facilities and the arrival space and car park for use by the school and local community.
- 7.33 The proposal creates a clear site layout with regards to site access, circulation and use whilst retaining the maximum area of sports fields. Proposed hard landscaping has been kept to a minimum and forms less than 10% of the overall site.
- 7.34 Much of the existing green infrastructure of boundary trees, hedges and the woodland tree group are retained to provide a mature green framework to the new development. This provides the extra benefit of established habitat study areas. Further habitat enhancement will be undertaken immediately around the new development and to the South of the site, at the Eastern end of the Edgware Brook. Selective felling of a limited number of existing trees, some of which are protected with Tree Preservation Orders, will be necessary to facilitate the proposals, in particular the creation of site access. The proposals also allows for the removal of three category U trees. Additional, replacement tree planting is proposed in the vicinity of these areas as part of the landscape proposals with a net increase in trees proposed.

Access

- 7.35 Access for staff, 6th form students and visitors is via the principal building entrance on the southern elevation. For the remaining pupils access to the building is via their external learning environments to the rear of the building. A direct link between the site entrance and the north of the building is provided alongside the western elevation of the teaching block.

Inclusive Design

- 7.36 Inclusiveness has been incorporated into all elements of the proposed school; the design has been developed to provide level access from the existing school to the new-build extension area. New areas will be designed to meet the latest Building Regulations - Part 'M', the Equality Act 2010 & BS 8300 therefore the following has been provided:

- Main entrances to provide a minimum of 1000mm clear opening at the doorway via a level threshold and graded approach shallower than 1 in 20 to avoid the need for handrails.
- All appropriate new doors wheelchair accessible.
- Dimensions of new spaces to include minimum manoeuvrability requirements for wheelchair users.
- Doors to have a door closer of a type that requires a maximum opening force of 30N at the leading edge.
- Doors to have vision panels which provide visibility from 500mm to 1500mm above the floor levels and including operating furniture that is easily reached and which provides a secure grip.
- New signage planned and designed to current best practice with reference to the Sign Design Guide (2000) and DRC (2004) 'Good Signs'.
- Lighting and colour and finishes schemes that follow 'best practice' with particular reference to the needs to those with visual impairment.
- Colour contrast in new areas to be 30 LRV point difference between the new key elements where appropriate, i.e. floors, doors, walls and handrails.
- Part P - Electrical Safety
- The car parking will incorporate designated accessible parking spaces, will be properly lit, and have appropriate markings. All disabled bays across the scheme will be located in front of the main building entrances.

Security

- 7.37 All schools need to provide a safe and secure environment for pupils and staff. Safety and security are paramount in assuring pupils the highest standard of education. New boundary fencing has been proposed to the majority of the perimeter of the site. The eastern school site is to be fully enclosed with 2.4m high fencing creating a secure and private educational environment. 2.4m high timber closed boarded fencing is proposed along the boundaries with the residential and playground uses to provide privacy and avoid unwanted interaction. The 2.4m high timber close board fence also extends the secure line eastwards between the teaching block and the perimeter. This doubles to screen views of the service area, car park and secures the bin store (located to the east of the new school building) from the external learning environment. 2.4m high weldmesh fencing is proposed to form the remaining secure school boundary in combination with the school building elevations, to divide the 'private' from the 'public' and supervised zones.
- 7.38 To the South and West, the site boundaries adjacent to the public car park, along Abercorn Road as far as the brook and along the northern side of the brook, linking back to the car park are proposed to be upgraded with new 1.8m high weld mesh fencing. The triangular area to the South of the brook is to retain the current boundary treatment with repairs made where necessary.

7.39 In addition to the main boundary fencing, the following is also proposed:

- 3m high ball stop rebound weldmesh fencing to enclose both the MUGA and synthetic pitch, preventing balls from hitting the closed board fence to the boundary with residents.
- 1.2m high timber picket fencing to define the area of the horticultural gardens within the secure learning zone.
- 1.2m high vertical bar fencing to surround the attenuation pond and provide a secure line to the science gardens and habitat area of the Lime Avenue leading east to Marsh Lane.

7.40 In terms of design therefore, the current proposals accord with all relevant design guidance including The London Plan (2015) Policies 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 Harrow Core Strategy Policy CS 1 and Harrow Development Management Policies DM 1, DM 2, DM 12 and DM 18.

Transport

7.41 A Transport Assessment and Travel Plan have been prepared by Milestone. This follows pre-application discussions with Harrow, the GLA and TfL.

Vehicular Access

7.42 The proposal seeks to utilise the existing priority junction arrangement and shared access with the adjoining Whitchurch First and Second School from Wemborough Road for deliveries / servicing and staff access only. It is understood that any modifications required to the access way to facilitate the movement of larger vehicles to and from the school, will be subject to agreement with Harrow Council Highways, Planners and Corporate Estates departments.

7.43 Through the public consultation process it has been noted that there has been support for the concept of a vehicular access way from Marsh Lane, creating a route through to Wemborough Road. For the reasons outlined within the Transport Assessment, Harrow Council Highways would not support any form of access to the school from Marsh Lane.

Pedestrian Access

7.44 Site access is controlled via one point of entry, providing a link from Wemborough Road through a public car park and adjacent to the existing Whitchurch First and Second school.

- 7.45 Footpaths extend from the pedestrian routes in the adjacent public car park, providing entry to the left hand side of the vehicular access point. Immediately within the site, an open area provides a pedestrian stopping point at this key junction. Seating cubes, tree planting and drop down bollards will prevent all but mini buses, maintenance and emergency vehicles from accessing this area. The vehicle access alongside this arrival space ramps up to a shared surface, slowing vehicles and creating priority for pedestrians.

Pedestrian Infrastructure

- 7.46 In respect of the impact of the development on local pedestrian infrastructure, the footways on Wemborough Road are generally provided to a c. 2.6m width and will support all pedestrian activity entering and exiting the site.
- 7.47 As stated within the Transport Assessment, on the basis of on-site observation and even taking into account pedestrian activity associated with the Stanburn Primary School on Abercorn Road, it is conclusive that the Wemborough Road footways would operate within capacity under future conditions.

Car parking

- 7.48 It should be noted that there is no prescriptive car parking standard within the London Plan (2015) or Harrow Council's Development Management Policies document in respect of education-based land uses. It is, however, proposed to provide a total of 69 parking spaces (including 5% disabled provision and 10% of spaces with Electric Vehicle charging facilities) at the proposed School.
- 7.49 It is considered that 69 parking spaces proposed will provide sufficient parking for staff, visitors and for activities outside of school hours. The level of parking is considered a balance, such that it does not represent an over-supply of parking that would encourage staff to travel to school by car.

Cycle Parking

- 7.50 Specific guidance in respect of cycle parking is provided in the adopted London Plan Further Alterations (March 2015) document. It is therefore proposed to provide 1 long-term cycle parking space per 8 students / staff plus an additional short stay space per 100 students. In this regard, at full capacity, the school will need to provide covered long-stay cycle parking for c.173 cycles and 12 additional short stay spaces.

Trip Generation

- 7.51 Vehicle Trip rates have been agreed with Harrow Council (Highways) and the GLA. A trip generation profile has been generated and adapted to take account of the privately run school bus service. The modal split derived from TRICS is considered to be representative of the likely travel patterns of students and particularly the proportion of pedestrians, given that c. 25% of Avanti School pupils currently live within walking distance of the proposed site and this would be expected to increase when the school relocates.
- 7.52 As shown within the TA the proposed uses on site have the potential to generate between 976 and 1086 total person trips during the weekday AM and PM peak periods. Of these some 95-212 are car borne trips, equating to a modal share of some 9-22%. Of the remainder of these trips, the number of public transport users equates to around 30-42%, cyclists 1% and pedestrians between 32-35%.

Mitigation Measures

- 7.53 In addition to the implementation of the Travel Plan, further measures will be required to mitigate the impact of the school proposal. Principally, this will involve the effective management of school set-down / pick-up periods, particularly in the context of the neighbouring Whitchurch First and Junior Schools expansion.
- 7.54 The staggering of school-based trips as shown in Table 1 will in particular minimise the impact of school related vehicle trips on local junctions during peak hour periods, and will also spread demand for set-down / pickup. School staff propose to operate a traffic marshalling strategy within the car park to the south of the school. The strategy will see staff directing and managing traffic entering, circulating and exiting the car park, ensuring efficient set-down/pick-up and free flow of traffic.

Table 1 Proposed School Start and Finish Times

Time Morning	Activity	No. Pupil Arrivals / Departures
07:00-08:00	Breakfast Club	60
07:45	Key Stage 4 Registration	320
08:15	Key Stage 3 Registration	520
09:45	Key Stage 5 Registration	340
Evening		
15:45	Official KS3 & KS4 end of day	400
16:45	KS3/KS4 After School Clubs end	500
17:30	Official KS5 end of day	360

Junction Improvements

7.55 It is noted from Pre-Application comments provided by the GLA that the bus stops on Whitchurch Lane require students to cross the Marsh Lane / Whitchurch Lane (B461) / Honeypot Lane (A4140) / Wemborough Road signalised crossroads. In particular, to reach the eastbound bus routes 79/340 which stop on the northern side of Whitchurch Lane only, the most direct access to the school is gained by crossing the uncontrolled Marsh Lane arm of the signal junction.

7.56 As part of the application, it is proposed that the following improvements at the junction, be undertaken within the existing public highway:

- Provide controlled staggered pelican crossing over Marsh Lane arm to be integrated into existing junction staging;
- Carriageway widening on Honeypot Lane approach arm to create dedicated 'Left Turn' lane, ahead lane, and ahead / right lane improving efficiency of traffic movements from this arm;
- Increased exit lane width and taper on Marsh Lane to accord with Design Manual for Roads and Bridges guidelines reducing risk of vehicle collisions for simultaneous ahead movements from Honeypot Lane;
- Adjustments to kerblines from Honeypot Lane entry lane to Wemborough Road providing shallower radius improving manoeuvres for large vehicles.

- Widening of Wemborough Road approach lanes allowing large vehicles to queue simultaneously in each lane;
- Adjustments to kerblines from Marsh Lane entry lane to Whitchurch Lane providing shallower radius improving manoeuvres for large vehicles.

7.57 It is considered that the above measures would aid pedestrian safety for the wider community at the junction, by offering a controlled crossing facility over the northern Marsh Lane arm, in particular connecting the Whitchurch, Stanmore and Avanti schools pupils with bus stops on the northern side of Whitchurch Lane.

7.58 Data within the Transport Assessment also suggests that the scheme proposed could mitigate the impact of school related traffic, whilst delivering the wider benefit of the controlled pedestrian crossing, improved junction manoeuvrability for larger vehicles and a vehicle safety benefit in the increased exit width and taper on Marsh Lane.

7.59 These junction mitigation scheme proposals and capacity modelling have been agreed in principle by Harrow Council Highways.

7.60 On the basis of the findings within this Transport Assessment and the proposed junction improvements, the proposal is in full compliance with the NPPF, London Plan Policy 6.3, 6.9, 6.10 and 6.13, Harrow Core Strategy Policy CS 1 and Harrow Development Management Policies DM 42, DM 43 and DM 44.

7.61 We would add that the proposed junction improvements at the Marsh Lane / Whitchurch Lane (B461) / Honeypot Lane (A4140) / Wemborough Road junction will not only mitigate for the school development but will also address what Harrow Council Highways perceive to be pre-existing limitations of this junction in terms of capacity and pedestrian crossing facilities. As such this would be a further, wider planning benefit of the proposed development, (in addition to addressing the identified need for additional school places and providing enhanced sports facilities), which should be added to the planning balance judgement in respect of any quantitative loss of open space and playing fields.

Sustainability

7.49 The proposal has been designed to be in line with the London Plan Energy Hierarchy with a focus on a fabric-first energy strategy. The fabric first energy strategy is demonstrated within the Energy Statement prepared by Couch Perry Wilkes and has ensured that the construction budget has been invested in reducing the energy consumption for the building, rather than focussing on renewable

energy technologies. This ensures that the building is inherently energy efficient and is robust to increases in energy costs in the future. The fabric first design philosophy adopted helps to achieve a reduction of CO² emissions in excess of 12.8% as measured by the initial Part L assessment. This, together with 220m² of PV provides a 20% reduction, with PV's providing a further 7.2% reduction beyond the "Be Lean" measures. The project avoids the need for active cooling systems favouring passive design solutions as described within section 2 of this report that meet the overheating requirements of TM52. By avoiding active cooling systems the projects anticipated CO² emissions are reduced by a further 11.6% compared with what would be emitted from traditional educational buildings with active cooling.

- 7.50 The project includes daylight dimming beyond what is measured within the Part L model where rows of fittings include a photocell to give better control and provide greater energy savings. The further reduction in CO² emissions from this approach is estimated at 1.84%. The domestic hot water consumption for the project is reduced in a number of ways including water efficient showers and flow restrictors on wash hand basin taps; this reduction in hot water demand further reduces the projects CO² emissions by 6.7%. Therefore the proposed design features reduce the overall CO² emissions by approximately 40.14% when compared with the notional building from the Part L calculation.
- 7.51 Given these findings, it is clear that the proposal exceeds the objectives of the NPPF, London Plan (2015) Policy 5.2, 5.3, 5.7, 5.9, Harrow Core Strategy Policy CS 1 and Harrow Development Management Policies DM 12 and DM 14.

Biodiversity

- 7.52 The proposal will not adversely affect the Sites of Local Importance for Nature Conservation within the boundary line of the site. A Biodiversity Management Plan (prepared by Ecus) states the current habitats on site include scattered trees, amenity grassland, scrub, running water, hedgerow and broadleaved woodland.
- 7.53 Minimum mitigation is required given the limited impacts of the proposed development and the retention of features with greater value, namely the majority of scattered semi-mature and mature trees including those within Edgware Brook at Whitchurch School SLINC. The key existing features of ecological value will be retained, protected and enhanced, where practicable, and additional enhancements for the site will be incorporated within the scheme.
- 7.54 This will be achieved through the retention of existing trees, replacement tree planting and native/wildlife attracting soft landscaping. The landscaping scheme will utilise native species of UK

provenance, where practicable, and flowering and fruiting species that will provide a benefit to birds and small mammals. Features likely to be of particular value to specific local wildlife species include log piles, stag beetle loggeries, bat and bird boxes, which will be incorporated into the design.

- 7.55 The proposed pond will be designed to increase the site's biodiversity, benefitting invertebrates and amphibians. It will house a permanent area of standing water, with shelved sides down to a filled depth of approximately 1m. The shelved sides will provide various ecological niches for different floral and faunal species. The pond will be suitably lined to hold water. Native aquatic and marginal planting will be added to further enhance the pond for wildlife.
- 7.56 Whilst the green linear features on site will be largely retained, a sensitive lighting plan will be produced to avoid unnecessary light spill from the development, particularly with respect to the adjacent SLINC habitats. This measure will minimise disturbance and preserve the functionality of these valuable habitat features for bats and birds. Furthermore, the SLINC habitats will be enhanced by the creation of a buffer zone which will be subject to relaxed management to encourage a taller grassland sward to develop.

The robust biodiversity management plan and mitigation measures proposed clearly align with the objectives of the NPPF, London Plan (2015) Policy 7.19 and Harrow Development Management Policy DM 20.

Flood Risk and Drainage Strategy

- 7.57 As stated within the Flood Risk Assessment prepared by Curtins, the western area of the site, which is proposed to remain as playing fields, has a high risk of fluvial and surface water flooding. All other sources of flooding are considered to be low risk. The eastern area of the site, where the proposed school buildings, sports hall and car park will be located has a low risk of flooding from all sources.
- 7.58 It is therefore concluded that the development can be undertaken in a sustainable manner without increasing the flood risk either to the proposed development or to existing properties/systems within the downstream catchment.
- 7.59 All surface water from the proposed development will be discharged via an open channel/swale to the existing Edgware Brook at the pre-development runoff rate, subject to soakaway testing to BRE 365 or geotechnical recommendations noting that infiltration is not viable.

- 7.60 Therefore, the proposal addresses the requirements of the NPPF and London Plan Policy 5.13, Harrow Core Strategy Policy CS 1 and Harrow Development Management Policies DM 9 and DM 10.

Noise

- 7.61 An Environmental Noise Assessment has been carried out in relation to the proposed development by Environoise. In order to meet local and national requirements for noise, the report recommends services plant noise limits, the combination of the proposed façade strategy and the setting of maximum allowable music levels (through the use of noise limiters).
- 7.62 In terms of the car park noise, the proposed car park layout, vehicle noise at the most exposed residential dwellings, those closest to Marsh Lane, will result in a low level of impact in accordance with BS4142:2014 without further mitigation measures required.
- 7.63 The Environmental Noise Assessment where needed, offers mitigation measures to meet the requirements of the NPPF, London Plan Policy 5.3, 7.15 and Harrow Development Management Policies DM 1 and DM 12.

8.0 Conclusion

- 8.1 The proposed development seeks to develop a new school facility for 1260 pupils aged between 11 and 18. The school will provide an entirely new build secondary school, including sixth form provision. The Whitchurch Lane site has been identified as the only appropriate site for the new school following an extensive site search.
- 8.2 The development will help address the need for additional educational facilities within Harrow and the specific demand for places at the Avanti School reflecting its educational achievements. Whilst the conflict with planning policies which seek to resist the loss of open space and sports pitches are acknowledged, this issue should be balanced against the benefits of the development in terms of educational provision, the qualitative enhancements to sports provision and new junction works being facilitated by this development.
- 8.3 Pre-application discussions have been undertaken with all the relevant consultees and as the foregoing analysis has demonstrated, the proposal meets and complies with the majority of local and strategic planning policy, in addition to The London Plan and The National Planning Policy Framework and therefore should be permitted.

Appendix B: Summary of Applicant's Sequential Assessment (June 2015)

The following information is taken from the applicant's Sequential Assessment document submitted with the application. The reasons for rejection in Table 2 represent a brief summary of the more detailed explanations given in the submission document.

Table 1: Site Search Criteria

Criteria	Requirement
Search Area	London Boroughs of Barnet & Harrow
Building Site Area	9,590m ²
Outdoor Space Provision	57,600m ² (3,750m ² min)
Optimum Overall Site Area Requirement	87,830m ² (13,340m ² min)
Topography	Flat or Sloping
Availability	To facilitate occupation at the earliest opportunity
Affordability	Value for money must be assured using public funds

Table 2: Sites Reviewed in Detail

No.	Site	Summary of Reasons for Rejection
1	Kodak & Zoom Leisure, Harrow View/Headstone Drive, Wealdstone (<i>H&W AAP Site 2</i>)	Unavailable (being brought forward by another developer). Plot allocated for school use within site too small.
2	Teachers' Centre, Tudor Road, Wealdstone (<i>H&W AAP Site 3</i>)	Unavailable (being brought forward by Council for expansion of existing Whitefriars School). Plot allocated for school use within site too small.
3	ColArt, High Road/Whitefriars Avenue, Wealdstone (<i>H&W AAP Site 4</i>)	Unavailable (being brought forward by another developer). Plot allocated for educational use within site too small.
4	Wealdstone Infill Sites, various locations in and around Wealdstone district centre (<i>H&W AAP Site 5</i>)	Sites too small.
5	Palmerston Road/George Gange Way, various locations in and around Wealdstone district centre (<i>H&W AAP Site 6</i>)	Sites too small
6	Headstone Manor, Pinner View, Wealdstone (<i>H&W AAP Site 1</i>)	Unavailable (being brought forward by Council for museum improvements with heritage lottery funding). Plot allocated for educational use within site too small.
7	Harrow Leisure Centre, Christchurch Avenue, Wealdstone (<i>H&W AAP Site 7</i>)	Use for school development would conflict with allocation purposes. Open space publicly accessible (so not suitable for school use).
8	Civic Amenity Site and Council Depot, Forward Drive, Wealdstone	Use for school development would conflict with allocation purposes.

	(<i>H&W AAP Site 8</i>)	
9	Civic Centre Site, Station Road, Wealdstone (<i>H&W AAP Site 9</i>)	Not available and existing uses require relocation.
10	High Road Opportunity Area, Station Road, Harrow (<i>H&W AAP Site 10</i>)	Buildings too small.
11	Tesco, Station Road, Harrow (<i>H&W AAP Site 11</i>)	Not available.
12	North Car Park, Greenhill Way, Harrow (<i>H&W AAP Site 12</i>)	Site too small.
13	Main "Debenhams" Car Park, Greenhill Way, Harrow (<i>H&W AAP Site 13</i>)	Not available and site too small.
14	Bradstowe House, Junction Road, Harrow (<i>H&W AAP Site 14</i>)	Already redeveloped.
15	College Road West, Harrow (<i>H&W AAP Site 15</i>)	Site too small.
16	Havelock Place, Harrow (<i>H&W AAP Site 16</i>)	Site too small.
17	51 College Road, Harrow (<i>H&W AAP Site 17</i>)	Site too small.
18	Harrow-on-the-Hill Station Car Park West, Station Approach, Harrow (<i>H&W AAP Site 18</i>)	Site too small.
19	Lowlands Recreation Ground, Lowlands Road, Harrow (<i>H&W AAP Site 19</i>)	Site too small.
20	Harrow-on-the-Hill Station Car Park East, Station Approach, Harrow (<i>H&W AAP Site 20</i>)	Site too small.
21	Equitable House/Lyon House, Lyon Road, Harrow (<i>H&W AAP Site 21</i>)	Unavailable and site too small.
22	Gayton Road Car Park, Gayton Road, Harrow (<i>H&W AAP Site 22</i>)	Unavailable and site too small.
23	Harrow College, Brookshill, Harrow Weald (<i>SA LP Site GB2</i>)	New school would conflict with allocation objective to retain original building on this site, and EFA funding structure requires a site to house a modern new 'super block' building that is sustainable and energy efficient, therefore not suitable.
24	Harrow School Estate, High Street, Harrow (<i>SA LP Site G01</i>)	Not available.
25	Land at Stanmore Station, London Road, Stanmore (<i>SA LP Site H10</i>)	Site configuration could not accommodate building or functional outdoor space, therefore not suitable.
26	Edgware Town Football Club, Burnt Oak Broadway, Edgware (<i>SA LP Site H14</i>)	Site has planning permission for residential development, therefore acquisition costs likely to be high. Open space element allocated for community use and in flood zone 3A.

27	Royal National Orthopaedic Hospital, Brockley Hill, Stanmore (SA LP Site GB1)	Green Belt and unavailable.
28	Land at Brigade Close, South Harrow (SA LP Site MOS1)	Metropolitan Open Land and access not suitable.
29	Harrow Weald Park, Brookshill, Harrow Weald (SA LP Site MOS2)	Green Belt and unavailable.
30	Glenthorne, Common Road, Stanmore (SA LP Site MOS3)	Green Belt and unavailable.
31	The Santway, Clamp Hill, Stanmore (SA LP Site MOS4)	Green Belt and unavailable.
32	Prince Edward Playing Fields, Whitchurch Lane/Camrose Avenue, Edgware (SA LP Site MOS5)	Not available.
33	Whitchurch Playing Fields, Wemborough Road, Stanmore (SA LP Site MOS6)	Site suitable and available - SELECTED
34	St. George's Playing Field, Pinner View, North Harrow (SA LP Site G03)	Site has planning permission for residential development, therefore acquisition costs likely to be high. Developable area too small.
35	Kenton Lane Farm, Kenton Lane, Belmont (SA LP Site G06)	Site has planning permission for residential development, therefore acquisition costs likely to be high. Developable area too small.
36	Barnet Football Club, Underhill (Barnet UDP Site H2)	Green Belt and unavailable.
37	Watling Avenue Car Park, Burnt Oak (Barnet UDP Site H2)	Not available, unviable (due to flood works) and site too small.
38	North London Business Park, Brunswick Park Road & Denham Road (Barnet UDP Site H5)	Individual site/building components too small; no useable open space.
39	Colindale Hospital (Barnet UDP Site H7)	Unavailable (being brought forward by another developer).
40	New Barnet Gas Works, Albert Road (Barnet UDP Site H10)	Unavailable (being brought forward by another developer). Site has planning permission for residential development, therefore acquisition costs likely to be high.
41	Scratchwood Local Nature Reserve (Barnet UDP Site 14)	Green Belt, allocated as nature reserve and unavailable.
42	Land at Edgware Station, Edgware (Barnet UDP Site 15)	Allocated for bus operation purposes and not available.
43	Edgware Forumside (Barnet UDP Site H16)	Site unsuitable and, due to fragmented ownership, unavailable.
44	College Farm, Fitzalan Road (Barnet UDP Site 17)	Site unsuitable and not available.
45	Land rear of 120-204 High Street, Chipping Barnet (Barnet UDP Site H24)	Site unsuitable and not available.
46	Land adjacent to High Barnet Station, Great North Road, High Barnet (Barnet UDP Site 26)	Site configuration could not accommodate building, therefore not suitable. Unavailable.

47	Middlesex University Hendon Campus, The Burroughs, Hendon (<i>Barnet UDP Site H24</i>)	Unavailable (being brought forward by another education provider).
48	Inglis Barracks, Bittacy Hill, Mill Hill (<i>Barnet UDP Site H29</i>)	Unavailable (being brought forward by another developer).
49	Brent Cross New Town Centre and Cricklewood Eastern Lands (<i>Barnet UDP Site 37</i>) (<i>Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework SPG</i>)	Unavailable (being brought forward by another developer).
50	Welsh Harp Nature Reserve (<i>Barnet UDP Site 35</i>)	Site is a nature reserve and SSSI, therefore unsuitable.
51	Barnet College (<i>Collindale AAP Site 1</i>)	Unavailable (being brought forward by another developer). Site has planning permission for residential development, therefore acquisition costs likely to be high.
52	Grahame Park Estate, Lanacre Avenue (<i>Collindale AAP Site 2</i>) and Adastral South (part of Grahame Park Estate) (<i>Collindale AAP Site 3</i>)	Unavailable (being brought forward by another developer).
53	Middlesex University Student Accommodation (<i>Collindale AAP Site 7</i>)	Not available.
54	Beaufort Park (<i>Collindale AAP Site 8</i>)	Unavailable (being brought forward by another developer).
55	Peel Centre East (<i>Collindale AAP Site 12</i>) and Peel Centre West (<i>Collindale AAP Site 13</i>)	Unavailable (being brought forward by another developer).
56	British Library (<i>Collindale AAP Site 17</i>)	Unavailable (being brought forward by another developer). Site has planning permission for residential development, therefore acquisition costs likely to be high.
57	Former School Site adjacent to Broadfields Primary School, Roseberry Drive, Edgware (<i>other identified site</i>)	Unavailable (being brought forward by another developer). Site has planning application for residential development, therefore acquisition costs likely to be high.
58	Former Northways School, The Fairway, Mill Hill (<i>other identified site</i>)	Unavailable (being brought forward by another developer). Site has planning application for residential development, therefore acquisition costs likely to be high.
59	Former St. Joseph's College, Mill Hill (<i>other identified site</i>)	Not available.

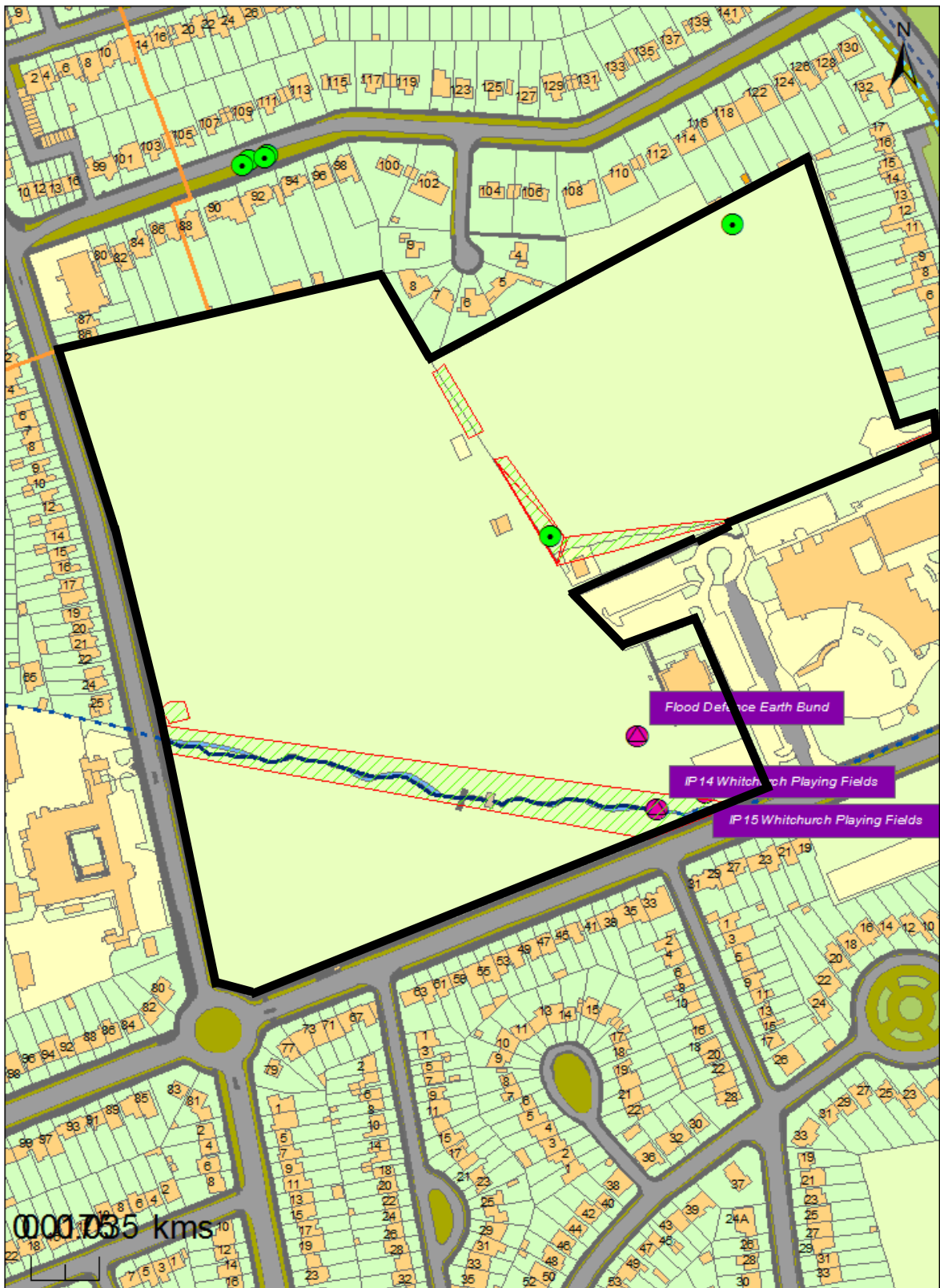
Other Discounted Sites

A further 27 sites within the Harrow Site Allocations Local Plan were discounted as being too small.

A further 13 sites within the Barnet UDP were discounted as being incapable of accommodating the proposed development.

A further 18 sites within the Collindale AAP were discounted as being too small.

WHITCHURCH PLAYING FIELDS, WEMBOROUGH ROAD, STANMORE



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SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

ITEM NO: 2/01

ADDRESS: DOCTORS SURGERY, 1 LANKERS DRIVE, HARROW

REFERENCE: P/4781/15

DESCRIPTION: CHANGE OF USE FROM DOCTORS SURGERY TO DAY NURSERY (USE CLASS D1); FRONT ENTRANCE CANOPY STEPS TO REAR ACCESS PARKING AND BIN / CYCLE STORAGE

WARD: HEADSTONE NORTH

APPLICANT: MR RAAJ RADIA

AGENT: R SHARPLES & ASSOCIATES

CASE OFFICER: DAVID BUCKLEY

EXPIRY DATE: 20/02/2016

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to condition(s).

A petition and additional representations were received and the opinion of the Divisional Director of Planning Services is that the application should be referred to the Planning Committee as cited in Appendix 1 paragraph 13 of the Scheme of Delegation dated 29th May 2013.

INFORMATION:

Statutory Return Type: E20: Change of Use
Council Interest: None
Net Additional Floorspace: N/A

Site Description

- The proposal is to change a former doctor's surgery (which is now no longer in use), to a children's nursery, both of which are within D1 Use Class.
- The previous planning permission for change of use from residential to doctor's surgery restricted the use to doctor's surgery only and for this reason planning permission is required for the current proposal.
- Additional restrictions were placed on the site including the number of staff and patients in order to control the intensity of use of the site.
- The site has a PTAL rating of 3.
- Immediately opposite the site is Longfield Primary School and there is a no parking area immediately outside the site and also on the opposite side of the road which restricts parking during the peak arrival (8:30 – 9.30am) and leaving times (3.00 –

4.30pm) for Longfield Primary School which can be used at other times.

- There is off-street parking on Lankers Drive.
- In the planning permission for the change of use to a doctor surgery, reference WEST/478/95/FUL, a Section 106 agreement included restrictions on the practice, that that the number of GP's on site should be a maximum number of 2, with 1 nurse and 1 additional staff member.

Proposal Details

- The proposal is for a change of use from doctor's surgery (D1a) to children's nursery (D1b).
- The Planning Statement states on page 10 that the nursery will create the equivalent of 9 full time jobs and a total of 44 places for pre-school children and babies.
- The proposed plans also show a front canopy porch, steps to the rear access and parking and a bin and cycle storage.

Revisions to Previous Application

- N/A

Relevant History

- WEST/45360/92/FUL - Continued use as doctors surgery (Class D1), Single Storey Rear Extension, Parking and Landscaping - Granted 1992
- WEST/148/94/FUL – Canopy on front and rear - Granted 1994
- WEST/570/94/FUL – First Floor Side to Rear Extension and Dormer – Refused 1994
- WEST/478/95/FUL- First Floor Side to Rear Extension - S.106 doctor surgery restrictions- GRANTED 1995

Applicants Submission Documents

- Design and Access Statement; Travel Plan; Transport Assessment

Site Notice

Reason for Notice: General Site Notice

Expiry Date: 30/11/2015

Consultations

Highways Authority- See Section 4 of this report 'Highways Impact'

Harrow Planning Policy Officer comment: "DM Policy 47 seeks to retain community uses to support sustainable communities. Therefore an alternative community use (a nursery) on this site is acceptable. Additionally given the premises has been marketed as a GP surgery with no success for over 12 months, and in light of the Harrow Clinical Commissioning Groups Estate strategies aim to consolidate GP practices across the Borough, and the deficit of nursery places within Harrow there are no Policy Objections."

Notifications

Sent: 14

Replies: 4 individual responses and 1 petition signed by 10 neighbours.

Expiry: 19/11/2015

Neighbours Consulted:

- 1-6 Dukes Avenue
- 476, 478, 480 Rayners Lane
- 2-6 Lankers Drive

Summary of Response(s):

Responses were received from neighbouring occupiers at the following addresses:

- 1 Dukes Avenue
- 2 Dukes Avenue
- 2 Lankers Drive
- 478 Rayners Lane

A petition was received included a covering letter that detailed objections to the proposal. This was signed by the following 10 neighbours:

- 2-12 Lankers Drive (even numbers)
- 1, 2, 4 and 5 Dukes Avenue

Summary of Objections from Individual Neighbour Responses

Traffic and Parking Related Objections

The neighbour objections related primarily to traffic and parking issues, these are summarised below as follows:

- The objections state that the proposed nursery will exacerbate these existing traffic and parking problems:
 - Longfield Primary School is in close proximity to the site and nearby neighbours. It has recently changed to a primary school only having previously been primary and middle school. This has increased the level of street traffic due to the increased number of younger children.
 - Commuters using North Harrow or Rayners Lane Stations park in the street which increases traffic and parking in the street as it is not restricted parking unlike most other nearby roads (this objection relates to Lankers Drive).
 - Drivers using Harrow/South Harrow stations use the road as a shortcut.
 - Most householders have 2-3 cars which increases parking presence on the street.
 - The parents dropping children block access to neighbours house during school hours, despite the zig zag lines. This has led to increased traffic warden presence recently.
 - Most parking spaces are already occupied by commuters using Rayners Lane tube station.
- Another objection states that while the Travel Plan states that some users of the nursery will walk or use public transport, this is doubtful to be the case in reality.

Existing Nurseries in the Area

- There are a number of existing nurseries in the area including, the Buckingham School, Regents Nursery and Busy Bees. The proposal will create an unhealthy concentration of nurseries in this area.

Health Issues

- The increased level of traffic will lead to health issues for neighbours.

Housing requirement

- The site was originally a residential dwelling and given the shortage of residential properties in the area it should revert to this.

Summary of Objections from Petition

1. Vehicle and pedestrian traffic in both Lankers Drive and Dukes Avenue is very bad in

the morning and afternoon when children from Longfield Primary School and are dropped off and picked up. Present owners and occupiers are finding themselves blocked in by inconsiderate drivers and the proposal will exacerbate this problem.

2. The travel plan states that only 45 % of users of the nursery will arrive by car, which is false as most children are dropped by car and there are 3 well-established nurseries within 5 minutes' walk of the property so the need for additional provision is minimal and most users of the proposed nursery will arrive by car.
3. The parking arrangements in the Travel Plan do not work. There is no free parking in Dukes Avenue and free spaces are being used by commuters who parking in Dukes Avenue and use Rayners Lane tube station.
4. There are already 3 well-established nurseries in the area and the building should revert to its original use of residential dwellinghouse.

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 London Plan (consolidated with alterations since 2011) (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
Character and Appearance of the Area
Residential Amenity
Highways Impact
Equalities Impact
S17 Crime & Disorder Act
Consultation Responses

Principle of the Development

Change of Use

The relevant policies in this regard are Development Management Policies DM47 which addresses the retention or loss of existing community facilities, i.e., the loss of the doctor's surgery and DM46 which relates to the provision of new community facilities, which in this case is the proposed nursery on site.

Policy DM47 states that the loss of an existing community facility would be acceptable where:

- a) There is no longer a requirement for this facility, or
- b) There are adequate facilities within walking distance, or
- c) The activities carried on are inconsistent or unacceptable to residents, or
- d) The redevelopment would secure over-riding public benefit

- The house on the application site was converted to a doctor's surgery in 1992 under reference WEST/45360/92/FUL. The Planning Statement submitted with the application states on page 10 that the property has been marketed for a doctor's surgery for approximately two years without success and an advert showing the property being marketed on the property website Zoopla as a house for rent during 2012.
- The Planning Statement goes on to state that that 'The Ridgeway' doctors surgery is located approximately 500m away from the application site. This would therefore comply with b) of DM 47 above. It is also states on page 10 of the submitted Planning Statement that the Ridgeway Doctor's Surgery has provided written support of the application, which has been submitted with the application.
- Planning permission W/478/95/FUL that gave permission for extensions to the surgery added restrictions to the operation and capacity of the surgery that the number of GP's on site should be a maximum number of 2, with 1 nurse and 1 additional staff member. This would be a relatively small GP surgery and so the loss of it would be of less impact than a more conventional sized GP surgery.
- In order to justify the loss of the doctor's surgery, it is only required to meet one of the points a-d above. It is considered that the proposal meets b) and to a lesser extent a).

Policy DM46 states that new community facilities will be supported where:

- a) they are located within the community that they are intended to serve;
- b) they are safe and located in an area of good public transport accessibility or in town centres; and
- c) there would be no adverse impact on residential amenity or highway safety.

A neighbour objection has been made stating that there are already three nurseries in close proximity to the site and there is no requirement for an additional nursery. Another objection has stated that there is a need for housing in the area and that the building should revert to its original use as a residential dwellinghouse. These objections have also been made in the covering letter to the submitted petition. The Travel Plan states on page 25 that the target population for pupils at the nursery will be from the nearby area, within walking distance of the site and that in the event of over-subscription, priority will be given to those within the shortest walking distance of the school. Furthermore, the response from the Planning Policy Team has stated that there is a shortage of nursery/pre-school places and as a result, the proposed nursery would be providing a needed service within the area.

The site would be accessible to public transport. However, due to the nature of the use, it is likely that private cars will be used to some extent in relation to the site. This and other issues related to traffic and transport will be addressed in more depth in the 'Highways Impact' section of this report.

Point c) above states that there should be no adverse impact on residential amenity or highway safety. This will also be addressed in the 'Highways Impact' and 'Neighbouring Amenity' Sections of this report.

Therefore, overall the proposed change of use is acceptable in principle, subject to demonstrating compliance with points b) and c) of DM 46 above.

External Alterations

This would include the front entrance canopy, the steps to the rear access and the bin and cycle storage. These are acceptable in principle, provided they are not harmful to the character and appearance of the area or to neighbouring amenity, as required by policy DM1 of the Harrow Development Management Policies Local Plan (2013).

Character and Appearance of the Area

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.'

Policy DM1 of the DMP gives advice that "all development 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".

Change of Use

The change of use would not in itself have a harmful impact on the character of the application site or the area and would therefore be considered acceptable in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

External Alterations

This would include the front entrance canopy, the steps to the rear access and the bin and cycle storage. These would represent minor changes to the appearance of the existing building and site. A condition has been attached requiring the approval of materials used in these elements to ensure they are in keeping with the main house and the street scene. These changes would be acceptable in character and appearance of the area in compliance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

In summary, the proposal would be considered acceptable in terms of its impact on the character and appearance of the host building and the street scene, in accordance with policies 7.4B and 7.6.B of the London Plan (2015), policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies (2013).

Residential Amenity

Policy DM1 of the DMP seeks to ensure that "proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted".

Change of Use

The change of use will result in a different use of the site than previously. Policies DM1 and DM46 of the Harrow Development Management Policies Local Plan (2013) state that in new development and in the provision of new community facilities that the proposal should ensure that there is no loss of amenity to neighbouring occupiers.

On pages 10 and 11 of the Planning Statement and pages 12 and 13 of the Travel Plan,

it has been stated that there will be a total of 44 places, comprising 24 places for pre-school children, 8 babies, 12 toddlers and the equivalent of 9 full-time jobs. The nursery garden would only be used in fine weather and the submitted documents state that the nursery would not operate on weekends or evenings, which would reduce the impact on neighbouring amenity.

A condition will be attached to ensure that the numbers of staff and children and also opening hours will be restricted to avoid operation at unsocial hours. Operations would be principally confined to internal area and noise transfer would therefore be limited. In any event, given the proximity of Longfield School which accommodates almost 800 students, the levels of noise associated with the development would be minor. The amenity issue that has been the primary concern of neighbour responses received is related to traffic and highways impact. This will be addressed in Section 4 'Highways Impact' below.

External Alterations

The porch and bike lockers would be proportionate in terms of their size and would be located away from neighbouring houses. The bicycle stand would be adjacent to the boundary with No. 3 Lankers Drive but would not have a harmful impact on neighbouring amenity. The removal of the ramp at the rear and the refuse container area would be minor in scale and would not have a harmful impact on neighbouring amenity.

In summary it is considered that the proposal would not lead to an unreasonable loss of neighbouring amenity, in accordance with policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies (2013).

Highways Impact

Policy DM43 of the Harrow Development Management Policies (2013) states that proposals that fail to satisfactorily mitigate the transport impacts of development will be resisted.

Change of Use

A number of objections have been received in relation to existing traffic and parking problems that would be exacerbated due to an increased number of visitors. Issues related to traffic and parking problems have been made in the covering letter of the petition, which largely overlap with the issues made in the individual objection letters. These specific problems have been listed in the 'Summary of Responses' section of this report above.

In response to these objections and the objections related to traffic and parking in the covering letter to the petition, the Highways Authority has highlighted that the fact that the opening hours of the nursery would be roughly 7.30am to 6.30pm. The Travel Plan indicates that the nursery would receive pupils between 7.30-8.15am and departures would be between 5-6.30pm. The nearby Longfield School's opening and closing times are closer to 8.30/9am to 3.30/4pm. This means the majority of the traffic from Longfield school would avoid the nursery traffic. Furthermore, although it is noted that commuters may park in the vicinity, there are zig-zag lines in close vicinity to the school which forbid parking during the hours of 8.30-9.30am and 3.00-4.30pm. Outside of these hours, parking is allowed in these spaces. It is considered that as most parking for parents using the nursery would only be a brief drop-off, these would be sufficient to provide parking spaces for the nursery and these spaces would not be practical for other commuters to use, due to their limited hours of availability.

A further neighbour objection raises the issue that while the submitted Travel Plan gives a commitment to increase public transport use by nursery users, that this may not be complied with. This point has also been made in the covering letter to the petition. The response from the Highways Authority has indicated that the targets within the Travel Plan are reasonable and achievable and would further limit localised impacts on the highway network. Though the targets set out could not be reasonably be enforced as monitoring would prove problematic, achievement of the targets set out would be in the interests of the owner to ensure the nursery remains attractive to prospective parents and avoid conflicts with surrounding land owners and users. A condition has been attached limiting the number of children on the site to ensure that proposed roster of pupils does not exceed the proposed levels.

Given these factors, particularly the absence of conflict with the school hours for drop-off, officers consider that the development would not adversely affect highway safety or convenience.

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 would not have any impact on equalities.

S17 Crime & Disorder Act

It is considered that the proposed design of the development would not lead to an increase in perceived or actual threat of crime.

Consultation responses

The neighbour objections are shown below, with the relevant response from the Council below each one:

Summary of Objections from Individual Neighbour Responses

Traffic and Parking Related Objections

The neighbour objections related primarily to traffic and parking issues, these are summarised below as follows:

- *The objections state that the proposed nursery will exacerbate these existing traffic and parking problems:*
 - *Longfield Primary School is in close proximity to the site and nearby neighbours. It has recently changed to a primary school only having previously been primary and middle school. This has increased the level of street traffic due to the increased number of younger children.*
 - *Commuters using North Harrow or Rayners Lane Stations park in the street which*

increases traffic and parking in the street as it is not restricted parking unlike most other nearby roads (This objection was made in relation to Lankers Drive).

- *Drivers using Harrow/South Harrow stations use the road as a shortcut.*
 - *Most householders have 2-3 cars which increases parking presence on the street.*
 - *The parents dropping children block access to neighbours house during school hours, despite the zig-zag lines. This has led to increased traffic warden presence recently.*
 - *Most parking spaces are already occupied by commuters using Rayners Lane tube station.*
- *Another objection states that while the Travel Plan states that some users of the nursery will walk or use public transport, this is doubtful to be the case in reality. These objections have been addressed in Section 4 'Highways Impact', above.*

Existing Nurseries in the Area

- *There are a number of existing nurseries in the area including, the Buckingham School, Regents Nursery and Busy Bees. The proposal will create an unhealthy concentration of nurseries in this area.*
This issue has been addressed in Section 1 'Principle of the Development' and Section 4 'Highways Impact' above.

Housing requirement

- *The site was originally a residential dwelling and given the shortage of residential properties in the area it should revert to this.*
This issue has been addressed in Section 1 'Principle of the Development' above.

Health Issues

- *The increased level of traffic will lead to health issues for neighbours.*
The increased level of traffic would not be sufficient for it to be considered a material planning consideration in relation to neighbour's health.

Summary of Objections from Petition

1. *Vehicle and pedestrian traffic in both Lankers Drive and Dukes Avenue is very bad in the morning and afternoon when children form Longfield Primary School and are dropped off and picked up. Present owners and occupiers are finding themselves blocked in by inconsiderate drivers and the proposal will exacerbate this problem.*
This has been addressed in Section 4 'Highways Impact', above.
2. *The travel plan states that only 45 % of users of the nursery will arrive by car, which is false as most children are dropped by car and there are 3 well-established nurseries within 5 minutes' walk of the property so the need for additional provision is minimal and most users of the proposed nursery will arrive by car.*
This has been addressed in Section 4 'Highways Impact', above.
3. *The parking arrangements in the Travel Plan do not work. There is no free parking in Dukes Avenue and free spaces are being use by commuters who parking in Dukes Avenue and use Rayners Lane tube station.*
This has been addressed in Section 4 'Highways Impact', above.
4. *There are already 3 well-established nurseries in the area and the building should revert to its original use of residential dwellinghouse.*
This has been addressed in Section 1 'Principle of Development' above.

CONCLUSION

For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this 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 Notwithstanding the approved plans, the development hereby permitted shall not commence until details are submitted in writing to the local planning authority for approval, showing the detail of the proposed materials to be used in the external alterations. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To preserve the character and appearance of the adjacent Conservation Area in accordance with policy DM 1 of the Development Management Policies Local Plan 2013.

3 Parents or other users of the site will not be permitted to drop children at the site between the hours of 8.30-9.30 am and also the hours of 3.00 and 4.30pm between Monday and Fridays.

REASON: a: To safeguard the amenity of neighbouring residents and the character of the locality; b: In the interests of highway safety, to comply with policy DM43 of the Development Management Policies Local Plan 2013.

4 The opening times of the nursery will be restricted to Mondays-Fridays from 7.30am until 6.30pm and on Saturdays from 7.30am to 1.30pm. It will not be permitted to open on Sundays or Bank holidays without the express permission of the local planning authority.

REASON: a: To safeguard the amenity of neighbouring residents and the character of the locality; b: In the interests of highway safety, to comply with policy DM43 of the Development Management Policies Local Plan 2013.

5 The number of children cared for, at any one time on the site, shall not exceed 45.

REASON: a: To safeguard the amenity of neighbouring residents and the character of the locality; b: In the interests of highway safety, to comply with policy DM43 of the Development Management Policies Local Plan 2013.

6 The development hereby permitted shall be carried out in accordance with the following approved plans: 001; 002; 005 Revision A (Existing); 005 Revision A (Proposed); Design and Access Statement; Planning Statement; Travel Plan.

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

1 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

Harrow Core Strategy (2012):

Policy CS 1B

Development Management Policies Local Plan 2013

Policy DM 1 Achieving a High Standard of Development

Policy DM42 Parking Standards

Policy DM43 Transport Assessments and Travel Plans

Policy DM46 New Community, Sport and Education Facilities

Policy DM47: Retention of Existing Community, Sport and Education Facilities

2 INFORM23_M - 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 INFORM32_M - The Party Wall etc. Act 1996

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

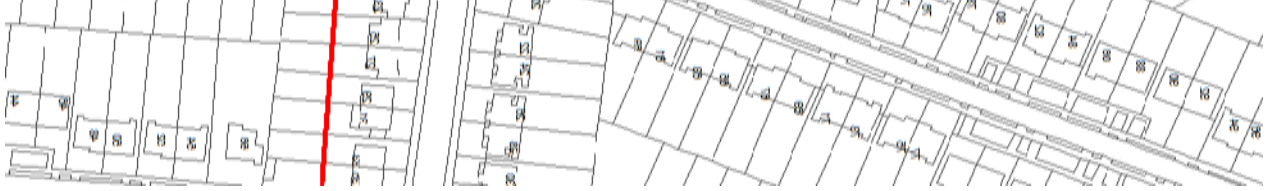
4 INFORMATIVE:

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

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service.

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

Plan Nos: 001; 002; 005 Revision A (Existing); 005 Revision A (Proposed); Design and Access Statement; Planning Statement; Travel Plan



ITEM NO: 2/02

ADDRESS: WELLDON PARK INFANT AND JUNIOR SCHOOL, KINGSLEY ROAD, SOUTH HARROW

REFERENCE: P/5734/15

DESCRIPTION: SINGLE STOREY SIDE EXTENSION WITH CANOPIES; FORMATION OF NEW HARD PLAY AREAS INTERNAL FENCING AND LANDSCAPING TO INCREASE SCHOOL FROM A TWO FORM ENTRY TO A THREE FORM ENTRY SCHOOL

WARD: ROXETH

APPLICANT: HARROW COUNCIL

AGENT: SCAPE GROUP LTD

CASE OFFICER: MICHAEL ROWSON

EXPIRY DATE: 17/02/2016

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 and the land is at Welldon Park Infant School, Kingsley Road, South Harrow, HA2 8LF.

INFORMATION

The application is reported to the Planning Committee because the Council is the applicant and landowner and the proposal is greater than 100 m² and therefore falls outside of category 1(h) of the Council's scheme of delegation.

Legal Comments

Regulation 3 of the Town and Country Planning General Regulations 1992 [Statutory Instrument 1992/1492] provides that applications for planning permission by an interested planning authority to develop any land of that authority shall be determined by the authority concerned, unless the application is called in by the Secretary of State under Section 77 of the Town and Country Planning Act 1990 for determination by him.

The application is made by LB Harrow who intends to carry out the development on the land at Welldon Park Infant School, Kingsley Road, South Harrow, HA2 8LF.

The grant of planning permission for this development falling within Regulation 3 shall ensure only for the benefit of LB Harrow.

Statutory Return Type: Minor Development

Council Interest: The Council is the landowner.

Gross Floorspace: 267.50sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): The Mayor of London Charging Schedule (February 2012) outlines that CIL will not be payable where "Development is used wholly or mainly for the provision of education as a school or college under the Education Acts or as an institution of higher education".

Harrow Community Infrastructure Levy (CIL) Contribution (provisional): This does not apply to educational uses.

BACKGROUND

The Harrow School Expansion Programme

Harrow Council has a statutory responsibility to provide sufficient school places for its area. Like most London Boroughs, Harrow is experiencing a significant increase in demand for school places. The increasing demand is primarily birth rate driven but is complicated by other factors such as migration, household occupancy, size of families, etc. The main pressure on school places is currently in the primary sector, though pressure is also being experienced in the special educational needs sector and will be experienced in the secondary sector when the additional pupil numbers progress through to the high schools.

Harrow Cabinet agreed its school place planning strategy in February 2010 to meet the increasing demand for school places. Harrow is a congested urban borough and there is very limited effective scope to build new schools. In July 2015, Cabinet agreed on a Primary School Expansion Programme as part of the School Place Planning Strategy. The strategy aims to secure sufficient primary school places through the creation of additional permanent places, supplemented by the opening of temporary additional classes as required to meet the peak and variations in demand.

Harrow has been opening additional temporary reception classes since 2009, with an increasing trend in the number of places opened. Phase 1 of the primary school expansion programme was implemented in September 2013 with 8 schools in the borough permanently increasing their reception intakes and 9 temporary additional reception classes were also opened. Statutory proposals for phase 2 of the Primary School Expansion has been completed with 19 school obtaining planning permission to expand.

Harrow Council consulted about combining and expanding Welldon Park Infant and Junior Schools on Monday 29 September to Friday 14 November 2014.

On 19 February 2015 Harrow Cabinet considered the outcome of consultation, including the recommendations of the governing bodies and officers, and resolved to:

- establish a combined Welldon Park primary school from 1 September 2015.
- expand the school by one form of entry (30 pupils) from 1 September 2015.

Site Description

- The application site is occupied by Welldon Park Infant School, consisting of a series of connected single storey and two storey buildings which are typically brick faced. The buildings are broadly laid out in a Y-shape plan.
- The Infant School currently has 210 pupils including a bulge class in Reception and

also has a 52 pupil nursery. The school employs 81 members of staff.

- A single storey building is positioned north of the main school building.
- The school is bordered by the rear gardens of residential properties on the north, south and west boundaries, whilst the east border is formed by a footpath with allotment gardens beyond.
- The school is positioned centrally on the site, with areas of soft play on the east side of the site, with hard play area positioned on the west of the site. The soft landscaped areas surrounding the buildings are designated open space as identified in the Harrow Core Strategy (2012) and Harrow Local Area Map (2013).
- The site is served by a single vehicle access from Kingsley Road to the north and has 17 car parking spaces laid out at the north west of the site.
- The main pedestrian access to the site is also from Kingsley Road and a secondary pedestrian access point is positioned in the boundary fence on the east boundary, providing access to the footpath on that boundary.
- There are variations in topography across the site, including a large grass mound in the east corner of the site with an overall gradual slope down from east to west.
- The surrounding area is characterised by residential development.

Proposal Details

- The proposed extensions are in association with the expansion of the school from two form entry to three form entry. The proposal would enable the school to expand from 210 pupils to 270 pupils plus the nursery to provide an additional Reception Year, Year 1 and Year 2 class as part of the amalgamation with the junior school.
- The application proposes a single storey extension with a flat roof to the north east of the school, including projecting canopies and formation of associated hard play area.
- The single storey extension would be to the north east of the existing building, with a maximum projection of 18.28m, and width of 16.45m. It would have a flat roof with a maximum height of 4.05m.
- Internally the extension would provide a Nursery classroom, a Reception classroom, group spaces, associated offices and WC facilities.
- A nursery play area and area of hard play area would be positioned adjacent to the building measuring a combined total of 333m².
- Two canopies measuring 3.6m in depth, 8.5m in width and 3.40m in height would project from the south east and north east elevations.
- Solar panels would be positioned on the roof.

Relevant History

LBH/8956 – Development of land and erection of school
GRANT – 28/06/1973

LBH/8956/2 – Erection of a single storey caretakers dwelling house
GRANT – 13/03/1975

WEST/152/99/FUL – Installation of children low level play equipment and all weather surface.
GRANT – 10/05/1999

P/0438/11 - Resurfacing of existing car park; new canopy over existing decking; new free standing canopy to the south of the car park; new cycle storage to west of car park; new footpath along the edge of the car park; automatic vehicle and pedestrian gate at entrance off Kingsley Road

Pre-Application Discussion

The scheme was considered during a series of pre-application meetings to discuss the developing design and application requirements.

Applicant Submission Documents

- Design and Access Statement
- Transport Assessment
- Flood Risk Assessment
- Geo-Environmental Desk Study
- Preliminary Ecological Appraisal
- Site Investigation Report
- Arboricultural Impact Assessment
- Compliance Simulation Report

Consultations

- Highways Authority:

The schools appear to have a high percentage of pupils travelling by non-car methods at the present time and there is a strong desire from pupils for this to increase further. The mitigation measures suggested within the report recommend investigating the use of the Roxeth Recreation Ground car park as a Park & Stride base – this is supported.

It is essential that all LP2015 standards for cycle parking and vehicular parking are met.

We feel that the mitigation measures proposed together with the imminent introduction of a 20mph zone around the school and expansion of the existing controlled parking zone into Wyvenhoe Road are sufficient to alleviate any significant problems that may be associated with the potential increase in traffic as a result of the school expansion.

- Drainage Engineer:

I can confirm that the drainage information submitted is satisfactory.

- Landscape Architect:

No objections – this project has been the subject of pre-application meetings and the landscape issues were discussed, however the submission does not appear to have any landscape detail. Note that the proposed levels detail will be very important around the new building, since excavated material is to be used as fill on the existing site.

The tree protection plan and method statement need to be put in place and adhered to on site, as in the arboricultural report.

Also include, as in the method statement a report for audited arboricultural site monitoring to ensure good practice when working in close proximity to the existing trees. Protective measures must be in place prior to any ground or construction works taking place.

A detailed hard and soft landscape plan will be required and this should be conditioned.

The following hard and soft landscape conditions would be required:

- ❖ Landscaping to be Approved

- ❖ Landscaping Scheme – Implementation including a period of 5 year period for replacements of soft landscape
 - ❖ Levels
 - ❖ Boundary Treatment
 - ❖ Material Details
- Biodiversity Officer:

The Preliminary Ecological Assessment [PEA] suggests that:

- The use of native planting in landscaping, brown roofs and green wall to enhance biodiversity of the site.
- A Construction Environmental Management Plan is produced (Section 5.10)
- Sensitive lighting. I would expect lighting on site to be LED down lighting, on the lowest appropriate columns. Luminaires should not emit UV-light
- Bat boxes/tubes are affixed to external walls of buildings and to trees and recommends the most suitable types and how they should be orientated (Section 5.15). The same paragraph goes on to suggest landscaping to enhance foraging and commuting opportunities for bats (Section 5.16).
- Types, locations and orientations of bird boxes suitable for use at the site are recommended (Sections 5.19 and 5.20).
- The applicant and contractors should be mindful of the, albeit, small possibility of badgers (5.11 & 5.12) and reptiles (5.22) being present, in the latter case particularly if development plans change. If these species are found work should cease and a suitably qualified ecologist contacted.

The items mentioned above should be secured by condition.

Advertisement

- N/A

Notifications

Sent: 73

Replies: 0

Expiry: 14/01/2016

Site notices were displayed at the site on 07/01/2016

Summary of Responses

- N/A

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, the Harrow Core strategy 2012 and the policies of the Harrow Development Management Policies Local Plan 2013.

MAIN CONSIDERATIONS

Principle

Character and Appearance of the Area

Residential Amenity

Traffic and Parking

Sustainability

Accessibility

Biodiversity, Trees and Landscaping

Flood Risk and Drainage

S17 Crime & Disorder Act

Equalities and Human Rights Considerations

Principle

The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 of the NPPF should be taken as a whole in defining what amounts to sustainable development. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating a high quality built environment that reflects the community needs and support its health, social and cultural well-being. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.

The National Planning Policy Framework (2012) outlines at paragraph 72 that: “The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Local Planning authorities should give great weight to the need to create, expand or alter schools”.

Furthermore, on 15/08/11 the DCLG published a policy statement on planning for schools development which is designed to facilitate the delivery and expansion of state funded schools. It states:

The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state funded school places, increasing choice and opportunity in state funded education and raising educational standards.....The Government wants to enable goods schools to opens and new schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state funded school sector to meet both demographic needs and the drive for increased choice and higher standards”.

“It is the Government’s view that the creation and development of state funded schools is strongly in the national interest and that planning decision makers can and should support that objective, in a manner consistent with their statutory obligations”

Core policy CS1 of the Harrow Core Strategy (2012) states that: “The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing and proposed development, or required to meet projected future requirements.” Policies 3.16 and 3.18 of The London Plan (2015) seek to ensure inter

alia that development proposals which enhance social infrastructure, education and skills provision are supported.

Policy DM46 of the Harrow Development Management Policies Local Plan supports proposals for the provision of new education facilities provided that they are (a) located in the community which they are intended to serve; (b) subject to them being located in an area of good public transport accessibility and would not result in any adverse impacts on residential amenity or highway safety.

The educational use of this site is long established. The proposal would result in the provision of permanent educational facilities with a high standard of design and layout to provide much needed school places within the existing community. It is considered that the impact on residential amenity would be acceptable and that the proposal would not be detrimental to highway safety. Against the backdrop of existing provision, the proposed development will result in an improvement in the quality of the physical facilities on the site. The development will be constructed for educational use and it is considered to be fit for its purpose (from a planning perspective). Furthermore, Harrow has a clear, demonstrable need to create more school places to meet a growing demand for educational space identified in the development plan.

London plan policy 7.18 sets out that “The loss of local protected open spaces must be resisted unless equivalent or better quality provision is made with the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate. Core Policy CS1 F of the Harrow Core Strategy outlines that Harrow’s open spaces will be managed as an interconnected, multifunctional environmental resource that contributes to biodiversity, adaptation to climate change, and to people’s health and well-being. The quantity and quality of existing open space shall not be eroded by inappropriate uses. It goes onto state that *“The reconfiguration of existing open space may be permitted where qualitative improvements and/or improved access can be secured without reducing the quantity of the open space.”*

Policy DM 18 of the Harrow Development Management Policies Local Plan outlines that *“Proposals for ancillary development on land identified as open space will be supported where a – it is necessary or would facilitate the proper functioning of the open space, b – it is ancillary to the use of the open space, c – it would be appropriate in scale and d – it would not detract from the open character of the site or surroundings”.*

The extension would project onto the existing soft play area at the east of the existing building, which is designated as an area of open space. The proposal would result in the loss of 680m² of that designation in the form of the building footprint and hard play area. The reasoned justification for the protection of open space within the development plan explains that *“open spaces provide most of the Borough’s parks and gardens, play areas, amenity greenspaces, natural and semi-natural environments, outdoor sport space and allotments which are close related to residents’ homes.”* Given the more enclosed nature of the open space which would be built upon here and its restricted access to the Borough’s residents, the extent of harm associated with construction on this land would be localised and limited.

The additional hard play area is directly associated with the education of the additional children to be taught within the school and due to the confined nature of the site there is no potential to mitigate the loss of that area through provision of additional soft

landscaped areas elsewhere on the site. However, conditions have been added to improve the retained landscaped areas.

The loss of open space associated with the development would conflict with development plan policies. However, weighed in the balance alongside the significant policy support to enhance and improve schools contained in the NPPF and Local Plan, the ever-increasing pressures on local authorities to fulfill statutory obligations relating to providing educational places, the pressures of availability of other land to deliver these obligations and the localised nature of the harm arising from development on this land, officers consider that the land use principle should be supported.

The site is located to the west of land designated as Metropolitan Open Land [MOL]. However, given the scale of the extension and its separation from the eastern boundary of the site, the development would not unduly affect the openness of the MOL.

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 NPPF attaches great importance to the design of the built environment, stating,

“good design is a key aspect of sustainable development...and should contribute positively to making places better for people”. It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments like the proposed development. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness. In addition, it states that *‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’*.

The 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. Policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment.

Core Policy CS1.B states that all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.

Policy DM 1 of the Development Management Policies Local Plan (2013) states that all development must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout or which would be detrimental to local character and appearance will be resisted. It reinforces the principles set out under The London Plan (2015) Policy 7.4B which seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surroundings and should

have a satisfactory relationship with adjoining buildings and spaces.

The proposed single storey extension would be positioned to the north east of the existing school and would reflect the design of that building in terms of scale and layout. The extension would be proportionate to the existing school and would not be overly prominent or out of keeping with the educational use of the building.

The proposal would not be visible from Kingsley Road, to the north, and whilst visible from the public footpath to the east, it would not be out of keeping, or detrimental to the character and appearance of the area.

The additional hard and soft landscaping proposed would impact the appearance of the site. However, it is considered that the impact would be limited and acceptable. Conditions have been attached which require the submission of further hard and soft landscaping details to ensure they are of a suitably high standard and to ensure that the scheme has a positive impact on the biodiversity of the site and the surrounding area.

To ensure that the materials used in construction of the main extension are acceptable, a condition has been attached requiring submission of samples prior to commencement of development, whilst the submission of an acceptable design for the projecting canopies has also been secured by condition as these details have not been submitted.

Overall, subject conditions discussed above, it is considered that the proposal is acceptable in this regard and would be in keeping with the character and appearance of the school site and wider area. As such, the proposal is considered to comply with policies 7.4B and 7.6B of The London Plan (2015) Core Policy CS1 B of the Harrow Core Strategy (2012) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

Residential Amenity

The London Plan policy 7.6B states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. Policy DM1 (sub-sections C and D) of the Development Management Policies Local Plan (2013) requires all development to achieve a high standard of privacy and amenity. The adopted SPD 'Residential Design Guide' elaborates upon policy DM1 with detailed guidance aimed at balancing the right of a landowner to develop their property with the need to protect adjoining occupiers from development that would unduly harm their residential amenities.

Impact on residential amenity

The single storey extension would project to the north east of the existing school building, and not towards any neighbouring residential buildings. The closest neighbouring dwellings (no.131-141 Kingsley Road) would be approximately 50 metres to the north of the single storey proposal.

Having regard to the scale and siting of the proposal, it is considered that it would not result in any detrimental impacts on the residential amenities of the neighbouring occupiers in terms of loss of light, overshadowing, loss of privacy or overlooking.

Given the minor nature of the other external alterations proposed, they would not result in any material impacts on neighbouring amenity.

Increase in Intensity of Use

The National Planning Policy Framework places particular emphasis on meeting the need for school places. Within urban areas, the growth of school places will result in some additional impacts upon nearby residential properties. The NPPF nevertheless requires that particular weight be applied to the need to expand and alter schools.

The proposed extension would accommodate an additional 60 pupils, with an associated increase in the area of hard and soft play space. Whilst such an increase will likely result in an increase in noise during school hours, the resulting noise and disturbance is not considered to significantly undermine residential amenity to a greater degree than the existing school use would and such impacts would not outweigh the strong emphasis given to expanding schools within national planning policy and the support within the Local Plan.

Vehicle Access and Traffic

The proposal does not include alterations to the existing vehicular or pedestrian access arrangements and the existing car parking area is to be retained as existing. The application is therefore considered acceptable in this regard.

Construction Disturbance

The development has been planned to involve minimal on-site construction, with the building being constructed from components built off-site. However, a degree of noise and disturbance is to be expected during the construction process.

Given the proximity of the application site to surrounding residential premises, and the potential to cause disturbance throughout the construction phase, it is considered reasonable to require a full Construction Logistics Plan to be submitted prior to development, and a planning condition requiring this is attached accordingly.

In summary, the proposal would accord with policy 7.6B of The London plan (2015) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

Traffic and Parking

The London Plan (2015) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. This is further emphasised by policy core policy CS 1 R of the Harrow Core strategy (2012). Policy DM 42 of the Harrow Development Management Local Plan outlines the council's parking standards and cycle parking standards.

At peak times, in the morning and afternoon, the existing school already results in short term, localised high demand for parking, as guardians drop off and pick up children from the school. This is particularly apparent on Wyvenhoe Road and at the western side of Kingsley Road. This pattern, and the impact upon non-school traffic, is repeated across the Borough, and across the Country.

There is a likelihood that the existing disruption will increase at these times as the pupil numbers rise. Outside of this time, service vehicles and visitors to and from the extended school are unlikely to give rise to significant interference of traffic using the surrounding roads.

Policy DM 43 of the Harrow Development Management Local Plan (2013) requires that

proposals for major development should provide a transport assessment in order to quantify the impacts of the proposal upon public transport, the highway network, the cycle network and upon conditions for pedestrians. Although the proposal is not a major development, the application is supported by a Travel Assessment.

The Transport Assessment (TA) submitted in support of the application was undertaken by an independent travel consultant. The details and recommendations of the TA have been referred to the Council's Highways Authority to consider the potential impact of the development and this is discussed in detail below.

The site is located in a suburban residential area and is bordered by residential housing on north, south and west boundaries with the main access from Kingsley Road. The schools are within walking distance of South Harrow and Northolt Park Railway Stations.

The streets surrounding the school are relatively quiet residential roads, although the nearby Northolt Road is a busy shopping area. The school is accessed from the southern cul-de-sac end of Kingsley Road which runs parallel to Northolt Road with six roads linking the two roads.

The only vehicle access point to the site is from Kingsley Road, which provides access to a parking area at the north west of the site which provides parking for 17 vehicles. There are two pedestrian access points to the school, with one entrance from Kingsley Road and the other from the footpath which joins South Hill Avenue with Wood End Avenue.

Most of the children live in South Harrow within the HA2 postcode although other postcodes are also represented. The school is the borough resource for children with speech and language impairment and is resourced to take eight such children. Not all of those children have transport provided by the borough and so may have to travel long distances to reach the school. The school has a number of peripatetic teachers associated with the teaching of these children who visit regularly, and these teachers drive due to the nature of their job.

In addition some children are in temporary housing, resulting in relocation of housing whilst remaining at the school for continuity of education. For parents of some of these children, the use of a car is the only option.

There are parking restrictions on Kingsley Road with double yellow lines adjacent to priority junctions and School Keep Clear Markings outside the school on the southern side of Kingsley Road that are in force between 08:30 and 09:30 and 14:00 and 15:00 from Monday to Saturday. The road is subject to a 30mph speed limit and markings indicating the presence of a school.

The surrounding roads are mainly residential in nature, subject to 30mph speed limit with residential parking bays operating from 10:00 to 11:00 and 14:00 to 15:00 on Monday to Saturday with yellow lines elsewhere.

A 20mph speed limit around the school and expansion of the existing CPZ into Wyvenhoe Road are to be introduced imminently.

Results in a hands-up survey indicate that a high proportion of trips currently generated by the school are not car based. Walking, scooting and cycling make up 69% of journeys

by pupils, with car based trips accounting for 27% of trips. The high level of non-car trips is likely to be due to the small catchment area of the school in combination with the previously implemented School Travel Plans.

School Travel Plans

Harrow places a strong emphasis on School Travel Plans and associated walking and cycling measures that deliver health benefits and a reduction in air pollution.

The Council's Travel Planning Officers work closely with schools to produce School Travel Plan documents. This work is done in partnership with the schools, parents and children to change travel habits and travel modes and use any infrastructure schemes developed in accordance with the travel plan that will encourage walking, cycling or public transport use.

The Infant School has a recent School Travel Plan which was updated in December 2014 for the 2014/2015 school year.

The submitted Travel Assessment recommends a number of mitigation measures to include in future School Travel Plans, which are supported by the Council's Transport Planning Officers. These measures include:

- Encouraging sensible and considerate parking;
- Encouraging sustainable modes of travel;
- Ensuring safe travel to school; and
- Improving the level of safety for pupils in and around the site.

The mitigation measures suggested within the Transport Assessment recommend investigating the use of the Roxeth Recreation Ground car park as a Park & Stride base which is supported by Council Transport Planners and this investigation will be sought as part of the next Travel Plan submission.

Highways and Parking impact

The submitted Transport Assessment indicates that 17 additional vehicular trips over the peak period (15 pupil and 2 staff) would result from the proposal, and that the road network would continue to operate within theoretical capacity.

The existing car park is well utilised and is often over capacity. Therefore the Transport Assessment submitted assumes that two full time parking spaces would be required on the surrounding road network, finding that the overall parking situation is likely to remain within capacity throughout peak periods following the proposed extension.

It should be noted that the above impacts do not take into account the benefits of future measures that the next School Travel Plan would implement, which would improve that situation.

Cycle Parking

In terms of bicycle parking, London Plan (2015) standards require the provision of one space per eight staff plus one space per eight students as long stay parking and one space per one hundred students as short stay parking.

Cycle and scooter parking places can be monitored through the schools travel plan and additional spaces provided should demand dictate. However, no details have been

provided with regard to the overall number of spaces available on site presently or proposed as part of the extension.

Accordingly, a condition is recommended, requiring full details of proposed cycling parking facilities in accordance with London Plan standards and that additional space should be provided should demand dictate via the Travel Plan.

It is considered that the scheme would not result in a significant impact on the surrounding highway network and that the mitigation measures proposed together with the imminent introduction of a 20mph zone around the school and expansion of the existing controlled parking zone into Wyvenhoe Road are sufficient to alleviate any significant problems that may be associated with the potential increase in traffic as a result of the school expansion.

The proposal is therefore considered to be acceptable, having regard to the aims and objectives of policy 6.3 of The London Plan (2015), core policy CS 1 R of the Harrow Core Strategy, and policies DM 42 and 43 of the Harrow Development Management Policies Local Plan (2013).

Sustainability

London Plan policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11. Policy 5.2 B outlines the targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations. Currently the target is a 40% reduction for all major development proposals. Policy 5.2 C outlines that "Major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions are to be met within the framework of the energy hierarchy".

Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to ensure that the design and layout of development proposals are sustainable. It states that development will need to "*utilise natural systems such as passive solar design and, wherever possible incorporate high performing energy retention materials*"..."*Proposals should make provision for natural ventilation and shading to prevent internal overheating and incorporate techniques that enhance biodiversity*". Policy DM 14 highlights that development proposals should incorporate renewable energy technology where feasible.

Harrow Council's Supplementary Planning Document on sustainable Building Design (adopted May 2009) seeks to address climate change through minimising emissions of carbon dioxide.

The internal layout and proportions of the teaching rooms and windows have been designed to allow optimum daylight and optimum natural ventilation within the space to prevent overheating in line with Education Funding Agency (EFA) requirements.

The Compliance Simulation Report submitted in support of the application states that the building has also been designed to comply with Building Regulations Part L (energy efficiency), with low energy lighting with intelligent controls and 10m² of Photo Voltaic Cells included at roof level to provide an additional 20% reduction in carbon emissions. The proposal is not classified as a major development, therefore a 40% reduction above

TER is not required in this instance. However, the use of renewable technology is welcomed.

It is considered that the proposal is in accordance with policies 5.2 and 5.3 of The London Plan, Core Policy CS1 T, policies DM 12 and DM 14 of the Harrow Development Management Policies Local Plan and the Councils adopted SPD Sustainable Building Design.

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 DM 2 of the Harrow Development Management Policies Local Plan (2013) seeks to ensure that buildings and public spaces are readily accessible to all.

The applicant has stated that the proposed extension has been designed in full accordance with Part M of the Building Regulations and the plans illustrate that it would be fully wheelchair accessible with level access provided to the building both internally and externally.

It is therefore considered that the proposal would meet the requirements of policy 7.2 of the London Plan (2015) and policy DM 2 of the Harrow DMPLP (2013).

Biodiversity, Trees and Landscaping

Policy 7.21B of The London Plan (2015) states that "Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species".

Policy DM 22 of the Development Management Policies Local Plan states that:

"A. The removal of trees subject to TPOs or assessed as being of significant amenity value will only be considered acceptable where it can be demonstrated that the loss of the tree(s) is outweighed by the wider public benefits of the proposal."

"B. Development proposals will be required to include hard and soft landscaping that:

- a. Is appropriate to the character of the area;*
- b. Is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours;*
- c. Achieves a suitable visual setting for the building(s);*
- d. Provides for sufficient space for new or existing trees and planting to grow; and*
- e. Supports biodiversity."*

"Proposals for works to trees in conservation areas and those the subject of tree preservation orders will be permitted where the works do not risk compromising the amenity value or survival of the tree."

There are a number of mature trees located on the site. None of the trees on the site are protected by a tree preservation order but nevertheless they make a positive contribution to the amenity value of the adjacent area as well as providing wildlife habitats.

The application is accompanied by an Arboricultural Impact Assessment which concludes that the majority of the trees on the site can be retained with the exception of one, category C tree which must be removed for development purposes.

On balance, it is considered that the improvement to educational facilities and measures to support the expanded school in this case would outweigh the loss of trees in this location, particularly as the loss can be mitigated by improved soft landscaping.

The application has been referred to the Council's Arboricultural Officer and Landscape Architect who are satisfied with the conclusions of the report, subject to a condition that the recommendations within the report are adhered to through the construction process including the method statement and proposed tree protection plan as well as provision of additional hard and soft landscaping for the site. Accordingly, conditions are recommended in respect of this.

The submission included a Preliminary Ecological Assessment (PEA) which has been referred to the Council's Biodiversity Officer who is satisfied with the conclusions of the report, subject to a condition that the recommendations within the report are adhered to through the construction process and beyond.

Subject to conditions in respect of the above matters, officers consider that the ecological and aesthetic value of the area would not be significantly harmed and the development would thereby comply with policies 7.21 and 7.19 of The London plan (2015) and policies DM 20, 21 and 22 of the Harrow Development Management Policies Local Plan (2013).

Flood Risk and Drainage

The NPPF (2012) outlines the need to manage flood risk from all sources (paragraph 100). Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban drainage (SUDS) hierarchy. Similarly, policy DM 10 of the Harrow Development Management Policies Local Plan (2013) requires that *"proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off. Substantial weight will be afforded to the achievement of greenfield run off rates"*.

The site lies in flood zone 1 and therefore has a low risk of flooding. As such, there are no restrictions in terms of planning policy for constructing an extension on the site, subject to surface water management controls.

The development would increase the footprint of development on the site which would generate an increased rate and volume of run off from the site. Due to the composition of the soil it is proposed to attenuate the surface water discharge from the site using hydrobrake flow controls and a sub-surface crate storage system in order to achieve a discharge rate of 5 l/s which will meet the required greenfield run off rates.

The proposed details of surface water attenuation and arrangements for foul water have been referred to the Council's Drainage Engineers who are satisfied with the principal of the proposals.

The development is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and would satisfy London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policy DM 10 of The Harrow

S17 Crime & Disorder Act

It is considered that the proposed development would not adversely impact upon community safety issues and so it would comply with policy 7.3 of The London Plan (2015).

Equalities and Human Rights Considerations

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 the reasons considered above, and weighting up the development plan policies 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:

Preliminary Ecological Appraisal, dated September 2015, Welldon Park Infant School KS1 Compliance Simulation Report, dated 27 November 2015, Site Investigation Report, dated October 2015, Harrow School Window Design, Arboricultural Impact Assessment, dated 04 December 2015, Design and Access Statement, Flood Risk Assessment, dated December 2015, Transport Assessment, dated 8 April 2015, 16291UG-01, 100A, 101, 102, 3002 WIN 102 Rev A, 3002 WIN 101 Rev A, 3002 WIN 200, 3002 WIN 150, 3002 WIN 600 Rev A, 3002 WIN 50, 3002 WIN 100 Rev C, 16291se-01 and 16291se-02.

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Notwithstanding the details shown on the approved plans and documents, details and samples of the materials to be used in the construction of the external surfaces noted below shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of any work above damp proof course level of the buildings hereby permitted is carried out.

a: the building

b: the ground surfacing

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND DAMP PROOF COURSE as enforcement action after that time may be unfeasible.

4 The construction of the development hereby permitted shall not progress above damp proof course level until details of the proposed external canopies are submitted to, and approved in writing by, the Local Planning Authority. The details submitted shall include the design and materials to be used in the construction of the external surfaces of the canopies. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND DAMP PROOF COURSE as enforcement action after that time may be unfeasible.

5 The development hereby permitted shall not be occupied until details of hard and soft landscape works have been submitted to, and approved in writing by the Local Planning Authority.

Soft landscape works details shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

Hard landscape works details shall include: Site levels, boundary treatments, internal fencing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO OCCUPATION as enforcement action after that time may be unfeasible.

6 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 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 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 compliance with policies DM 1 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

7 The development hereby permitted, shall be undertaken in accordance with the recommendations of the Arboricultural Impact Assessment at Welldon Park Infants School by A.T Coombes Associates, dated 04 December 2015. This will include that details are submitted for approval under condition 4 of this permission, that audited arboricultural site monitoring and supervision is undertaken throughout the project and the development shall be carried out in accordance with the Method Statement and Tree Protection Plan.

The tree protection measures shall be erected before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. 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, nor shall any

excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected, and as required by policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

8 The buildings hereby permitted shall not commence until details of works for the disposal of surface water and sewage have been submitted to and approved in writing by, the local planning authority. The works shall be implemented in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the National Planning Policy Framework (2012) and Policy DM 10 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF (2012). Details are required PRIOR TO COMMENCEMENT as enforcement action after that time may be unfeasible.

9 The development hereby permitted shall not be occupied until a scheme for the provision of secure cycle parking spaces in accordance with the London Plan (2015) has been submitted to and agreed in writing by the Local Planning Authority. The use hereby approved shall not commence until the cycle parking scheme has been implemented in accordance with the approved details and thereafter retained.

REASON To encourage occupants of the development to use methods of transport other than the private car in accordance with London Plan polices 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Polices Local Plan (2013). Details are required PRIOR TO OCCUPATION as enforcement action after that time may be unfeasible.

10 No development shall take place, including any works of demolition, until a Construction Method 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 provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site, thereby according with policies DM1, DM42, DM43 and DM44 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT as enforcement action after that time would serve no purpose.

11 The development hereby permitted shall not be occupied until a scheme for external lighting has been submitted to and agreed in writing by the Local Planning Authority.

REASON: To safeguard the ecology and biodiversity of the area in line with the requirements of policy DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO OCCUPATION as enforcement action after that time may be unfeasible.

12 The development hereby permitted shall not commence beyond damp proof course

until details of biodiversity measures, specifically the creation of bird and bat habitats on the site, have been submitted and approved in writing by the local planning authority. The development shall not be occupied until those works have been completed on site in accordance with the approved details. The works shall thereafter be retained.

REASON: To safeguard the ecology and biodiversity of the area and in the interests of habitat creation and enhancement in line with the requirements of policy DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO COMMENCEMENT BEYOND DAMP PROOF as enforcement action after that time may be unfeasible.

13 No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period.

REASON: To ensure that the construction of the development does not unduly impact on any retained habitats, thereby according with policy DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO COMMENCEMENT as enforcement action after that time may be unfeasible.

14 Construction works on site shall cease immediately if evidence of badgers or reptiles are found within the site. A suitably qualified ecologist shall be contacted and local planning authority informed. Works shall not recommence without the written consent of the local planning authority.

REASON: To safeguard the ecology and biodiversity of the area in line with the requirements of policy DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013).

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2012)

Policy Statement – Planning for Schools Development (DCLG, 15/08/11)

The London Plan (2015):

3.16 – Protection and Enhancement of Social Infrastructure

3.18 – Education Facilities

5.2 - Minimising carbon dioxide emissions

5.3 – Sustainable design and construction

5.7 – Renewable energy

5.10 – Urban Greening

5.11 – Green roofs and development site environs

5.13 – Sustainable Drainage

6.3 – Assessing effects of development on transport capacity

6.9 – Cycling

6.10 – Walking

6.11 – Smoothing traffic flow and tackling congestion

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
- 7.17 – Metropolitan Open Land
- 7.18 – Protecting Open Space and Addressing Deficiency
- 7.21 – Trees and Woodlands

Harrow Core Strategy (2012)

CS1: Overarching Principles

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 14 – Renewable Energy
- Policy DM15 – Maintaining the Openness of the Green Belt and Metropolitan Open Land
- Policy DM 20 – Protection of Biodiversity and Access to Nature
- Policy DM 21 – Enhancement of Biodiversity and Access to Nature
- Policy DM 22 – Trees and Landscaping
- Policy DM 42 – Parking Standards
- Policy DM 43 – Transport Assessments and Travel Plans
- Policy DM 46 – New Community Sport and Educational Facilities

Other Relevant Guidance:

- Supplementary Planning Document Sustainable Building Design (2009)
- Supplementary Planning Document: Access for All (2006)

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

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

Plan Nos: Preliminary Ecological Appraisal, dated September 2015, Welldon Park Infant School KS1 Compliance Simulation Report, dated 27 November 2015, Site Investigation Report, dated October 2015, Harrow School Window Design, Arboricultural Impact Assessment, dated 04 December 2015, Design and Access Statement, Flood Risk Assessment, dated December 2015, Transport Assessment, dated 8 April 2015, 16291UG-01, 100A, 101, 102, 3002 WIN 102 Rev A, 3002 WIN 101 Rev A, 3002 WIN 200, 3002 WIN 150, 3002 WIN 600 Rev A, 3002 WIN 50, 3002 WIN 100 Rev C, 16291se-01 and 16291se-02

WELLDON PARK INFANT AND JUNIOR SCHOOL, KINGSLEY ROAD, SOUTH HARROW



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ITEM NO: 2/03
ADDRESS: NO.2 OAK LODGE, 15 THE AVENUE, HATCH END
REFERENCE: P/4563/15
DESCRIPTION: SINGLE STOREY EXTENSION TO EXISTING DETACHED GARAGE FOR USE ANCILLARY TO MAIN DWELLING
WARD: HATCH END
APPLICANT: MR R RAITHATHA
AGENT: MULTI CREATION
CASE OFFICER: DAVID BUCKLEY
EXPIRY DATE: 30/11/2015

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to conditions.

INFORMATION: This application is reported to the Planning Committee as it has been requested by a Nominated Member of the Planning Committee for this application to be reported to the Committee due to potential impacts on the amenity of neighbouring occupiers. It is therefore excluded from the Scheme of Delegation dated 29th May 2013 by Provision B

Statutory Return Type: 21: Householder development

Council Interest: None

Net Additional Floorspace: N/A

GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A

Site Description

- The application property is a detached house that has been divided in to two separate units. No. 2a is the upstairs flat.
- The rear part of the back garden belongs to No. 2a.
- There is an existing flat roofed garage on site that measures 2.8m in height, 5.90m in width and 3.20m in depth at the rear of the back garden.
- The downstairs flat has the front half of the rear garden, which is subdivided with a high fence.
- To the north-west of the site is a block of flats at Fairholme Court.
- To the south east is Ashwoods, which is also a block of flats. This has a side access road to access its garages at the far rear of the site. This appears to be the only access road available for car users at the application site as well.

Proposal Details

- It is proposed to extend the garage by a width of 4m, to add additional capacity for a storage / gym.
- A new roof would also be added, which would slightly increase the height of the garage.
- The proposed garage would measure 3m in height, 10m in width, with a depth of 3.20m.
- A new garage door would be added to the new south-eastern wall of the garage, with 2 new obscure-glazed windows installed in the new front elevation, facing towards the rear garden and rear elevation of the host building.

Revisions to Previous Application

- N/A

Relevant History

- N/A

Pre-Application Discussion

- None

Applicant Submission Documents

Response to neighbour objections- See Section 6 below

Consultations

Engineering Drainage Section- See Section 3 below

Advertisement

- N/A

General Site Notice

Expiry Date 25/11/2015

Notifications

Sent: 17

Replies: 05

Replies: 30/10/2015

Summary of Responses

Objections were received from neighbours at:

Owners/Occupiers at Flats 5, 7 8 Ashwoods House, The Avenue; Mr Terry Ansell, from the company Geoffrey Irvine with Oakpower Management, the managing agent at the Ashwoods flats;

- The objections from these neighbours stated that the proposal would encroach on land that does not belong to the applicant.
- The objections also stated that the access road to the garage would be via land belonging to Ashwoods and would therefore not be acceptable to these neighbours as they would not consent to allowing additional access via this route for construction purposes or for its use once it is completed due to the inconvenience it could cause to occupiers at the Ashwoods.

Objection from Neighbour at 1 Oak Lodge:

- The proposal would result in a loss of privacy as it would contain two new windows which will look towards this neighbour's land.
- The new windows are unnecessary for a garage.
- The building is larger than required for a garage and it may be used as an office or a habitable residence.
- The size of the garage will be excessive in relation to the garden itself.
- The proposal contains an excessive number of windows which will be unattractive.
- It will only be large enough for one car and will be excessive for this purpose.
- The garden is a green area and the extension will lead to a loss of existing green area which is a habitat for birds and wildlife.

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 London Plan (consolidated with alterations since 2011) (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

Character and Appearance of the Area

Residential Amenity

Critical Drainage Area

Equalities Impact

S17 Crime & Disorder Act

Consultation Responses

Character and Appearance of the Area

Policy

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.'

Policy DM1 of the DMP gives advice that "all development 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 has adopted a Supplementary Planning Document (SPD) on Residential Design (2010), which gives design guidance. Paragraph 6.78 of the adopted SPD states that in order to reduce its impact on neighbouring gardens, the structure should be sited

in the final quarter of the garden, having consideration to its impact on neighbouring property and be proportionate to the site of the original dwelling. It also states that the structure should be located away from the boundaries of the site in which case its height should not exceed 3 metres with a flat roof and if it is within 2 metres of the boundary, than a maximum height of 2.5m is recommended.

Assessment

The garage will be increased in scale so that it would measure 3m in height, 10m in width, with a depth of 3.20m. Therefore this would exceed the recommendation of the adopted SPD by a height of 50 cm. However, the existing garage is at a height of 2.80m. The limited additional height of the outbuilding would facilitate a more robust fascia detail to the building. The additional height of the building would not be readily appreciated and in the context of other garages adjacent, would not appear over-scaled and unduly imposing.

An objection has been made that the size of the garage would be excessive relative to the garden itself. The proposal would be a 60% increase in the footprint of the garage, which is a significant increase. However, it would only occupy approximately 20% of the main rear garden belonging to the application site, which would not be excessive and would be considered acceptable.

Objections have been made that the additional windows would not be necessary for a garage and would be harmful to the appearance of the area. The two new windows would be in keeping with the proportions of the garage and would not be considered harmful in appearance. The garage would be in a relatively hidden location at the far end of the rear garden and adjacent to the garages at Ashwoods.

Accordingly, the development would accord with development plan policies in respect of character and appearance issues.

Residential Amenity

Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.

An objection has been made that the garage extension would result in a loss of privacy as it would contain two new windows which will look towards the garden of the neighbour at 2 Oak Lodge immediately in front. The degree of overlooking would not be greater than there is at present from the existing garage or from the rear garden of No. 2a, the subject site. The distance from the garage to the garden of this neighbour is approximately 30 metres and there is planting on the boundary which reduces the degree of overlooking. Furthermore, the ancillary nature of the activities associated with the use of the garage and the reasonably height fence that runs between that of No.1 and No.2 would ensure that there would be no undue impacts on the privacy of the occupiers of the ground floor flat.

The garage extension would not be in close proximity to habitable rooms, due to its location at the far end of the rear garden and therefore would not unduly impact on neighbouring occupiers in terms of light and outlook in accordance with paragraph 6.25 of the adopted SPD.

Objections have also been made that the extension to the garage due to the increased

use of the completed garage and at the construction stage would require access from the service road belonging to the Ashwoods flats. The issue related to access during the construction stage is not a material planning consideration and is a civil matter in which the applicant would need to consult directly with other land owners. Nuisance during the construction stage is also a civil matter rather than a material planning consideration so cannot be considered as part of this assessment.

The increase in the size of the garage would not be significant enough to cause unacceptable loss of amenity to neighbouring occupiers once it is completed and therefore it is considered acceptable in this regard.

In summary, it is considered that the proposal would not have an acceptable impact on neighbouring amenity in terms of privacy, outlook or overshadowing, in accordance with Policy DM1 of the Harrow Development Management Policies (2013) and the adopted SPD: Residential Design Guide (2010).

Critical Drainage Area

The application site is located in a critical drainage area of Harrow. Policy DM10 was introduced to address surface water run off and flood risk from developments. An informative has been attached to address this.

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

It is considered that the proposed design of the development would not lead to an increase in perceived or actual threat of crime.

Consultation Responses

The objections are shown in italic lettering, with the planning officers response below each objection.

Owners/Occupiers at Flats 5, 7 8 Ashwoods House, The Avenue; Mr Terry Ansell, from the company Geoffrey Irvine with Oakpower Management, the managing agent at the Ashwoods flats;

- *The objections from these neighbours stated that the proposal would encroach on land that does not belong to the applicant.*

The garage itself would be built on any land other than that within the applicant's ownership which has been confirmed by the applicant. The applicant has served notice on the occupier of the ground floor flat in informing them of the proposal.

Therefore the proposal is acceptable in this regard.

- *Also that the access road to the garage would be via land belonging to Ashwoods and would therefore not be acceptable to these neighbours as they would not consent to allowing additional access via this route for construction purposes or for its use once it is completed due to the inconvenience it could cause to occupiers the Ashwoods.*

If the applicant does require access over another party's land, the applicant would need to secure any such permission outside of the planning application process as this is a matter of civil law. The granting of planning permission cannot and does not provide any rights of access to land not within the ownership of the applicant. This is not therefore a material planning consideration and so cannot be considered in this assessment. This issue is addressed further in Section 2 of this report above.

Objection from Neighbour at 1 Oak Lodge:

- *The proposal would result in a loss of privacy as it would contain two new windows which will look towards this neighbours land.*
This has been addressed in Section 2 above.
- *The new windows are unnecessary for a garage.*
The necessity, or otherwise, of windows is not a material planning consideration. The impacts of any such windows on character, neighbouring amenity etc. are material planning considerations and have been considered in the report above.
- *The building is larger than required for a garage and it may be used as an office or a habitable residence.*
This has been largely addressed in Section 1 of this report. A condition will be attached to ensure it is not used for reasons other than that shown in the submitted plans.
- *The size of the garage will be excessive in relation to the garden itself.*
This has been addressed in Section 1 above.
- *The proposal contains an excessive number of windows which will be unattractive.*
This has been addressed in Section 1 above.
- *It will only be large enough for one car and will be excessive for this purpose.*
The issue of the size has been addressed in Section 1 above and beyond this there are no material planning concerns regarding the size.
- *The garden is a green area and the extension will lead to a loss of existing green area which is a habitat for birds and wildlife.*
The proposal would lead to the loss of 10 sum of lawn and leaves a large amount of existing lawn. There are no specific limitations on loss on this site in terms of protected trees, etc. Therefore this would be considered acceptable.

Response from Applicant to Neighbours Objections:

"We have seen the Neighbours objections to the proposed Garage Extension at the above site address. Our Client would like to indicate the existing access is used by a number of people for access to the Flats and Garages. This is also access to the existing Garage at 2 Oak Lodge, The Avenue.

It should be noted, a number of vehicles already use the access for deliveries, Gardening, Maintenance and general use. The proposed extension is not excessive and would not require Lorries or large vehicles for delivering materials. Such materials can be brought onto the Site by Wheel-Barrow and would not result in excessive vehicle movement.

With regards to the Windows facing the Ground Floor occupant, we have attached amended drawings to show 'Obscure Glazed Windows, Non-Opening below 1.7m from FFL' will be installed. This is to ensure the Neighbour retains their existing privacy.

We feel the above objections are not appropriate, as the development is not to create a nuisance or disturbance to the Neighbouring occupiers/street.”

CONCLUSION

The proposed garage would be acceptable in terms of its impact on the character of the host dwelling and the street scene and on neighbouring amenity.

For all the reasons considered above, and weighing up the development plan policies and proposals and notification responses, this application is recommended for grant. Appropriate conditions have been attached to ensure that the amenity and privacy of the neighbouring occupiers is safeguarded in the future.

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 construction of the external surfaces of the extension hereby permitted shall match those used in the existing garage.

REASON: To match the appearance of the original dwelling and to safeguard the appearance of the locality to comply with core policy CS 1B of the Harrow Core Strategy 2012 and policy DM 1 of the Development Management Policies Local Plan 2013.

3 The rear outbuilding hereby approved shall be used for purposes indicated on the proposed plans and for purposes incidental to the enjoyment of the dwelling and shall not be used as a separate unit of residential accommodation, without the prior permission in writing of the local planning authority.

REASON: To safeguard the character of the locality and amenity of neighbouring residents, pursuant to policy DM1 of the Harrow Development Management Policies Local Plan 2013.

4 The development hereby permitted shall be carried out in accordance with the following approved plans: 2785-02/RM (Proposed Floor Plans); 2785-02/RM (Existing Elevations); 2785-03/RM Revision A; 2785-06/RM; 2785-06/RM Revision A.

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

1 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):

Policy CS 1B

Development Management Policies Local Plan 2013

Policy DM 1 Achieving a High Standard of Development

Policy DM10 On Site Surface Water Attenuation

Supplementary Guidance/ Documents

Supplementary Planning Document: Residential Design Guide (2010)

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

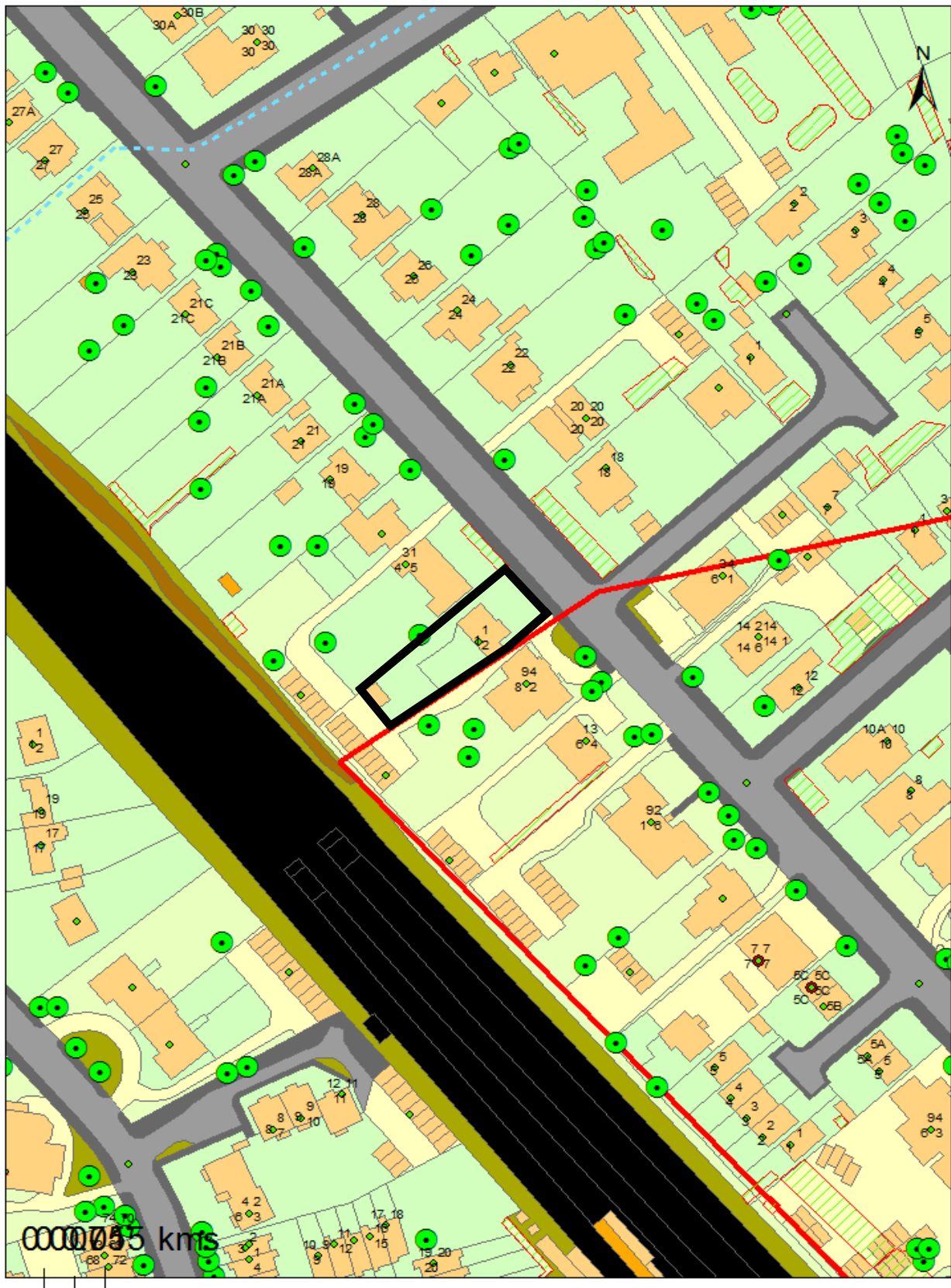
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

5 SUDS Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and

improving water quality and amenity. Where the intention is to use soakaways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

Plan Nos: 2785-02/RM (Proposed Floor Plans); 2785-02/RM (Existing Elevations); 2785-03/RM Revision A; 2785-06/RM; 2785-06/RM Revision A

NO.2 OAK LODGE, 15 THE AVENUE, HATCH END



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ITEM NO: 2/04
ADDRESS: 5 CREST VIEW, PINNER
REFERENCE: P/4913/15
DESCRIPTION: REDEVELOPMENT TO PROVIDE A TWO-STOREY DWELLING WITH PARKING AND LANDSCAPING
WARD: PINNER SOUTH
APPLICANT: MR J LOBO
AGENT: SAVILLS INCORPORATING SMITHS GORE
CASE OFFICER: CALLUM SAYERS
EXPIRY DATE: 01/01/2016

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to condition(s).

The proposed development would provide a replacement dwelling within the application site that would have an appropriately sized footprint within the site in which it would sit. Furthermore, the proposed development would not unduly impact on the amenities of the residential occupiers of the adjoining, or nearby properties. The proposed replacement dwelling would therefore accord Policy CS1 of the Harrow Core Strategy 2012, Policies 7.4 and 7.6 of the London Plan (2015), policy DM1 of the Harrow Development Management Policies Local Plan (2013), and the Garden Land SPD (2013).

Statutory Return Type: Minor dwellings

Council Interest: None

Gross Floorspace: 456sqm

Net additional Floorspace: 232sqm (based on existing habitable floor area of 224sqm)

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £7,840.00

Harrow CIL: £25,520.00

Background

This application is reported to Planning Committee as in the opinion of the Divisional Director of Planning it is likely to be of significant public interest (a total of eight objections have been received) and therefore falls outside of proviso E of the Scheme of Delegation

Site Description

- The subject site comprises a detached two-storey dwelling located at eastern end of Crest View, and is on the southern corner of the cul-de-sac.
- The application site is irregular in shape, and significantly larger than the residential

properties in the local vicinity. The site is noted as having a right of way across the front of No. 5a to enable access to property.

- The application site has a natural change in level where it slopes downwards from east to west.
- The subject property has previously been subdivided, with the northern section of the site physically severed and a dwelling located within it. The host property has a two-storey side extension along the north flank elevation.
- The property located to the north, 5a Crest View, has commenced construction of the permitted two-storey rear extension.
- No. 4 Crest View, located on the eastern boundary is characterised by being a two-storey dwelling with a single storey front and rear projection. The single storey rear projection has a full length flank window facing the application site.
- A number of trees that are located near the front and rear of the site are subject to Tree Protection Orders.
- The application site is not located within a flood risk area. However, is located within a Critical Drainage Area.
- The application site is not located within the setting of a listed building, or within a conservation area.

Proposal Details

- The proposal seeks to demolish the existing two-storey detached dwelling, and replace it with another two-storey detached property, albeit with a larger footprint.
- The proposed replacement dwelling would have a crucifix style footprint.
- The east to west wing would cover a length of 21m, with the eastern flank being on the adjacent boundary with No. 4 Crest View. The western flank elevation would be closest to the rear boundaries of the properties fronting onto Cuckoo Hill Road.
- The north to south wing would be 22m in depth, with the northern flank elevation adjacent to the property boundary with No. 5a Crest View.
- The proposed replacement dwelling would have two eave heights, with the lower eave height being 4.1m and the higher eave being 5.2m. The main ridge height would be 7.9m. It is proposed to have a glazed, circular feature within the roof form which would be 0.65m high, and would allow extra light into the central part of the building.
- At ground floor, the proposed dwelling would retain an entrance facing towards Crest View in a similar fashion as existing. An internal garage would be provided, along with a kitchen/dining and living area. The ground floor of an internally accessed annexe would provide a living area/kitchenette. The applicant has indicated that the building is partly required for home care of a parent.
- The proposed dwelling would have 6 bedrooms and a further, 7th bedroom within the attached annexe.

Revisions to Previous Application

- N/A

Relevant History

LBH/40229

Two-storey extension to rear of existing house, erection of detached house (on land between Nos. 5 & 6 and two parking spaces.

GRANT: 24/04/1990

LBH/41459

Variation of permission LBH/40229 to provide detached house with single storey rear extension (on land between No.s5 and 6) and two parking spaces.

REFUSE: 03/10/1990

Reason:

The proposal would result in a development with inadequate rear garden depth which would be out of keeping & detrimental to the character of the area & contrary to the relevant policies of the Harrow Borough Local Plan.

P/3078/10

Redevelopment to demolish existing dwellinghouse and erection of two x two storey dwellinghouse as well as provision of parking; refuse and landscaping.

REFUSE: 20/01/2011

Reasons:

- 1) *The proposed redevelopment of the site to provide two new dwelling houses, by reason of the location of an additional dwelling within a private residential garden, would detract from the established pattern of development in the area and would represent an inappropriate form of development, which would be contrary to the guidance set out under PPS3: Housing (2010), Policy 4B.1 of the London Plan and saved policies D4 and EP20 of the Harrow Unitary Development Plan (2004).*
- 2) *The proposed development of Plot 2 by reason of its excessive height, bulk, design and backland siting would be overbearing, result in the introduction of additional unacceptable activity and disturbance adjacent to 4 Crest View and perceived overlooking of the rear garden of no.4 Crest View which would be detrimental to the amenities of neighbouring occupiers contrary to PPS3 (2010), saved Policies D4 and D5 of the Harrow Unitary Development Plan (2004), policy 4B.1 of the London Plan (2008) and adopted Supplementary Planning Document: Residential Design Guide (2010).*
- 3) *The proposed dwelling at Plot 1, by reason of its excessive, bulk and rearward projection, would result in an intrusive and overbearing development which would be prejudicial to the outlook and result in a loss of daylight and overshadowing to the rear of no. 5a Crest View which would be detrimental to the residential amenities of the occupiers of this property contrary to saved Policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Residential Design Guide (2010).*
- 4) *The proposed access road turning head would be unsatisfactory and inadequate to serve the development, and would result in conditions prejudicial to the safe movement of vehicles and pedestrians contrary to policies D4 and T15 of the Harrow Unitary Development Plan 2004.*
- 5) *The proposed development by reason of the provision of its access in close proximity to Protected Trees would result in the potential lopping/topping and/or the loss of trees of significant amenity value as a result of post development pressure which would be detrimental to the character and appearance of the locality, contrary to saved policies D4, and D10 of the Harrow Unitary Development Plan (2004)*
- 6) *The proposed development by reason of its backland location and unlit access would not have adequate natural surveillance and would give rise to a risk of crime or fear of crime, contrary to policy D4 of the Harrow Unitary Development Plan (2004).*

P/4758/14

Certificate Of Lawful Development (Proposed): Single Storey Pool House In Rear Garden.

Reason:

Condition 5 of Planning Permission LBH/40229 removed Permitted Development Rights (Part 1, Classes A – E) of the Town & Country Planning General Development (Order 1988) This planning permission has been implemented, and as such the property no longer benefits from these Permitted Development Rights. The proposed erection of the outbuilding therefore requires Full Planning Permission.

Pre-Application Discussion (Ref. P/1153/14/PREAPP)

- Redevelopment of the existing dwelling acceptable in principle
- Footprint of replacement dwelling must reduce so as not to conflict with Garden Land SPD (2013)
- Crucifix form is acceptable in principle. However, window positioning should demonstrate no loss of privacy or overlooking to neighbouring properties.
- Siting of replacement dwelling likely to be acceptable in terms of harm to neighbouring amenity (loss of light/outlook)
- Proposal would provide good quality accommodation for future occupiers.
- Reduce three storey's down to two storey's and rationalise the roof form which is fussy
- Acceptable in terms of highway impacts
- Tree Preservation Orders on site

Amendments Received

- Removal of the independent access door from the annex so it remains accessible from within the main dwelling only
- Removal of first floor flank window facing No. 5a Crest View to the rear elevation of the western wing.

Applicant Submission Documents

- Design & Access Statement.

Consultations

Policy and Research: No Objections

Drainage Authority: No Objections

Highways Authority: No Objections

The Pinner Association: Object

- Conflicts with the Harrow Garden Land SPD (2013) by reason of the excessive increase in footprint of the proposed dwelling.
- Excessive bulk of proposed dwelling
- Excessive depth beyond rear building line of neighbouring dwellings would result in it being overbearing from their rear gardens.
- Overlooking, or perceived overlooking from rear gardens of Crest View, Northfield Avenue and Cuckoo Hill Road.
- Overshadowing from South Wing to No. 4 Crest View
- Construction Infrastructure Level information should have been submitted with application and has not been.
- Would front door access comply with 'Safer by Design'.

- In the event that the application is approved, the dwelling should not be allowed to be converted into separate flats.

Advertisement

General Site Notice: 18th November 2015

Notifications

Sent: 20

Replies: 9 (8 objections and 1 support)

Expiry: 01/12/2015

Summary of Responses

Objections:

- Should be assessed against the Harrow Garden Land SPD (2013)
- No calculation of the square meters of the proposed dwelling
- Access is not suitable for large vehicles
- Protected Trees are located each side of the access way into the site.
- In the event of approval the following restrictions/conditions have been suggested
 - Restrictions should be imposed regarding accommodation in the roof, dormers, roof lights, and the raising of the ridge height.
 - Removal of Permitted Development Rights.
 - Construction vehicles/equipment should be conditioned to be contained within the site as to not cause congestion within the public highway/highway safety.
 - Future occupiers of No. 5 should not be able to obtain parking permits.
- The crucifix form would result in it being highly visible from the rear of neighbouring properties, and would dominate the skyline.
- The design should be more conventional
- The proposed siting of the dwelling would be harmful to the outlook of neighbouring occupiers at No. 4, as it would reduce the rear facing aspect.
- Harmful to the setting of the neighbouring dwelling.
- Proposed dwelling would result in a loss of light and sunlight to No. 4 Crest View.
- As a result of the change of levels, the proposed dwelling would result in a terracing an overbearing effect on neighbouring properties.
- Would be harmful to privacy, view between houses and sunlight to properties at the rear that front onto Cuckoo Hill Road.
- Proposed development would reduce green corridors and wildlife within the borough.

Support:

Redevelopment of the application site would be a benefit to the road.

Responses to the comments received regarding the application are addressed within the following appraisal, and also under section 10 of this report.

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, the Harrow Core strategy 2012 and the policies of the Harrow Development Management Policies Local Plan 2013.

MAIN CONSIDERATIONS

Principle of the Development
Character and Appearance of the Area
Residential Amenity
Traffic and Parking
Development and Flood Risk
Accessibility
Sustainability
Equalities Impact
S17 Crime & Disorder Act
Consultation Responses

Principle of the Development

Spatial Strategy and Land Use

National Planning Policy Framework (2012), The London Plan (2015), The Harrow Core Strategy (2012) and the Development Management Policies Local Plan (2013) all seek to increase housing supply locally, regionally and nationally, and promote the provision of high quality mix of housing.

Policy 3.8 of The London Plan 2015 encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. This policy requires consideration to be given to the accessibility of the site to services and amenities.

Policy CS1.A of Harrow's Core Strategy 2012 undertakes to manage growth in accordance with the spatial strategy. The spatial strategy directs residential and other development to the Harrow & Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites. Core Strategy Policy CS1 B introduced a presumption against development on garden land. This is to ensure that additional housing growth is directed to brownfield land in accordance with the spatial strategy for the Borough, to avoid unmanaged incremental growth that can be detrimental to local character and the important functions of gardens for biodiversity and surface water management. This Policy is supplemented by guidance in the Harrow Garden Land Development SPD (2013).

The proposal in question is for the redevelopment of an existing house to provide a replacement dwelling. The SPD at paragraph 3.6 excludes the redevelopment of an existing dwelling to provide a replacement dwelling if it is of a similar footprint plus appropriate enlargements. The guidance states that appropriate enlargements are ones that would be allowed under the Residential Design Guide SPD (2010) or by way of permitted development extensions which would result in an indicative acceptable footprint. The Residential Design Guide SPD (2010) at paragraphs 6.45 through 6.50 gives a wide scope for what is appropriate for detached dwellings, given the potentially more limited impacts upon neighbouring occupiers due to larger separation distances. It

is therefore criteria within the Development Management Policies, particularly DM Policy 1 that should ascertain the suitability of the proposed enlarged replacement dwelling as these are replacement Policies for the UDP policies upon which the SPD guidance elaborates on, and provide the principles for the acceptability of development with regards to the impact upon local character, and neighbouring amenity.

As stated above, the thrust of the Garden Land Development SPD and the objective of policy CS1.B of the Harrow Core Strategy 2012 is to avoid unmanaged incremental growth for new dwellings, to direct new residential development to sustainable and accessible locations where resources can be pooled and impacts on the environment are minimised. The proposed development would not conflict with these objectives, and should not therefore be classed as Garden Land Development.

For the above reasons, the principle of the proposed development is acceptable. The proposal would not undermine the spatial development strategy for the borough set out in the Core Strategy and would accord with the NPPF 2012, policies 3.4, 3.5A and 3.8 of The London Plan 2015, policies CS1.A and CS1.B of the Harrow Core Strategy 2012 and guidance contained in the Council's Garden Land SPD 2013.

Character and Appearance of the Area

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.' Policy DM1 of the DMP gives advice that "all development 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 has adopted a Supplementary Planning Document (SPD) on Residential Design (2010), which gives design guidance and requires extensions to harmonise with the scale and architectural style of the original dwellinghouse. Substantial weight is accorded to the SPD as a material planning consideration.

Crest View is a cul-de-sac street, and is noted as having an eclectic character in terms of the residential properties, with no prevailing architectural form predominant. Each of the properties are noted as being detached, with numerous differing design features. There is no strong building line in relation to the public highway, with a variation noted along both sides. Specifically, the existing dwelling within the application site does not, and would be unable to conform with a front building line as a result of the access arrangements to the site. The existing building sits deeper into the site, and as a result of a previous planning permission, must access the existing dwelling by way of a right of way across the front of 5a Crest View. The proposed replacement dwelling would sit deeper again into the site.

The proposed new build makes takes a unique design rationale to the streetscene yet again, with the fundamental approach being a crucifix form. However, notwithstanding the unique design of the footprint of the replacement dwelling, the siting of the building and its relationship with the public highway, it would not be as readily visible from the

public domain as the remainder of dwellings within the urban context. The proposed crucifix form would assist in breaking up the bulk of the replacement dwelling, which would also sit deeper in the site than the existing dwelling. The 'wings' of the development would project along the northern and eastern boundaries, whereby attempting to align with the flank elevations of the residential properties either side. The remaining two wings are located to the south west of these, and as such are screened from public highway. To assist in the screening of the replacement dwelling, a number of trees that are protected by way of Tree Protection Orders are located at the entrance to the property. It is not proposed to remove these trees.

Whilst the proposed replacement dwelling would be substantially larger than the existing dwelling in terms of its footprint, the submitted plans demonstrate that the proposed replacement building would be approximately 0.5m lower in height at the main roof ridge level. The proposed crucifix footprint successfully breaks up the bulk of the dwelling, ensuring that an overly domineering or prominent development is not situated within the property or streetscene. For these reasons, it is considered that the proposed new build, whilst acknowledged as being substantially larger than the existing dwelling on site, would not appear discordant or overbearing within the existing streetscene.

The proposed replacement dwelling would have a footprint of approximately 225sqm, which is some 100sqm larger than the existing, extended dwelling located on site. In most instances the proposed replacement dwelling would have a footprint significantly larger than the remainder of the dwellings within Crest View. However, notwithstanding the much larger footprint of the dwelling, it is nonetheless situated within a site that is much larger than the remaining residential properties within Crest View. Proportionally, the proposed dwelling would sit comfortably within the application site, covering some 15% of the overall property. Furthermore, the proposed replacement dwelling would sit 2.3m off the eastern flank boundary and 1.3m off the northern flank boundary at its closest point. Whilst the proposed replacement dwelling would be situated deeper into the site than the existing dwelling, it would still have a substantial rear garden, being in excess of 13m from the rear building line of the rear wings and the rear boundaries.

It is noted that within the Crest View street, properties do have relatively large footprints in relation to the respective plot sizes. Comparatively, the proposed dwelling would share a similar footprint percentage as many of the properties within Crest View. Whilst it is noted that No. 5a Crest View was originally subdivided from the application site, it nonetheless covers approximately 22% of its site. Further north, No.6 would cover approximately 31% of the site in which it resides within. To the east of the site, Nos 4 and 3 occupy 14% and 16% respectively.

It is considered that the proposed replacement dwelling, notwithstanding its substantial footprint, because of the large size for the site, would sit comfortably within it. The architecture would be contemporary which is welcomed within the varied design forms of buildings in the surrounding area and a high quality design finish would be secured by the recommendations conditions. Accordingly, it is considered that the proposal would respect the prevailing pattern of development whilst accommodating an innovative and contemporary design. The proposed development would therefore accord with development plan policies with regard to character, layout and design.

Landscaping

Policies DM22 and DM23 of the Development Management Policies Local Plan (2013) seeks to ensure that in case of new development proposals, the frontage of the site

provides adequate levels of soft and hard landscape works. The proposed site block shows an indicative level of soft landscaping in the front garden. The hardstanding proposed within the front garden would mostly provide for the access to the site from Crest View. It is considered that the detailed landscaping can be conditioned in line with policies DM22 and DM23 of the DMP.

Refuse

The refuse storage of the property would be undertaken in a similar fashion as to the existing dwelling, as such it is considered to be acceptable and in accordance with policy DM1.

In conclusion, it is considered that the proposal would be a sympathetic development which respects the scale and pattern of development in the locality and would give rise to no conflict with the above stated policies.

In order to protect inappropriate additions to the proposed dwellinghouses in the future, a condition is recommended to restrict permitted development rights on the proposed dwellinghouse.

Residential Amenity

Residential Amenity of Future Occupiers

Policy 7.6B, subsection D, of The London Plan (2011) states that "new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate". Policy DM1 of the DMP seeks to ensure that "proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted".

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 DM1 of the DMP.

The proposed dwellinghouse would have an overall floor area of approximately 450sqm across the two floors, which would exceed the minimum floor space standard of for a unit of this level of occupancy. Each of the proposed rooms within the dwelling would be a satisfactory size, layout and receive adequate levels of light and storage. Furthermore, each of the habitable rooms would have a satisfactory level of outlook. It is considered that the proposed replacement dwelling would provide a satisfactory level of accommodation for the future occupiers of the development.

An independent annex was initially proposed, which would have been across two floors and had an independent access adjacent to the western boundary. However, amended plans have been received and the external access has now been removed from the scheme. Access to the annex is now only possible through the main dwelling on site, and a condition is recommended that this remain as such, and that the annex must

remain ancillary to the main use of the house.

Outdoor Amenity Space

It is noted that Policy DM27 of the DMP and paragraph 4.64 of the SPD requires that residential development should provide appropriate amenity space.

The proposal would continue to provide a satisfactory level of private amenity space for the future occupiers of the development. Indeed the private amenity space would continue to provide an area of open space much larger than many of the neighbouring residential properties. Furthermore, the amenity space would continue to be private, useable and functionable for future occupiers. It is therefore considered that the proposed development would accord with the relevant policy listed above.

Impact on neighbouring properties

Policy DM1 of the DMP seeks to “ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded. Paragraph 6.28 of the Residential Design Guide SPD (2010) provides a useful tool in the 45 degree code to demonstrate if development would lead to a visual impact on neighbouring residential occupiers as a result of a development. Developments that project through the 45 degree often lead to a loss of light and outlook to neighbouring occupiers.

Use of the site

The existing property is a single family home, with the proposal seeking to replace the existing dwelling, but to remain as a single family home. However, it is noted that the proposed replacement dwelling would have more bedrooms than the existing dwelling.

It is noted that there is concern that the proposed replacement dwelling would be subdivided into a number of flats, which as a result may be harmful to neighbouring amenity. It is also noted that as originally submitted, the proposed replacement dwelling had an annexe that was independently accessed. This was initially proposed for the relative of the applicant. Notwithstanding this, revised plans have been received which have removed the independent access to this element, with it being accessed only within the main dwelling.

Turning to the concern raised by objectors in relation to the subdivision of a property of this size, if granted planning permission, into a number of flats, this would not be a permitted change of use. Should a single family home wish to be subdivided into any number of flats, then this would require full planning permission to be sought and obtained.

Whilst it is acknowledged that the proposed replacement dwelling would result in a dwelling that is substantially larger in footprint and bedroom numbers, it would nonetheless continue a residential use as a single family home. It is therefore considered that the use of the site would both be appropriate and consistent with the existing use of the site, and also the prevailing character of development within this residential area.

Built Structure

The proposed crucifix form of the dwellings footprint, would result in one wing running almost parallel with the western flank elevation of No. 4 Crest View, with another wing running parallel with No. 5a Crest View.

The submitted plans indicate that the wing that runs along the northern boundary would comply with the relevant 45 degree code from the first floor of the nearest corner of the property known as No. 4 Crest View. However, it is noted that the south eastern wing that projects into the rear garden of the property, would breach the 45 degree code by 1.6m. Whilst it is acknowledged that this proposed wing would not strictly accord with the 45 degree code, it is located some 15m away from the nearest first floor corner of the property at No. 45 degree. Furthermore, it is noted that there are well established trees located along this common boundary, and coupled with the southern orientation of No. 4 Crest View, the development would continue to allow a satisfactory level of light and outlook for the occupiers of this property.

It is noted that the property known as No. 4 Crest View sits further back from the remainder of the properties on the southern side of Crest View. It is characterised by having a single storey front and rear projection. Situated within the ground floor flank elevation is a large window, which faces towards the application site. This window serves a habitable room. The proposed new build on this common boundary would result in a loss of light and outlook from this window. However, it is noted that there is a small single storey rear extension that projects on along the same elevation as this window, and has a large rear facing windows. Given that the rear window within the small rear extension is the primary outlook into the rear garden, and is south facing, it is considered that the habitable room would continue to have an acceptable outlook and receive a satisfactory level of light.

It is noted that the annexe element would have a window at the ground floor facing the eastern boundary shared the No. 4 Crest View. Paragraph 6.22 of the Residential Design Guide SPD (2010) states that large windows in a wall of a side extension within 3.0m of a boundary would not be acceptable, as it would lead to a loss of privacy or overlooking to neighbouring occupiers. Whilst it is acknowledged that the proposal is for a new house, rather than an extension as detailed within the guidance, the impacts nonetheless are felt in the same manner. The proposed elevation at the point of the flank window would be 2.85m from the common boundary. The conflict with the guidance would be minor, and the boundary treatment would provide further mitigation. As such, the proposed window serving a habitable room would not result in an undue loss of privacy or perception of overlooking. Given that the primary source of outlook and light to this room is on the northern elevation, the window in question on the flank elevation would be a secondary source of light and outlook. As such, and to ensure impacts upon No.4 Crest View are minimised, a condition is recommended that this window be obscured and non-openable lower than 1.7m from the finished floor level.

No. 5a Crest View is located along the northern boundary with the application property. This property has a single window at first floor facing the application site, and serves a staircase. It is noted that planning permission has been granted under P/4298/15 at No. 5a for a single and two-storey rear extension. This permission has not been implemented. The wing located along the common boundary with No. 5a does not project beyond either the front or rear elevation of No. 5a, and as such this element would not result in any harm by reason of a loss of light or outlook. As previously mentioned, there are no habitable flank windows at No. 5a Crest View, and as such wing would not be harmful to the amenities of the occupiers of this property.

The western wing projects into the rear garden of the application property, and would have its flank elevation more or less parallel to the flank elevation of No. 5a Crest View. This wing would project some 5.2m beyond the existing rear wall of No. 5a, but would be

9.2m away from the common boundary. Accordingly, it would comply with the relevant 45 degree code. Given the distance from the common boundary with No. 5a, and the proportionate depth of this wing, it is considered that it would not result in unacceptable level of harm to the occupiers of No. 5a by reason of a loss of outlook or light.

Paragraph 6.22 of the Residential Design Guide SPD (2010) states that large windows in a wall of a side extension within 3.0m of a boundary would not be acceptable, as it would lead to a loss of privacy or overlooking to neighbouring occupiers. Within this wing, a ground floor window is proposed to be located facing the property known as 5a Crest View. It is noted that this is located in excess of 3.0m from the common boundary, and as such would comply with the above paragraph, which would ensure that the amenities of the adjacent occupiers would be protected. Amended plans have been received, which remove the first floor flank window facing out over No. 5a Crest View. As a result of the removal of this window, there would not be any unacceptable levels of overlooking or loss of privacy experienced by the occupiers of No. 5a Crest View. A condition would be attached to ensure that future windows within the flank elevations would not be permitted, which would protect the amenity of neighbouring occupiers.

The proposed development would extend much deeper into the application site than the existing property currently does. As a result, any windows facing towards the properties that front onto Cuckoo Hill Road would be much closer than the relationship that is currently experienced. It is noted that there is a change in level between the application site, which is higher than the properties that front Cuckoo Hill Road. However, it is noted that the rear garden of these properties are rather deep, being in excess of 30m. Furthermore, the proposed replacement dwelling would be at least 13m from the common boundary. The proposed development would exceed the traditional back to back residential relationship prevalent in most residential layouts. As such, it is considered that the proposed development would maintain an appropriate distance to the properties fronting Cuckoo Hill Road, and as such would not lead to an unacceptable level of overlooking or loss of privacy to the occupiers of these properties.

The rear elevations of the properties fronting onto Northfield Avenue would be some 78m away from the application property. Accordingly, it is considered that the replacement building would not give rise to unacceptable harm to the occupiers of these properties through a loss of light, outlook or privacy.

In conclusion, it is considered that the proposed development would have no detrimental impact upon the residential amenities of the future occupiers of the site or that of the adjoining neighbouring site and therefore the proposal is considered to be acceptable with regards to the above stated policies, subject to safeguarding conditions.

Traffic and Parking

Policy DM42 of the DMP gives advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

The proposal is for a replacement single family home, and as such would be within the same use class as the existing use of the site. However, it is noted that the replacement dwelling would have a larger footprint and provide more bed spaces than the existing property. As such, the proposed replacement dwelling would have the potential to result in a greater provision of car parking requirements. The proposed plans indicate that an attached garage would be provide as part of the replacement dwelling, which would

enable a car parking space within the site. Whilst this appears to only provide a parking space for one vehicle, there is a satisfactory level of space between the front elevation and the access way to the property, which would allow the informal parking of cars within this area. As such, it is considered that there is insufficient scope to provide for car parking within this site that would service the proposed redevelopment of the site, without resulting in unacceptable pressures on Crest View public highway or the wider highway network.

Given the above, and notwithstanding the objection received, it is considered that the proposed development would not give rise to or exacerbate any on street parking pressures experienced in Crest View. In conclusion, it is considered that the proposal would give rise to no conflict with the above stated policies.

Development and Flood Risk

The subject site is not located within a flood plain. However, it is located within a critical drainage area. Furthermore, as the development seeks a redevelopment of the site and would increase the level of hardsurfacing on the site, there is the potential for further runoff from hardsurfacing (footprint of house). The Council promote the use of Sustainable Urban Drainage across the borough, and accordingly an informative is recommended to remind the applicant of Sustainable Urban Drainage requirements.

Accessibility

Policies 3.8 and 7.2 of The London Plan seek to ensure that all new housing is built to Lifetime Homes standards and that all future development 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. Policy DM2 of the DMP seeks to ensure that buildings and public spaces are readily accessible to all.

The Technical Housing Standards (March 2015) altered the interpretation of the relevant London Plan (2015) policies and associated Housing SPG standards, placing the previous Lifetime Homes Standards under the control of Building Control regime (specifically Part M of the Building Regulations).

It is considered that the submitted plans and Design and Access Statement satisfactorily illustrate that the proposed dwelling house could meet the relevant standards detailed above. Consequently, it is considered that the proposed dwelling would provide an acceptable level of accessibility in accordance with the above 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. 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. Overall, The London Plan (2015) requires a 40% reduction in carbon dioxide emissions over Building Regulations 2010 Target Emissions Rate (TER). Harrow Council has adopted a Supplementary Planning Document on Sustainable Building Design (adopted May 2009).

For minor development proposals, the development plan at this point does not set out energy and sustainability targets greater than those required by Building Regulations. As these standards will be secured through other legislation, no conditions are required in relation to sustainability measures.

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. The equality impacts of this application have been assessed and have been found to be in conformity to Section 149.

S17 Crime & Disorder Act

Policies 7.3.B and 7.13.B of The London Plan 2015 and policy DM1 of the DMP require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal.

The existing dwelling is noted as being set back from the public highway, and as such does not share the traditional frontage onto the highway as does the remaining properties on the street. As such, there is already a limited amount of surveillance into the site from the public highway. Whilst the proposed siting of the replacement dwelling would be marginally further back in the site, it would still retain the openness that is currently experienced presently. It is therefore considered that the proposed replacement dwelling would maintain the views into the site, and would not result in a conflict with safety and crime matters.

Consultation Responses

Pinner Association

- Conflicts with the Harrow Garden Land SPD (2013) by reason of the excessive increase in footprint of the proposed dwelling.

The application has been reviewed by the Planning Policy Team, who have confirmed that the proposed development would not conflict with the strategic aims of the Harrow Garden Land SPD (2013). This is addressed under section 1 of the above appraisal.

- Excessive bulk of proposed dwelling
Addressed under Section 2 & 3 of the above appraisal
- Excessive depth beyond rear building line of neighbouring dwellings would result in it being overbearing from their rear gardens.
Addressed under Section 3 of the above appraisal
- Overlooking, or perceived overlooking from rear gardens of Crest View, Northfield Avenue and Cuckoo Hill Road.
Addressed under Section 3 of the above appraisal

- Overshadowing from South Wing to No. 4 Crest View

Addressed under Section 3 of the above appraisal

- Construction Infrastructure Level information should have been submitted with application and has not been.

This document is not a local or national validation requirement. Recommended conditions 9 & 10 are suggested to ensure development would not unduly affect neighbouring amenities during construction.

- Would front door access comply with 'Safer by Design'.

The location of the proposed front door would more or less be in the same position as the existing dwelling, which is set well back from the public highway. It would not be possible to bring the entrance to the proposed dwelling into a position where it would front the public highway, similar to the remainder of the properties within Crest View. The marginal change in the location would not exacerbate any security issues as to what is currently experienced on site.

- In the event that the application is approved, the dwelling should not be allowed to be converted into separate flats.

There is no permitted change from a single family home to flats. Any change of use from a single family home to flats would require planning permission to be sought and obtained from the Local Planning Authority.

Neighbourhood Responses

- Should be assessed against the Harrow Garden Land SPD (2013)

The application has been reviewed by the Planning Policy Department, who have confirmed that the proposed development would not conflict with the strategic aims of the Harrow Garden Land SPD (2013). This is addressed under section 1 of the above appraisal.

- No calculation of the square meters of the proposed dwelling

Whilst this would be useful to have clearly detailed within the application, the square meters of the proposed dwelling is able to be determined from the plans submitted in support of the application.

- Access is not suitable for large vehicles

Large vehicles would mostly be restricted to the period of demolition and redevelopment. A construction management plan is required as part of recommended condition 9 to demonstrate safe site access.

- Protected Trees are located each side of the access way into the site.

Tree protection measures would need to be put in place prior to any demolition/construction commencing on site. This would be secured by way of a condition.

- In the event of approval the following restrictions/conditions have been suggested

- Restrictions should be imposed regarding accommodation in the roof, dormers, roof lights, and the raising of the ridge height.
- Removal of Permitted Development Rights.
- Construction vehicles/equipment should be conditioned to be contained

within the site as to not cause congestion within the public highway/highway safety.

- Future occupiers of No. 5 should not be able to obtain parking permits.

Suggested conditions are noted and suggested with the exception of the condition relating to parking permits. Given the level of parking that could be accommodated on site, such a condition is deemed unnecessary and would not therefore meet National Planning Policy Guidance with respect to the use of conditions

- The crucifix form would result in it being highly visible from the rear of neighbouring properties, and would dominate the skyline.

The proposed crucifix form would be more noticeable than the existing footprint as a result of the depth. However, it is set off the common boundaries and as such is considered to not result in an overbearing or dominant feature within the skyline.

- The design should be more conventional

Addressed under Section 2 of the above appraisal

- The proposed siting of the dwelling would be harmful to the outlook of neighbouring occupiers at No. 4, as it would reduce the rear facing aspect.

Addressed under Section 3 of the above appraisal

- Harmful to the setting of the neighbouring dwelling.

Addressed under Section 2 and 3 of the above appraisal

- Proposed dwelling would result in a loss of light and sunlight to No. 4 Crest View.

Addressed under Section 3 of the above appraisal

- As a result of the change of levels, the proposed dwelling would result in a terracing and overbearing effect on neighbouring properties.

The building would be sited well off the neighbouring boundaries and would have a distinctly different building line and design form. It would not therefore have a terracing effect

- Would be harmful to privacy, view between houses and sunlight to properties at the rear that front onto Cuckoo Hill Road.

Addressed under Section 3 of the above appraisal

- Proposed development would reduce green corridors and wildlife within the borough.

The proposed development would replace an existing dwelling on the site. Whilst this would result in a net loss of garden of the application site, it would not impact any designated green corridors or adversely impact wildlife within the borough.

Support:

- Redevelopment of the application site would be a benefit to the road.

Comment is noted

CONCLUSION

The proposed development would provide a replacement dwelling within the application site that would have an appropriately sized footprint within the site in which it would sit. Furthermore, the proposed development is considered to not unacceptably harm the amenities of the residential occupiers of the adjoining, or nearby properties. The decision

to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2015, the Harrow Core Strategy 2012, The Garden Land SPD (2013), and the Development Management Policies Local Plan 2013, as well as to all relevant material considerations including any responses to consultation.

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 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, provided on site, and approved in writing by, the local planning authority:

a: the dwellinghouse

b: ground surfacing

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the locality, in accordance with policy 7.4B of The London Plan 2015 and policy DM1 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND DAMP PROOF COURSE as enforcement action after time may be unfeasible.

3 Notwithstanding the landscape details shown on the approved drawings, the development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows, indicating those to be retained and those to be lost. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

REASON: To safeguard the appearance of the locality, in accordance with policy 7.4B of The London Plan 2015 and policies DM1, DM22 and DM23 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO OCCUPATION as enforcement action after time may be unfeasible.

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 dwellinghouse, 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 of the locality, in accordance with policy 7.4B of The London Plan 2015 and policies DM1, DM22 and DM23 of the Harrow Development.

5 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 development which would otherwise fall within Classes A, B, C, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out on the dwellinghouses without the prior written permission of the local planning authority.

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

amount of site coverage and size of dwelling in relation to the size of the plot and availability of and to safeguard the amenity of neighbouring residents in accordance with policies 7.4B and 7.6B of The London Plan 2011 and policy DM1 of the Harrow Development Management Policies Local Plan 2013.

6 Notwithstanding the details shown on the approved plans, the development hereby approved shall not commence beyond damp proof course until annotated plans demonstrating how (and to what extent) the development would comply with the Building Regulations Standard M4(2) for accessible and adaptable home has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details which shall be fully implemented before the first occupation of the development and shall be retained as such thereafter.

REASON: To ensure that, where the development is accessible to all in accordance with policies 3.5, 3.8 and 7.2 of The London Plan 2015, policy CS1.K of the Harrow Core Strategy 2012 and policy DM2 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND DAMP PROOF COURSE as enforcement action after time may be unfeasible.

7 Prior to any development on site, including any demolition, a scheme for tree protection measures shall be submitted to an approved in writing by the Local Planning Authority. The approved details shall be implemented prior to any works commencing on site, and shall remain in situ until after the physical works on site have been completed.

REASON: To protect the health and wellbeing of the trees located on site, which are subject to Tree Protection Orders in accordance with policy DM22 of the Development Management Policies Local Plan (2013). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT as enforcement action after time may be unfeasible.

8 No development shall take place, including any works of demolition, until a Construction Method 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 provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site, thereby according with policies DM1, DM42, DM43 and DM44 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT as enforcement action after time may be unfeasible.

9 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 approve in writing by the Local planning Authority.

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

Development Management Policies Local Plan (2013). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT as enforcement action after time may be unfeasible.

10 The annexe hereby permitted as part of the development, shall not be occupied at any other time other than for purposes ancillary to the residential use of the dwelling
REASON: To safeguard the amenity of neighbouring residents and the character of the locality in accordance with policy DM1 of the Harrow Development Management Policies Local Plan 2013.

11 Notwithstanding the details shown on the approved drawings, the ground floor window to the annexe on the eastern flank elevation shall be non-openable below 1.7m above internal floor level and obscure glazed. It shall thereafter be retained in that form.
REASON: To safeguard the amenity of the occupiers of No. 4 Crest View, in accordance with policy DM1 of the Harrow Development Management Policies Local Plan 2013.

12 The development hereby permitted shall be carried out in accordance with the following approved plans: 1045466/P000 (REV B), 1045466/P001 (REV A) 1045466/P002, 1045466/P101 (REV B), 1045466/P102 (REV A), 1045466/P103 (REV A), 1045466/P104 (REV B), 1045466/P105 (REV A), 1045466/P106 (REV B), 1045466/P107 (REV B), 1045466/P109 (REV B), 1045466/P110 (REV B), Design & Access Statement.

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy Framework [NPPF] 2012

The London Plan (2015)

Polices: 3.1, 3.5, 3.8, 5.1, 5.2, 5.3, 5.12, 5.13, 6.9, 7.1, 7.2, 7.3, 7.4, 7.6, 7.13

The Harrow Core Strategy (2012)

Core Policy CS 1

Development Management Policies Local Plan (2013)

DM1, DM2, DM10, DM22, DM23, and DM42

Supplementary Planning Document – Residential Design Guide (2010)

Supplementary Planning Document – Accessible Homes (2010)

Supplementary Planning Document – Garden Land Development (2013)

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

Mayors Housing Supplementary Planning Guidance (2012)

2 Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

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

3 Mayor CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract a liability payment of **£7,840.00** 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 **£7,840.00** for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of **224** sqm

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>

4 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 £25,520.00

5 SUSTAINABLE URBAN DRAINAGE

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

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems

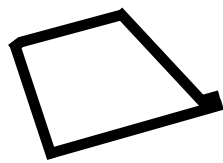
unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

6 REQUEST TO REMOVE SITE NOTICE

A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

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

Plan Nos: 1045466/P000 (REV B), 1045466/P001 (REV A) 1045466/P002, 1045466/P101 (REV B), 1045466/P102 (REV A), 1045466/P103 (REV A), 1045466/P104 (REV B), 1045466/P105 (REV A), 1045466/P106 (REV B), 1045466/P107 (REV B), 1045466/P109 (REV B), 1045466/P110 (REV B), Design & Access Statement



ITEM NO: 2/05
ADDRESS: 5 PARR ROAD, STANMORE
REFERENCE: P/2985/15
DESCRIPTION: FIRST FLOOR SIDE EXTENSION (TO PROVIDE ADDITIONAL OFFICE FLOORSPACE)
WARD: CANONS
APPLICANT: MR ANIL SHAH
AGENT: MR FRANK RANASINGHE
CASE OFFICER: MICHAEL ROWSON
EXPIRY DATE: 04/02/2016

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to condition(s).

Statutory Return Type: E18 – Minor Development all other

Council Interest: None

Net additional Floor space: 482.50m²

GLA CIL Contribution (provisional): £16,905

Harrow CIL Contribution (provisional): N/A

INFORMATION: This application is reported to the Planning Committee as the proposed floorspace exceeds 400m² and is therefore considered to fall outside of Proviso (d) of the Scheme of Delegation.

Site Description

- The subject property is on the north side of Parr Road and contains a two storey detached industrial / warehouse unit constructed in the mid-1970's. The permitted use class of the main building is B8(c) Use (Storage and Distribution).
- The building has been extended on the south flank with a brick built single storey extension which is in separate office use by an accounting practice (B1 use class).
- 27 car parking spaces are positioned in the rear and side yards.
- The site is within Honeypot Lane Strategic Industrial Location (SIL).

Proposal Details

- The proposal includes the construction of a first floor extension above the existing single storey front element fronting Parr Road. The extension would have a lean-to roof and extend the full width of the building.
- The extension would measure 6.35m in depth, 84.9m in width and would be 6.85m in maximum height, reducing to 5.33m with a sloping roof.
- The front elevation (facing onto Parr Road) would include windows and an external staircase would be positioned either end of the front elevation for use as a fire escape.
- Access to the upper floor would be provided via the existing entrance lobby and internal staircases.
- It is proposed that the additional floorspace would be used for storage of files relating to the existing accountant occupier.
- One additional car parking would be provided in the rear yard area, two of which would be for disabled users along with eight bicycle spaces and two motorcycle parking spaces.

Relevant History

LBH/6160/1 – Erection of a 2 storey building to provide warehouse and offices
GRANT - 04/10/1972

LBH/6160/2 – Erection of extensions to single storey warehouse and offices
GRANT - 12/11/1974

EAST/169/98/CON - Continue use as class b1c (light industrial) [*refers to a small area of the warehouse building*]
GRANT - 22/04/1998

EAST/876/00/FUL – Installation of five new windows at second floor level
GRANT - 26/10/2000

Pre-Application Discussion

- None

Applicant Submission Documents

- Design and Access Statement

Consultations

Planning Policy and Research

The application is for a small extension to the existing building to provide ancillary office space to support an existing business within the Honey Pot Lane Strategic Industrial Location.

Whilst B1(a) is not a SIL use, the proposed space would be ancillary to an existing use and would not prejudice the functioning of the adjoining warehousing use.

It is therefore considered that this small first floor extension would not harm the proper functioning of SIL land, nor would it lead to a loss of SIL. There are therefore no Policy Objections

Highways and Traffic

- The application meets the threshold for the requirement of a Travel Plan Statement and submission of one should be secured by condition.
- For this use class there should ideally be some cycle parking provision - minimum 7 long stay spaces and 1 short stay, 2 disabled parking spaces, electric vehicle charging points and 2 motorcycle spaces. There should be sufficient space for all the required features.
- It would be appropriate to condition a construction logistics plan considering the use of this particular estate.

Advertisement

- N/A

Notifications

Sent: 39

Replies: 0

Expiry: 18/09/2015

Summary of Responses

- N/A

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, the Harrow Core strategy 2012 and the policies of the Harrow Development Management Policies Local Plan 2013.

MAIN CONSIDERATIONS

Principle

Character and Appearance of the Area

Residential Amenity

Traffic and Parking

Development and Flood Risk

S17 Crime & Disorder Act

Equalities and Human Rights Considerations

Consultation Responses

Principle

The site is located within Honeypot Lane Strategic Industrial Location (SIL) and is an Industrial Business Park (IBP), as defined in The London Plan (2015). SILs are London's main reservoir of industrial land comprising approximately 40% of London's total supply and have been identified following an assessment of future need. Policy 2.17(B) of The London Plan states that proposals in SIL's should be refused unless:

- a. they fall within the broad industrial type activities outlined in paragraph 2.79 [research and development, light industrial and higher value general industrial, some waste management, utility and transport functions, wholesale markets and small scale distribution]; or
- b. they are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework or borough development plan document; or
- c. the proposal is for employment workspace to meet identified needs for small and medium sized enterprises (SME) or new emerging industrial sectors; or
- d. the proposal is for small scale 'walk to' services for industrial occupiers such as work place crèches or cafes'.

Informed by an Employment Land Study (2010) which projects a 44,600m² surplus of industrial floorspace over the period 2007-2026, Harrow's Core Strategy provides the strategic framework for the managed release of surplus stock to other uses.

Policy CS1.O of the Harrow Core Strategy states that any release of the Borough's surplus business and employment stock should have regard to the most up to date monitoring of the demand and supply balance, and sets out a sequential approach whilst CS8.E of the Harrow Core Strategy states that the Honey Pot Lane Industrial Business Park will be retained for appropriate B1, B2 and B8 uses.

The application proposes a relatively small extension to an existing building to provide additional, ancillary office space, predominantly for the storage of accountancy files. Whilst B1(a) is not a SIL use, the space would be ancillary to an existing use (accountants firm), and would not prejudice the functioning of the warehousing use within the main building on the site. The proposal is therefore considered acceptable in principle.

Character and Appearance of the Area

Policy DM1 of the DMP gives advice that "all development 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." This is in line with the design objectives of policy 7.4B of the London Plan and Core policy CS1.B of the Core Strategy.

The site is located within an industrial business park and the surrounding buildings consist of one, two and three storey warehouse and light industrial buildings.

Whilst a relatively large area of floorspace is proposed, the extension would be long and narrow and apart from the external staircases, would not project beyond the existing footprint of the building, nor extend above it, and as a result, would not appear excessively bulky in context. The simple industrial design of the extension and lean-to roof are considered acceptable as it would appear as a simple continuation of the design of the existing warehouse and would therefore have an acceptable impact on the character and appearance of the surrounding area.

To ensure that the extension satisfactorily complements the existing building, a condition has been attached requiring the materials used to match those used in the construction of the existing building.

Whilst the external staircases proposed on the front elevation would not be considered

acceptable elsewhere within the Borough, their industrial appearance is considered in keeping with character of the industrial estate location, and are therefore considered acceptable in this instance.

The proposal therefore complies with policy 7.4B of The London Plan (2015), policy CS1B of The Harrow Core Strategy 2012, policy DM1 of Harrow Development Management Policies Local Plan (2013) and Supplementary Planning Document Residential Design Guide (2010) in this regard.

Residential Amenity

The London Plan policy 7.6B states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. Policy DM1 (sub-sections C and D) of the Development Management Policies Local Plan (2013) requires all development to achieve a high standard of privacy and amenity.

The closest residential properties are located within Stanmore Place, a newly constructed residential development directly to the north of the subject site. The proposed extension would be positioned on the south of the existing building, therefore would not harm the living conditions within any properties within that development as the closest residential units are approximately 45m distant and separated by a tall building in commercial use. Furthermore, the B1 use is considered to be compatible with residential use, and would therefore not result in any unacceptable disturbance to those properties.

The proposal therefore complies with policy 7.6 of The London Plan (2015), policy DM1 of Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).

Parking, Traffic and Servicing

The London Plan (2015) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel.

Core Strategy Policy CS1R and policy DM42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development. Policy DM42 states that proposals that result in inappropriate on-site parking provisions, which lead to significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclist will be resisted.

- Parking provision

The site is located in an area of poor public transport accessibility with a PTAL of 1b and there are few localised parking controls on the surrounding road network.

The proposal would extend the existing office space for the storage of accountancy files, which would not involve additional employment at the site. However, the additional floorspace may be utilised as useable office space in the future, therefore the proposal must comply with the parking standards set out in the London Plan (2015).

The existing car park includes 27 spaces within the rear yard. The proposal would increase the car parking provision to 28 spaces, with two of the spaces increasing in width to provide for disabled parking. One of the car parking spaces would include an electric vehicle charging point.

In addition to car parking, eight bicycle parking spaces and two motorcycle parking spaces would be provided. The proposed car, bicycle and motorcycle parking proposed for the combined use of the office and warehousing uses would comply with the London Plan Standards and is therefore considered acceptable.

- Servicing of the site

The large warehouse building is serviced via shutter doors in the west flank of the building. Those doors would remain in place and the parking layout proposed would not impede the access of delivery vehicles to and from that building. The parking arrangement proposed is therefore considered acceptable in this regard.

A waste and recycling area has been illustrated on the east flank of the building. That location is considered acceptable to serve both the main warehouse and the accountancy use.

- Travel Planning

Harrow's Highways team have advised that the proposal meets the threshold for the submission of a Travel Plan Statement, which will set out positive measures taken by the applicant to promoting sustainable transport. The requirement to submit a Travel Plan Statement prior to occupation has been secured by condition.

- Construction Logistics Plan (CLP)

Given the proximity of the application site to surrounding premises, and the potential to cause disturbance throughout the construction phase, it is considered reasonable to require a full Construction Logistics Plan to be submitted prior to development, and a planning condition requiring this is attached accordingly.

In light of the above, it is considered that the development would not be to the detriment of highway safety or convenience and it is considered that the proposal will comply with policies 6.9 and 6.13 of The London Plan 2011, Core Policy CS1R of the Harrow Core Strategy 2012 and policy DM 42 of the DMP Local Plan (2013).

S17 Crime & Disorder Act

It is considered that the proposed development would not adversely impact upon community safety issues and so it would comply with policy 7.3 of The London Plan (2015).

Equalities and Human Rights Considerations

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 the reasons considered above, and weighting up the development plan policies 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:

MR/15/001, MR/15/002, MR/15/003, MR/15/004 (illustrating existing elevations), MR/15/004 (illustrating proposed elevations), MR/15/004 (illustrating first floor plan), MR/15/005, 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 development hereby permitted shall match those used in the existing adjacent wall(s) of the building.

REASON: To safeguard the appearance of the existing property and the locality in accordance with policy CS1B of The Harrow Core Strategy (2012) and policy DM1 of the Harrow Development Management Plan Policies Plan (2013).

4 Prior to occupation of the development, full details (including elevations and material specifications) of the proposed secure cycle storage area shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be completed prior to the first use of the development.

REASON: In the interests of promoting sustainable transport in accordance with policy DM42 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO OCCUPATION as enforcement action after that time may be unfeasible.

5 No development shall take place, including any works of demolition, until a Construction Method 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 provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site and the safe use of the highway, thereby according with policies DM1, DM42, DM43 and DM44 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT as enforcement action after that time would serve no purpose.

6 Prior to the occupation of the development, a travel plan statement shall be submitted to, and approved in writing by the local planning authority. The travel plan statement

shall be implemented in accordance with the approved details from the commencement of the use on site and retained thereafter.

REASON: To ensure that highway safety is not prejudiced in accordance with policies DM1 & DM42 of the Harrow Development Management Policies Local Plan (2013). PRIOR TO OCCUPATION as enforcement action after that time may be unfeasible.

INFORMATIVES

1 The following policies are relevant to this decision:

The National Planning Policy Framework (2012)

The London Plan (2015)

2.17 Strategic industrial locations

6.3 Assessing effects of development on transport capacity

6.9 Cycling

6.13 Parking

7.4 Local Character

7.6 Architecture

The Harrow Core Strategy 2012

CS1B & E Local Character

CS1.O Economic Development and Employment

CS1.R Transport

CS8.Edgware and Burnt Oak

Harrow Development Management Policies Local Plan (2013)

DM1 Achieving a High Standard of Development

DM42 Parking Standards

2 Request to REMOVE Site Notice

A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

3 **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.

4 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 £16,905 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 £16,905 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 483sqm.

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

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

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

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. 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.

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

Plan Nos: MR/15/001, MR/15/002, MR/15/003, MR/15/004 (illustrating existing elevations), MR/15/004 (illustrating proposed elevations), MR/15/004 (illustrating first floor plan), MR/15/005, Design and Access Statement.

5 PARR ROAD, STANMORE



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ITEM NO: 2/06
ADDRESS: GRIMSDYKE SCHOOL, SYLVIA AVENUE, PINNER
REFERENCE: P/5736/15
DESCRIPTION: TWO STOREY REAR EXTENSION WITH PROVISION OF NEW HARD PLAY AREAS CANOPY OVER SEATING AREA INTERNAL FENCING LANDSCAPING AND ADDITIONAL PARKING TO INCREASE THE TWO FORM ENTRY SCHOOL TO A THREE FORM ENTRY SCHOOL (DEMOLITION OF EXISTING TEMPORARY BUILDINGS)
WARD: HATCH END
APPLICANT: HARROW COUNCIL
AGENT: SCAPE SYSYSTEM BUILD
CASE OFFICER: CONOR GUILFOYLE
EXPIRY DATE: 17/02/2016

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 and the land is at Grimsdyke School, Sylvia Avenue, Pinner, HA5 4QE.

INFORMATION

The application is reported to the Planning Committee because the Council is the applicant and landowner and the proposal is greater than 100 m² and therefore falls outside of category 1(h) of the Council's scheme of delegation.

Statutory Return Type: Minor Development
Council Interest: The Council is the landowner.
Gross Footprint: 503.37m²
Net Reduction in Footprint: 16.18m²
GLA Community Infrastructure Levy (CIL) Contribution: N/A
Harrow Community Infrastructure Levy (CIL) Contribution: N/A

BACKGROUND

The Harrow School Expansion Programme

Harrow Council has a statutory responsibility to provide sufficient school places for its area. Like most London Boroughs, Harrow is experiencing a significant increase in demand for school places. The increasing demand is primarily birth rate driven but is complicated by other factors such as migration, household occupancy, size of families, etc. The main pressure on school places is currently in the primary sector, though pressure is also being experienced in the special educational needs sector and will be experienced in the secondary sector when the additional pupil numbers progress through to the high schools.

Harrow Cabinet agreed its school place planning strategy in February 2010 to meet the increasing demand for school places. Harrow is a congested urban borough and there is very limited effective scope to build new schools. In July 2015, Cabinet agreed on a Primary School Expansion Programme as part of the School Place Planning Strategy. The strategy aims to secure sufficient primary school places through the creation of additional permanent places, supplemented by the opening of temporary additional classes as required to meet the peak and variations in demand.

Harrow has been opening additional temporary reception classes since 2009, with an increasing trend in the number of places opened. Phase 1 of the primary school expansion programme was implemented in September 2013 with 8 schools in the borough permanently increasing their reception intakes and 9 temporary additional reception classes were also opened. Statutory proposals for phase 2 of the Primary School Expansion has been completed with 19 school obtaining planning permission to expand.

Harrow Council consulted about combining and expanding Grimsdyke School on Monday 29 September to Friday 14 November 2014.

On 15 January 2015 and 16 February 2015 Harrow Cabinet considered the outcome of the consultation, including the recommendations of the governing bodies and officers, and decided to publish statutory proposals to: Permanently expand Grimsdyke School by one form of entry from 1 September 2015.

Site Description

- The application site is occupied by Grimsdyke Primary School, consisting of a main predominantly two storey building core formed around a quadrangle, with a further single storey rear extension and small classroom block extending off its western side into the rear playground, and three single storey detached building blocks to the north of the main building.
- The application site also encompasses a caretaker's cottage, namely the dwelling house adjacent to the car park/school frontage, on the eastern side, adjacent to and fronting the main vehicular and pedestrian entrance to the site off Sylvia Avenue.
- A second, existing, access way and highway entrance/bell mouth features to the north of the site, onto Sylvia Avenue. It is not in use and remains gated/fenced.
- The main original school building features red facing brick.
- The site is bounded by the rear gardens of residential properties on all sides; along Sylvia Avenue to the east/north-east/north, Colburn Avenue to the south, and Lyndon Avenue to the west/north-west.

- The existing school features two forms of entry, with a pupil count of 511, and 73 staff.
- The existing car parking capacity is approximately 20 spaces, with spaces not formally marked out at present.

Proposal Details

- The application proposes a two storey rear (western) extension with provision of new hard play areas, canopy over seating area, fencing/landscaping, and expansion of the (eastern) car park.
- The main extension would feature a footprint of 503m². It would be two storeys in scale, with a flat roof, measuring 7.98m from ground level to its flat roof height. This compares to the 9.63m height of the host building which it would adjoin. It would be partially sited, at its south-eastern corner, over an existing small (32m²) classroom block extension which currently features in a rear corner of the main building quadrangle.
- In carrying out the above works, the three detached building blocks to the north of the main building, which includes the dining block, would be demolished.
- Hard play areas are proposed in the locations where buildings are to be demolished.
- Whilst some trees are proposed for removal, replacement and mitigation planting is proposed, with a comprehensive landscaping scheme suggested to be dealt with by planning condition.
- Trees/planting along boundaries with neighbouring properties would remain.
- The block would feature 12 classrooms, share facilities with the existing school building, and feature internal alterations to the east wing of the school, to accommodate a new kitchen and dining accommodation, integrated with the main school building, in contrast to existing.
- The proposal seeks to expand the school to a 630-place capacity 3 form of entry school, with up to 80 staff.
- The existing staff car park would be extended towards the east, near the boundary with the rear garden of the caretaker's house, with three disabled spaces included. 20 staff car parking spaces would feature, which is approximately the same as existing; if the existing spaces were formally marked out, and discounting 'double parking' which may currently take place. The Transport Assessment recognises that 'white lining' of the existing and proposed car parking areas may increase capacity, but this is not proposed, with the additional staff parking proposed to be absorbed by on-street parking.
- The proposal would feature additional cycle parking provision in accordance with London Plan (2015) standards.

Revisions to Previous Application

- N/A

Relevant History

P/2335/08DFU - Installation of waterproof fixed umbrella tension structure in first school playground – Granted 02/09/08

P/0322/08 - Solar panels on roof of two storey classroom building – Granted 07/03/08

P/0260/07 - Installation of two open sided canopies on the playgrounds (8m x 16m and 8m x 8m) – Granted 19/07/2007

P/589/04/DFU - Canopy at side/rear – Granted 16/04/2004

WEST/376/97/FUL - Provision of playground "trail" featuring a variety of playground equipment – Granted 10/09/97

WEST/721/95/LA3 - Single storey extension to provide two classrooms and W.C. Facilities plus access ramps and railings – granted 15/01/1996

WEST/204/95/FUL - Enclosed link extension between main building and toilet block – Granted 18/07/95

Pre-Application Discussion (Ref.)

- The proposal was considered during a series of pre-application meetings between the applicant, developer and Local Planning Authority to discuss the developing design and application requirements, and agree an design approach, prior to submission of a formal planning application

Applicant Submission Documents

- Design and Access Statement
- School Travel Plan
- Flood Risk Assessment
- Arboricultural Impact Assessment
- Preliminary Ecological Appraisal
- Transport Assessment
- Statement of Community Involvement
- Compliance Simulation Report

Consultations

Highways – No objection subject to conditions to secure;

- Cycle parking – 120 long stay and 8 short stay spaces based on full occupance of 870 pupils and 90 FTE staff
- Query whether increase in parking spaces proposed (given new car park proposed) – no objection, and welcome 3 proposed disabled spaces, greater than 2 minimum requirement
- The opening of a second (pedestrian) entrance onto the site will result in better distribution of traffic and provide an alternative site for access via The Avenue using pedestrian footpaths.
- We are aware of the concerns of the local residents regarding traffic and parking. The TA has thoroughly investigated the current situation and the projections indicate that the additional pupils and staff can be accommodated. Essential that alternative modes of travel as suggested in the TA are explored by staff to reduce impact on residents –Construction Logistics Plan (for approval prior to commencement of works) will need to be secured by condition. Usual travel plan condition also required.
- Travel Plan condition should include measures to secure; Travel Plan prior to occupation, Travel Plan to be renewed annually, Gold Accreditation to be obtained by the time the school is at full capacity

Drainage – No objection subject to Thames Water consent for both connections and SuDS Maintenance Plan (can be conditioned).

Hatch End Association – Objection, not to school expansion in principle, but about

effectiveness of proposed Travel Plan given existing traffic/congestion/parking problems on surrounding street scenes and lack of traffic enforcement.

Mention of new pedestrian access route from secondary gate to playground as being a contentious issue but case officer confirmed this is not part of the planning application

[Clarification; Case officer was referring to vehicular access here not being part of current planning application – the proposed additional pedestrian route/access is via the existing, disused, access and entrance to the north onto Sylvia Avenue – no ‘new’ access from the road way in the form of a turning head or vehicle access way is proposed]

Landscaping – No objection subject to hard and soft landscape conditions to cover:

- Landscaping to be Approved
- Landscaping Scheme – Implementation including a period of 5 year period for replacements of soft landscape
- Levels
- Boundary Treatment
- Material Details

Advertisement

X2 Site Notices – Erected 04/01/16, Expiry 25/01/16

Notifications

Sent:122

Replies: 45

Expiry: 14-01-16

Addresses Consulted

Syliva Avenue, Lyndon Avenue, Colburn Avenue

Summary of Responses

- **Objection to proposal on grounds summarised as;**
 - Loss of privacy/overlooking caused by western elevation first floor window to residential property on Lyndon Avenue
 - Concern about impact and need for proposed additional entrance via other (north) side of the site on Sylvia Avenue - would not shorten pedestrian routes, would cause congestion and emergency vehicle access problems, and the road/existing entrance bell mouth here is not suited for this entrance as it would cause further traffic congestion/safety problems
 - Increased traffic will arise from proposal, causing further congestion and hindering access for emergency vehicles
 - Complaints/concerns about existing and worsening parking problems on surrounding roads
 - Congestion will affect house prices
 - Traffic impacts are a threat to children’s lives with children being run over
 - Transport Assessment does not make reference to Hallam Gardens or the upper part of Grimsdyke Road
 - Transport Assessment contents are disputed/inappropriate in methodology/lacking evidence
 - Council needs to do more to enforce parking/access problems on surrounding streets

- Consultation with residents is vague, misleading, and deliberately took place by sending letters on 24th December to minimise disruption residents could cause by plans, including unsatisfactory responses by officers at Q&A session in early December
- Concern that ‘new’ entrance (north) would be used in future for access to (staff) car park, with assurances sought this would continue to take place via existing (east) entrance

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], 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
 Development and Flood Risk
 Accessibility
 Sustainability
 S17 Crime & Disorder Act
 Equalities and Human Rights
 Consultation Responses

Principle of the Development

The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 of the NPPF should be taken as a whole in defining what amounts to sustainable development. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating a high quality built environment that reflects the community needs and support its health, social and cultural well-being. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.

The National Planning Policy Framework (2012) outlines at paragraph 72 that: “The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this

requirement, and to development that will widen choice in education. Local Planning authorities should give great weight to the need to create, expand or alter schools”.

Furthermore, on 15/08/11 the DCLG published a policy statement on planning for schools development which is designed to facilitate the delivery and expansion of state funded schools. It states:

The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state funded school places, increasing choice and opportunity in state funded education and raising educational standards.....The Government wants to enable goods schools to opens and new schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state funded school sector to meet both demographic needs and the drive for increased choice and higher standards”.

“It is the Government’s view that the creation and development of state funded schools is strongly in the national interest and that planning decision makers can and should support that objective, in a manner consistent with their statutory obligations”

Core policy CS1 of the Harrow Core Strategy (2012) states that: “The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing and proposed development, or required to meet projected future requirements.” Policies 3.16 and 3.18 of The London Plan (2015) seek to ensure inter alia that development proposals which enhance social infrastructure, education and skills provision are supported.

Policy DM46 of the Harrow Development Management Policies Local Plan supports proposals for the provision of new education facilities provided that they are (a) located in the community which they are intended to serve; (b) subject to them being located in an area of good public transport accessibility and would not result in any adverse impacts on residential amenity or highway safety.

The educational use of this site is long established. The proposal would result in the provision of permanent educational facilities with a high standard of design and layout to provide much needed additional school places within the existing community. It is considered that the impact on residential amenity would be acceptable and that the proposal would not be detrimental to highway safety, as outlined further in the report. Against the backdrop of existing provision, the proposed development will result in an improvement in the quality of the physical facilities on the site. The development will be constructed for educational use and it is considered to be fit for its purpose (from a planning perspective). Furthermore, Harrow has a clear, demonstrable need to create more school places to meet a growing demand for educational space identified in the development plan.

London plan policy 7.18 sets out that “The loss of local protected open spaces must be resisted unless equivalent or better quality provision is made with the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate. Core Policy CS1 F of the Harrow Core Strategy outlines that Harrow’s open spaces will be managed as an interconnected, multifunctional environmental resource that contributes to biodiversity, adaptation to climate change, and to people’s health and well-being. The quantity and quality of existing open space shall not be eroded by inappropriate uses. It goes onto

state that *“The reconfiguration of existing open space may be permitted where qualitative improvements and/or improved access can be secured without reducing the quantity of the open space.”*

Policy DM 18 of the Harrow Development Management Policies Local Plan outlines that *“Proposals for ancillary development on land identified as open space will be supported where a – it is necessary or would facilitate the proper functioning of the open space, b – it is ancillary to the use of the open space, c – it would be appropriate in scale and d – it would not detract from the open character of the site or surroundings”*.

Parts of the application site, primarily north of the existing buildings, and the western extremity of the site boundary, are designated within the Local Plan as areas of open space. The reasoned justification for the protection of open space within the development plan explains that *“open spaces provide most of the Borough’s parks and gardens, play areas, amenity green spaces, natural and semi-natural environments, outdoor sport space and allotments which are close related to residents’ homes.”*

The extension would project onto the existing hard play area at west/north-east of the existing building, outside of the area designed as area of open space. Notwithstanding its open nature, the same applies to the new hard play areas formed from the demolition of the three existing detached buildings north of the main school building. Whilst the expanded car park in front of them, to the east, would impinge into this open space partially, at 3.5m encroachment and 12m deep, and given the lack of physical bulk/buildings on this land, this is not considered to lead to a material decrease in the sense of openness on the wider site. This is particularly so given that the proposal would remove multiple detached buildings which encroach across the northern side of the main school buildings, into a more efficient and consistent building footprint, resulting in an overall net reduction in building footprint of 16m². Combined with the ‘opening’ up of the areas currently occupied by the detached buildings to form large expanses of open hard play space, the proposal is therefore considered acceptable in this regard.

The additional hard play area is directly associated with the education of the additional children to be taught within the school. However, the proposal includes provision for additional soft landscaping, which could be secured by condition should permission be granted, as recommended by the Council’s landscape officer.

In conclusion, whilst the loss of open space associated with the development would conflict with development plan policies, it is very limited and considered to be offset by a reduction in building footprint, conglomeration of building/massing into a more coherent form which would allow for the creation of quality, large, open hard play areas to mitigate its impact. When these factors are also weighed alongside the significant policy support to enhance and improve schools contained in the NPPF and Local Plan, the ever-increasing pressures on local authorities to fulfil statutory obligations relating to providing educational places, the pressures of availability of other land to deliver these obligations and the localised nature of the harm arising from development on this land, officers consider that the land use principle should be supported.

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 NPPF attaches great importance to the design of the built environment, stating, *“good design is a key aspect of sustainable development...and should contribute positively to making places better for people”*. It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments like the proposed development. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness. In addition, it states that *‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’*.

The 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. Policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment.

Core Policy CS1.B states that all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.

Policy DM 1 of the Development Management Policies Local Plan (2013) states that all development must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout or which would be detrimental to local character and appearance will be resisted. It reinforces the principles set out under The London Plan (2015) Policy 7.4B which seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surroundings and should have a satisfactory relationship with adjoining buildings and spaces.

The main extension would feature a footprint of 503m². It would be two storeys in scale, with a flat roof, measuring 7.98m from ground level to its flat roof height. This compares to the 9.63m height of the host building which it would adjoin. It would be partially sited, at its south-eastern corner, over an existing small (32m²) classroom block extension which currently features in a rear corner of the main building quadrangle. Due to this location, projecting off the west/north-western side of the main school building, and its scale, it would not be readily prominent from the school frontage and main entrance off Sylvia Avenue. The majority of the school frontage would be taller than it, and where the school building reduces to single storey level, the extension would be set back 26.5m from the frontage, behind the northern extremity of the school building, where views to its rear are out of direct view from the school frontage. Combined with its flat roof and scale which would, where visible, clearly read as subordinate to the height of the main school building's adjacent two storey components, the resultant mass and bulk is considered to read as subordinate to the original school building.

Given the exposed/open nature of the remainder of the site northwards of the extension, the extension would be visible through the currently disused northern gate/entrance off Sylvia Avenue. However, it would be sited 139 metres from that point. Alongside its reduced scale when read against the taller main school building behind/adjoining it, and

its design with flat roof and depth no greater than the other western extension, as set out above, it would still clearly read as a subordinate, proportionate, secondary addition to the main school building. This is particularly so given the reduced building footprint and multiple mass of buildings removed through the demolition of the tree outbuildings which currently lie north/north-east of the proposed extension.

Whilst materials have not been finalised at this stage, subject to a condition to require materials samples to be submitted and approved by the Local Planning Authority prior to the construction of the building, it is considered that a high quality external finish appropriate to the character, appearance and context of the host school building could be achieved.

Policy 7.21B of The London Plan (2015) states that “Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of ‘right place, right tree’. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species”.

Policy DM 22 of the Development Management Policies Local Plan states that:

“A. The removal of trees subject to TPOs or assessed as being of significant amenity value will only be considered acceptable where it can be demonstrated that the loss of the tree(s) is outweighed by the wider public benefits of the proposal.”

“B. Development proposals will be required to include hard and soft landscaping that:

- a. Is appropriate to the character of the area;*
- b. Is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours;*
- c. Achieves a suitable visual setting for the building(s);*
- d. Provides for sufficient space for new or existing trees and planting to grow; and*
- e. Supports biodiversity.”*

A single category B tree and category C trees are proposed for removal. However, they are not considered or graded as particularly high value/quality specimens, and would be replaced with new heavy standard trees. A section of the new path would be constructed, according to the arboricultural report, using no-dig surfacing to avoid the root protection area of the Oak tree (T10 in the report), and its route is recommended to be adjusted to avoid the removal of another tree (G6 in the report). All other trees, including the main boundary trees (including those on neighbouring land) would be retained, with the protecting measures proposed also covering root protection areas of neighbouring properties.

The additional hard and soft landscaping proposed would impact the appearance of the site. It is considered that the impact would be limited and acceptable. Conditions have been recommended by the Council’s Landscape officer which require the submission of further hard and soft landscaping details, including a five year implementation period, as well as details of levels, boundary treatments and materials. The comments also refer to the tree protection plan and method statement, which need to be adhered to, which are set out in the submitted arboricultural report, which would become an approved document, and thus requirement of the planning permission, if permission is granted.

The landscaping scheme would allow officers to give due consideration to the type and location of the proposed pedestrian (only) footpath leading to the currently unused entrance to the north of the site off Sylvia Avenue, as well as to the expanded car

parking area, and elsewhere on the site, to provide sufficient mitigation planting and high quality hard landscape features where appropriate.

Overall, subject conditions discussed above, it is considered that the proposal is acceptable in this regard and would be in keeping with the character and appearance of the school site and wider area. As such, the proposal is considered to comply with policies 7.4B, 7.6B, 7.21 and 7.19 of The London Plan (2015) Core Policy CS1 B of the Harrow Core Strategy (2012) and policies DM1, DM20, DM21 and DM22 of the Harrow Development Management Policies Local Plan (2013).

Residential Amenity

The London Plan policy 7.6B states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. Policy DM1 (sub-sections C and D) of the Development Management Policies Local Plan (2013) requires all development to achieve a high standard of privacy and amenity. The adopted SPD 'Residential Design Guide' elaborates upon policy DM1 with detailed guidance aimed at balancing the right of a landowner to develop their property with the need to protect adjoining occupiers from development that would unduly harm their residential amenities.

Impact on residential amenity

The main two storey extension would project westwards, on the west/north-west of the main school building. In doing so, its western elevation would be sited 12.5m at its closest point to the (rear garden fence) boundary with neighbouring property on Lyndon Avenue, which are the closest properties to the proposal. It would be sited approximately 36m from the rear elevation of the nearest house on Lyndon Avenue. The distance of the extension to the nearest properties to the south (Colburn Avenue) and north (Sylvia Avenue) would be considerably greater, at 47m and 110.5m to the rear garden fences of properties on both streets respectively. Given these distances, and the limited scale of the proposal at 7.98m high, further reduced in bulk by its use of a flat roof, whilst closer than the existing school to the nearest properties, particularly on Lyndon Avenue, given its overall volume, scale, particularly against those larger elements of the existing school, the above distances are not considered sufficient to result in detrimental impacts to the amenities of their occupiers of neighbouring properties or their rear gardens. For the same reasons of distance, whilst closer than existing, the windows on the school are not considered sufficiently close or intense in use (only used during school activity) to result in a degree of overlooking, or perceived overlooking, which would result in detrimental amenity impacts.

Given the minor nature of the other external alterations proposed, namely the car park expansion (adjacent to the existing school's caretaker cottage) and increased hard landscaped areas, they are not considered to result in any material impacts on neighbouring amenity which would result in detrimental impacts. This includes the construction of the pedestrian footpath across the north/north-western side of the site, given its non-vehicular use and presence of existing boundary treatments between the site the rear gardens of adjacent neighbouring properties, and the fact it would serve an existing, albeit currently closed, access, with no physical expansion of the highway bell mouth/entrance.

Increase in Intensity of Use

The National Planning Policy Framework places particular emphasis on meeting the

need for school places. Within urban areas, the growth of school places will result in some additional impacts upon nearby residential properties. The NPPF nevertheless requires that particular weight be applied to the need to expand and alter schools.

The proposed extension would accommodate an additional form of entry and an additional 7 members of staff. Whilst such an increase will likely result in an increase in noise during school hours, the resulting noise and disturbance is not considered to significantly undermine residential amenity to a greater degree than the existing school use would and such impacts given the established nature of the school and its site, and retention of key outdoor hard play areas, would not outweigh the strong emphasis given to expanding schools within national planning policy and the support within the Local Plan.

Vehicle Access and Traffic

The proposal does not include alterations to the existing vehicular access arrangements and the existing car parking area is to be retained in terms of capacity, with a small expansion for re-arrangement of spaces and additional dedicated disabled parking provision which is not considered to lead to a material change in impacts in this regard. For the reasons set out above, the additional pedestrian footpath and access via a re-opened northern access from Sylvia Avenue is not considered to lead to detrimental amenity impacts given the pedestrian use of the access, existing highway entrance formation, and presence of boundary treatments adjacent to the footpath between the application site and the rear gardens of adjacent residential properties, where users would travel the path predominantly at set times during a weekday school-day, leading to very limited additional noise generation to a degree not considered sufficient to cause detrimental impacts. The application is therefore considered acceptable in this regard.

Construction Disturbance

The development has been planned to involve minimal on-site construction, with the building being constructed from components built off-site. However, a degree of noise and disturbance is to be expected during the construction process.

Given the proximity of the application site to surrounding residential premises, and the potential to cause disturbance throughout the construction phase, it is considered reasonable to require a full Construction Logistics Plan to be submitted prior to development, and a planning condition requiring this is attached accordingly.

In summary, the proposal would accord with policy 7.6B of The London plan (2015) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

Traffic and Parking

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The London Plan (2015) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel and ensure that development proposals will not adversely impact on the transport capacity and the transport network, at both corridor and local level. This is further emphasised by core policy CS 1 R of the Harrow Core strategy (2012). Policy DM 42 of the Harrow Development Management Local Plan outlines the council's parking standards and cycle parking standards.

The proposed car parking area would be located in the same area as existing, to the east of the site, in front of the school. The proposal would result in a capacity for increased pupil numbers, with up to 90 additional pupils, and 7 additional members of staff. The level of car parking, according to submitted details, would remain similar to existing (20), with the increased car parking area allowing for a greater, and dedicated, allocation for 3 disabled parking spaces, which is welcomed by highway officers.

The existing car parking capacity of approximately 20 spaces is formally marked out at present, and is not proposed. Whilst submitted details suggest the level of car parking would remain the same as existing, there appears to be capacity to increase the number of non-disabled spaces over existing levels due to the expanded parking area, by approximately seven spaces. 'White lining' of the main, existing, car parking area is not proposed (it is on the new car park area), which, as the transport assessment points out, may increase capacity. However, based on the former option, retaining 20 spaces as existing, highways officers have considered the scheme acceptable subject to revised travel plan details being secured by condition. In coming to this view, they acknowledge the concerns raised by residents regarding traffic, parking and general highway safety/capacity issues. However, on balance, taking into account the opening of a second pedestrian entrance which they considered will result in better distribution of traffic and provide an alternative site for access via The Avenue using pedestrian footpaths,, and the ability to secure additional cycle parking provision, they considered the scheme acceptable in terms of highway safety, capacity and parking grounds.

The transport assessment and highway officers did not raise objection to the identified capacity of surrounding street to absorb parking for 7 additional staff arising from the expansion. However, given the strength of public concerns outlined in the representations received, in this instance it is considered necessary to require revised parking layouts, with formal line markings throughout the existing and proposed parking areas, to be agreed by officers as part of the (hard) landscaping condition, to maximise available on-site parking provision, where it is considered there is potential for up to 7 additional parking spaces, resulting in 27 on-site parking spaces.

In terms of the concerns raised about re-opening the existing northern site access onto Sylvia Avenue, highways officers have reviewed the scheme and transport assessment, and based on their own independent assessment, consider the scheme acceptable. It is considered to result in better distribution of traffic and provide an alternative site for access via The Avenue using pedestrian footpaths. Whilst not a 'short cut' as identified in representations received, it would increase pedestrian dispersal. The highway entrance/bell mouth is already in existence. Full control or authority cannot be exercised by the school or Local Planning Authority over private individual's actions on the public highway. Therefore it cannot be guaranteed children will not be dropped off by car at this entrance, or that drivers will not cause obstructions. However, the constrained nature of the surrounding street by on-street parking would self-regulate this to some degree, and the school travel plan would encourage walking measures. Insofar as the school can exercise control and influence travel pattern behaviour, this would benefit those aims. To clarify concerns raised in representations, the entrance would be for pedestrians only, with no physical works to the highway or vehicular access proposed. The details of the path would need to be agreed as part of the landscaping condition. Any vehicular access would not form part of the planning permission or its approved plans/details, and, as such, would require a separate planning application to consider its impacts.

Whilst construction works would involve some element of disruption and disturbance to the surrounding streets, this would be temporary in nature and not a sufficient reason on its own to refuse planning permission. The construction method statement requested by highways officers could be secured by planning condition, which would go some way towards minimising the impact of construction works on the surrounding road network.

In terms of the cycle parking spaces, London Plan standards require 1 long stay space per 8 staff (approximately 8 spaces), 1 long stay space per 8 students (79 spaces) and 1 short stay space per 100 students (3 spaces). The number of spaces (120 long stay, 8 short stay) required by highways officers was based on inconsistent data provided in the supporting documentation on the number of staff and pupils. Based on the actual total capacity proposed of 630 pupils and 80 staff, London Plan standards require 87 long stay and 3 short stay cycle spaces, which could be secured by condition.

For the reasons outlined above, and subject to the above suggested conditions, the transport impacts of the proposal are considered to be acceptable, having regard to the aims and objectives of Policies 6.3, 6.9, 6.10 and 6.13 of The London Plan, Core Policy CS 1 R of the Harrow Core Strategy, and Policies DM 42 and 43 of the Harrow Development Management Policies Local Plan (2013).

Development and Flood Risk

The NPPF (2012) outlines the need to manage flood risk from all sources (paragraph 100). Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban drainage (SUDS) hierarchy. Similarly, policy DM 10 of the Harrow Development Management Policies Local Plan (2013) requires that *“proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off. Substantial weight will be afforded to the achievement of greenfield run off rates”*.

The site lies in flood zone 1 and therefore has a low risk of flooding. As such, there are no restrictions in terms of planning policy for constructing an extension on the site, subject to surface water management controls, given that the site lies in a critical drainage area.

The development would actually lead to a decrease in the footprint of development on the site. However, due to its 'new build' area the relevant requirements for mitigation in critical drainage areas apply to all of the proposed development, which have been discussed with drainage officers during pre-application discussions. The details submitted by the applicant in this application in this respect were not considered satisfactory by drainage officers. However, during the course of the application, and following discussions and further meetings with drainage officers, an acceptable design solution was agreed, and these changes have been incorporated into the current 'approved plans/documents' which would form part of the planning permission if permission is granted. Some minor details are outstanding, but drainage officers are satisfied that these could be dealt with by means of planning condition(s) should permission be granted.

Subject to the above measures being secured by condition, the proposal is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and

would satisfy London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policy DM 10 of The Harrow Development Management Policies Local Plan (2013).

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 DM 2 of the Harrow Development Management Policies Local Plan (2013) seeks to ensure that buildings and public spaces are readily accessible to all.

The applicant has stated that the proposed extension has been designed in full accordance with Part M of the Building Regulations and the plans illustrate that it would be fully wheelchair accessible with level access provided to the building both internally and externally, and accessible WCs and Hygiene Rooms.

It is therefore considered that the proposal would meet the requirements of policy 7.2 of the London Plan (2015) and policy DM 2 of the Harrow DMPLP (2013).

Sustainability

London Plan policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11. Policy 5.2 B outlines the targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations. Currently the target is a 40% reduction for all major development proposals. Policy 5.2 C outlines that "Major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions are to be met within the framework of the energy hierarchy".

Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to ensure that the design and layout of development proposals are sustainable. It states that development will need to "*utilise natural systems such as passive solar design and, wherever possible incorporate high performing energy retention materials*"..."*Proposals should make provision for natural ventilation and shading to prevent internal overheating and incorporate techniques that enhance biodiversity*". Policy DM 14 highlights that development proposals should incorporate renewable energy technology where feasible.

Harrow Council's Supplementary Planning Document on sustainable Building Design (adopted May 2009) seeks to address climate change through minimising emissions of carbon dioxide.

The internal layout and proportions of the teaching rooms and windows have been designed to allow optimum daylight and optimum natural ventilation within the space to prevent overheating in line with Education Funding Agency (EFA) requirements.

The Compliance Simulation Report submitted in support of the application states that the building has also been designed to comply with Building Regulations Part L (energy efficiency), with low energy lighting with intelligent controls, an air source heat pump, and of 25m² Photo Voltaic Cells included at roof level to provide an additional 20% reduction in carbon emissions. The proposal is not classified as a major development therefore a 40% reduction above TER is not required in this instance. However, the use

of renewable technology is welcomed.

It is considered that the proposal is in accordance with policies 5.2 and 5.3 of The London Plan, Core Policy CS1 T, policies DM 12 and DM 14 of the Harrow Development Management Policies Local Plan and the Councils adopted SPD Sustainable Building Design.

S17 Crime & Disorder Act

It is considered that the proposed development would not adversely impact upon community safety issues and so it would comply with policy 7.3 of The London Plan (2015).

Equalities and Human Rights Considerations

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

The consultation responses, including representations from members of the public and the Hatch End Association, are noted. Issues relating to highway safety, capacity, arrangements, traffic, parking, transport assessment/application submission documentation, and the new pedestrian route and access gate impacts, are addressed in the report above. Issues relating to residential amenity are addressed in the report above. House price considerations are not material planning considerations which can be taken into account in the consideration of a planning application. Concerns about construction impacts are addressed in the residential amenity section above.

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 development hereby permitted shall be carried out in accordance with the following approved plans: School Travel Plan dated December 2015, 50 Rev.B, 100 REV.E 'Proposed Site Plan', 101 REV.A 'Proposed Site Location Plan', 102 REV.A 'Proposed Site Location Plan', 150, 200, 600, 101, 13608A GRI Building and Play all

results, 13608A GRI Building and Play critical results, 13608A GRI Play and Parking all results, 13608A GRI Play and Parking critical results, 100 REV.T1 'Drainage Construction Details', 101 REV.T1 'Proposed Drainage Layout', 102 REV.T1 'Impermeable Areas of Development', 103 REV.T1 'Car Park Construction Detail', Flood Risk Assessment dated December 2015, 22311_OGL REV.0, 22311_UG REV.0 (showing school building), 22311_UG REV.0 (omitting school buildings), Tree Constraints Plan, Arboricultural Impact Assessment, Design and Access Statement, Preliminary Ecological Appraisal dated September 2015, 'Harrow School Window Design' details, 'Timber Palisade Fence' details, 22311_04_E REV.0, 22311_03_E REV.0, 22311_02_E REV.0, Transport Assessment, dated 9 December 2015, Statement of Community Involvement, dated December 2015, Compliance Simulation Report dated 27 November 2015.

3 The construction of the building hereby approved shall not be commenced until proof of Thames Water consent for all connections and a SuDS Maintenance Plan are submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained in accordance with the approved details.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the National Planning Policy Framework (2012) and Policy DM 10 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF (2012). Details are required PRIOR TO COMMENCEMENT as enforcement action after time may be unfeasible.

4 No development shall take place, including any works of demolition, until a Construction Method 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 provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site, thereby according with policies DM1, DM42, DM43 and DM44 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT as enforcement action after time would serve no purpose.

5 Notwithstanding the details shown on the approved plans and documents, details and samples of the materials to be used in the construction of the external surfaces noted below shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of any work above damp proof course level of the buildings hereby permitted is carried out.

- a: the building
- b: the ground surfacing
- c: the external canopies

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND DAMP PROOF COURSE as enforcement action after time may be unfeasible.

6 The development hereby permitted shall not be occupied until details of hard and soft landscape works have been submitted to, and approved in writing by the Local Planning Authority.

Soft landscape works details shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

Hard landscape works details shall include: Site levels, details of boundary treatments, internal fencing, details (location, materials) of pedestrian footpath leading to northern site entrance at Sylvia Avenue, formal 'marking out' of car parking spaces to seek to achieve a greater number than 20 car parking spaces, details of any external lighting (luminescence, column height and location)

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO OCCUPATION as enforcement action after time may be unfeasible.

7 No site works or development above damp proof course level of the buildings 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 levels of the site, have been submitted to, and approved by, the local planning authority. The development shall be carried out in accordance with the approved details.

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 policy DM 1 and DM 10 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND DAMP PROOF COURSE as enforcement action after time may be unfeasible.

8 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 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 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 compliance with policies DM 1 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

9 The development hereby permitted, shall be undertaken in accordance with the recommendations of the Arboricultural Impact Assessment at Grimsdyke School by A.T Coombes Associates, dated 08 December 2015. This will include that arboricultural supervision is undertaken throughout the project and the development shall be carried out in accordance with the recommendations of the Arboricultural Survey. The tree protection measures shall be erected before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. 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, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected, and as required by policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

10 The development hereby permitted shall not be occupied until a scheme for the provision of secure cycle parking spaces (87 long-stay, 3 short-stay) in accordance with the London Plan (2015) has been submitted to and agreed in writing by the Local Planning Authority. The use hereby approved shall not commence until the cycle parking scheme has been implemented in accordance with the approved details and thereafter retained.

REASON To encourage occupants of the development to use methods of transport other than the private car in accordance with London Plan polices 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Polices Local Plan (2013). Details are required PRIOR TO OCCUPATION as enforcement action after time may be unfeasible.

11 Construction works on site shall cease immediately if evidence of badgers or reptiles are found within the site. A suitably qualified ecologist shall be contacted and local planning authority informed. Works shall not recommence without the written consent of the local planning authority.

REASON: To safeguard the ecology and biodiversity of the area in line with the requirements of policy DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013).

12 The Grimsdyke School Travel Plan shall be implemented in accordance with the approved details upon the first occupation of the development hereby approved. Thereafter a Travel Plan review shall be undertaken and a revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority annually and not later than June of each year of the expansion of the school. A gold accreditation shall be obtained by the time the school is at full capacity. The mitigation measures identified in the Travel Plan shall be implemented for the duration of the development.

REASON: To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with London Plan polices 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Polices Local Plan (2013).

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2012)

Policy Statement – Planning for Schools Development (DCLG, 15/08/11)

The London Plan (2015):

3.16 – Protection and Enhancement of Social Infrastructure

3.18 – Education Facilities

5.2 - Minimising carbon dioxide emissions

5.3 – Sustainable design and construction

5.7 – Renewable energy

5.10 – Urban Greening

5.11 – Green roofs and development site environs

5.13 – Sustainable Drainage

6.3 – Assessing effects of development on transport capacity

6.9 – Cycling

6.10 – Walking

6.11 – Smoothing traffic flow and tackling congestion

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

7.17 – Metropolitan Open Land

7.18 – Protecting Open Space and Addressing Deficiency

7.21 – Trees and Woodlands

Harrow Core Strategy (2012)

CS1: Overarching Principles

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 14 – Renewable Energy

Policy DM15 – Maintaining the Openness of the Green Belt and Metropolitan Open Land

Policy DM 20 – Protection of Biodiversity and Access to Nature

Policy DM 21 – Enhancement of Biodiversity and Access to Nature

Policy DM 22 – Trees and Landscaping

Policy DM 42 – Parking Standards

Policy DM 43 – Transport Assessments and Travel Plans

Policy DM 46 – New Community Sport and Educational Facilities

Other Relevant Guidance:

Supplementary Planning Document Sustainable Building Design (2009)

Supplementary Planning Document: Access for All (2006)

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 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.

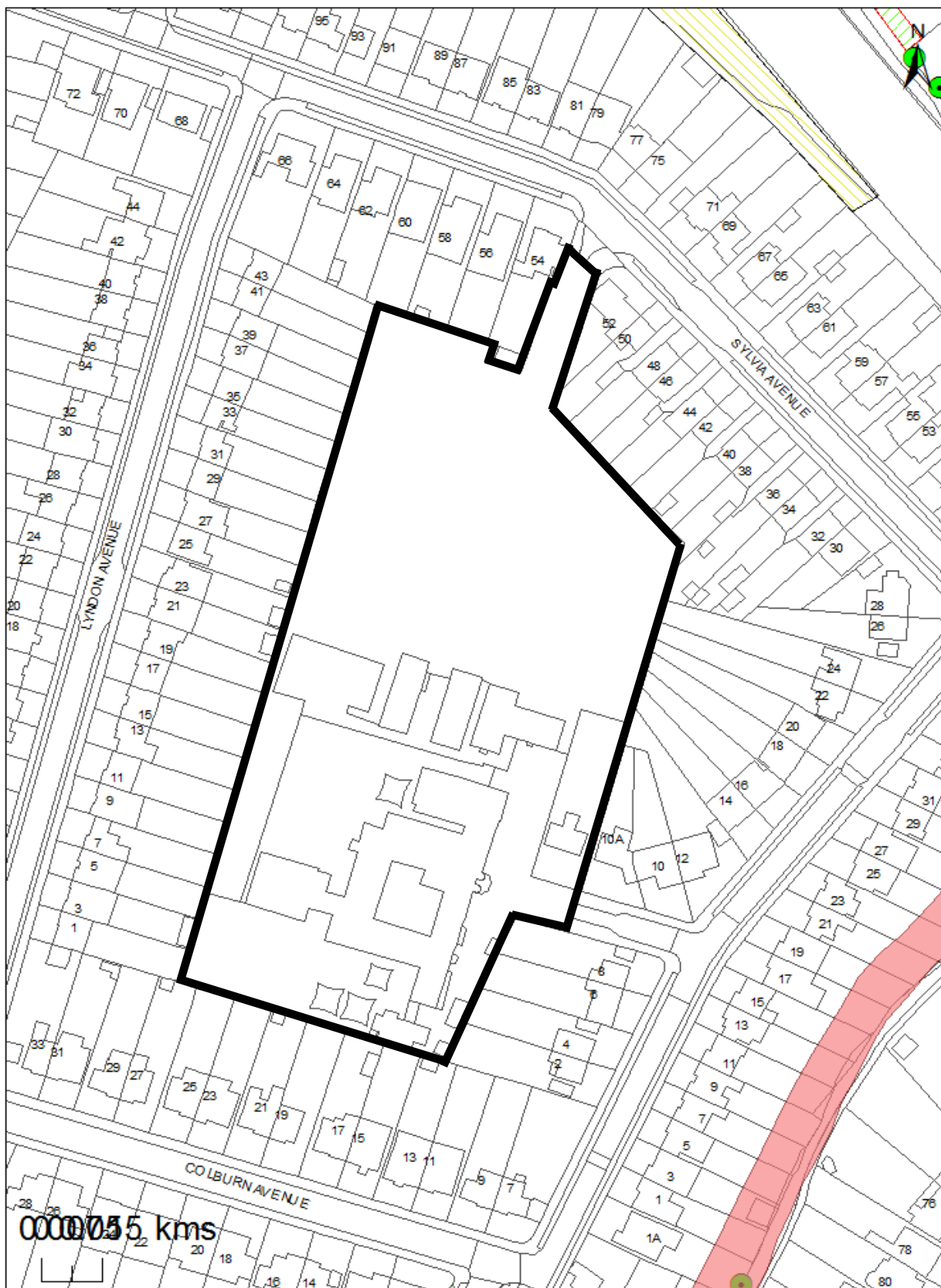
- Beginning development in breach of a planning condition will invalidate your planning permission.

- 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.

4 GRANT WITH PRE-APP ADVICE

Plan Nos: School Travel Plan dated December 2015, 50 Rev.B, 100 REV.E 'Proposed Site Plan', 101 REV.A 'Proposed Site Location Plan', 102 REV.A 'Proposed Site Location Plan', 150, 200, 600, 101, 13608A GRI Building and Play all results, 13608A GRI Building and Play critical results, 13608A GRI Play and Parking all results, 13608A GRI Play and Parking critical results, 100 REV.T1 'Drainage Construction Details', 101 REV.T1 'Proposed Drainage Layout', 102 REV.T1 'Impermeable Areas of Development', 103 REV.T1 'Car Park Construction Detail', Flood Risk Assessment dated December 2015, 22311_OGL REV.0, 22311_UG REV.0 (showing school building), 22311_UG REV.0 (omitting school buildings), Tree Constraints Plan, Arboricultural Impact Assessment, Design and Access Statement, Preliminary Ecological Appraisal dated September 2015, 'Harrow School Window Design' details, 'Timber Palisade Fence' details, 22311_04_E REV.0, 22311_03_E REV.0, 22311_02_E REV.0, Transport Assessment, dated 9 December 2015, Statement of Community Involvement, dated December 2015, Compliance Simulation Report dated 27 November 2015.

GRIMSDYKE SCHOOL, SYLVIA AVENUE, PINNER



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ITEM NO: 2/07

ADDRESS: LONGFIELD PRIMARY SCHOOL, DUKES AVENUE, NORTH HARROW

REFERENCE: P/5821/15

DESCRIPTION: SINGLE AND TWO STOREY EXTENSION; REPLACEMENT PEDESTRIAN ACCESS GATES AND INSTALLATION OF ACCESS GATES FOR KITCHEN DELIVERIES; INTERNAL FENCING TO INCREASE SCHOOL FROM A TWO FORM ENTRY TO A THREE FORM ENTRY SCHOOL

WARD: HEADSTONE NORTH

APPLICANT: HARROW COUNCIL

AGENT: SCAPE GROUP LTD

CASE OFFICER: CONOR GUILFOYLE

EXPIRY DATE: 17/02/2016

RECOMMENDATION

Under Regulation 3 of the Town and Country Planning General Regulations 1992, subject to drainage measures being resolved by the time of a committee resolution, with revised approved details/plans incorporating such measures incorporated in condition 2, and any additional conditions considered necessary attached to the planning permission, **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 and the land is at Longfield Primary School, Dukes Avenue, North Harrow, HA2 7NZ.

INFORMATION

The application is reported to the Planning Committee because the Council is the applicant and landowner and the proposal is greater than 100 m² and therefore falls outside of category 1(h) of the Council's scheme of delegation.

Statutory Return Type: Minor Development

Council Interest: The Council is the landowner.

Net Increase in Footprint: 435m²

GLA Community Infrastructure Levy (CIL) Contribution: N/A

Harrow Community Infrastructure Levy (CIL) Contribution: N/A

BACKGROUND

The Harrow School Expansion Programme

Harrow Council has a statutory responsibility to provide sufficient school places for its area. Like most London Boroughs, Harrow is experiencing a significant increase in demand for school places. The increasing demand is primarily birth rate driven but is complicated by other factors such as migration, household occupancy, size of families, etc. The main pressure on school places is currently in the primary sector, though pressure is also being experienced in the special educational needs sector and will be experienced in the secondary sector when the additional pupil numbers progress through to the high schools.

Harrow Cabinet agreed its school place planning strategy in February 2010 to meet the increasing demand for school places. Harrow is a congested urban borough and there is very limited effective scope to build new schools. In July 2015, Cabinet agreed on a Primary School Expansion Programme as part of the School Place Planning Strategy. The strategy aims to secure sufficient primary school places through the creation of additional permanent places, supplemented by the opening of temporary additional classes as required to meet the peak and variations in demand.

Harrow has been opening additional temporary reception classes since 2009, with an increasing trend in the number of places opened. Phase 1 of the primary school expansion programme was implemented in September 2013 with 8 schools in the borough permanently increasing their reception intakes and 9 temporary additional reception classes were also opened. Statutory proposals for phase 2 of the Primary School Expansion has been completed with 19 school obtaining planning permission to expand.

Harrow Council consulted about combining and expanding Longfield Primary School on 8 January 2015 to 5 February 2015.

On 23 April 2015 Harrow Cabinet considered the outcome of the consultation, including the recommendations of the governing bodies and officers, and decided to publish statutory proposals to: Permanently expand Longfield Primary School by one form of entry from 1 September 2015.

Site Description

- The application site is occupied by Longfield Primary School, consisting of a main a predominantly two storey school building based on a linear form running west to east, with two large 'wings' projecting in a northerly direction along the centre and eastern end of the block. The far western end of the block, and a small part of the central 'wing' is single storey in scale.
- The application site is bounded by the rear gardens of properties on Dukes Avenue to the west, Hawthorn Drive to the north, Imperial Close to the east, and Farm Avenue to the south.
- The application site is accessed off Dukes Avenue via an entrance at its western boundary, at the corner of Dukes Avenue it turns 90 degrees from the west to the north.
- From the site access at the west, off Dukes Avenue, an access road runs along the northern boundary, turning 90 degrees north, behind the rear gardens of properties on Dukes Avenue, to form a staff car park running up to the north/north-western boundary

of the site on the far north-west of the site. Inside the entrance off Dukes Avenue, in front of the access road, a large hard play area features up to the central 'wing' off the main linear block. Hard play areas also feature between the two 'wings', east of the eastern 'wing', and, behind the staff car park, in the central part of the north side of the site, forward of the central 'wing'.

- The site expands towards the south-east, and opens out, to feature soft playing fields.
- The existing school features three forms of entry, with two bulge years currently in years 1 and 4, and a 26 space nursery, with a total pupil count of 763 pupils and 121 staff.
- The existing car park features 32 spaces, including 2 disabled spaces.

Proposal Details

- The application proposes a single and two storey (part single, part two storey) extension to the main linear block on the school, replacement pedestrian access gates and the installation of access gates for kitchen deliveries; and internal fencing, as well as a new Multi-Use Games Area (MUGA) in the south-eastern area of the site currently used as soft playing fields.
- The extension would be 9m deep at its deepest elements, with some elements 3m, 6m and 8m deep. The main linear block building which they would be sited adjoining, to its rear, measures between approximately 8m and 12.5m deep at varying elements in front of the proposed extension. The eastern end of the extension, 3.6m deep, would adjoin the perpendicular central 'wing' of the main building, which would extend 25m north-wards beyond the deepest element of the proposed extension.
- The single storey elements of the extension would be sited in front of the (western end) elements of the linear block which are single storey, and would match its height. The two storey elements would only be sited in front of existing two storey elements, where their maximum scale of 8m would match or fall below that of the existing linear building.
- The replacement pedestrian access gates would be located in the existing entrance off Dukes Avenue. The existing main site access for cars off Dukes Avenue, car park access road, car park, and fencing along the access road separating it from the hard play area would remain. A New 1200mm high timber fence would feature behind the fencing on the northern boundary of the hard play area with the access road. At the turn of the access road, going north towards the car park, in front of the central 'wing' off the main building, a new double pedestrian gate for kitchen deliveries in the fence is proposed.
- The proposal seeks to expand the school to a four form of entry school with up to 120 additional pupils anticipated, resulting in pupil capacity of 883. 12 additional staff are anticipated, totalling 133.
- The existing car park featuring 32 spaces, including 2 disabled spaces, would remain.
- The proposal would feature additional cycle parking provision in accordance with London Plan (2015) standards.

Revisions to Previous Application

- N/A

Relevant History

P/2285/15 - Temporary single storey building for use as library – GRANT - 01/12/2015

P/0669/13 - First floor extension to western elevation and first floor side infill extension to northern elevation (retrospective application) – GRANT - 24/06/2013

P/2080/11 - Relocation of main entrance to west elevation; new door and canopy; new window; new door to replace existing window for access to new satellite kitchen – GRANT - 21/09/2011

Pre-Application Discussion (Ref.)

- The proposal was considered during a series of pre-application meetings between the applicant, developer and Local Planning Authority to discuss the developing design and application requirements, and agree an design approach, prior to submission of a formal planning application

Applicant Submission Documents

- Design and Access Statement
- Arboricultural Impact Assessment
- Geo-Environmental Design Study
- School Travel Plan
- Transport Assessment
- Compliance Simulation Report
- Ecological Report
- Tree Survey Schedule
- Tree Constraints Plan
- Topographical Survey
- Statement of Community Involvement

Consultations

Highways – No objection;

“The main impacts will be felt at school drop off/collection times which are for a short period but can still cause disruption. The mitigation measures suggested in the TA should help to ease this;

- Staff should be encouraged to car share or use sustainable modes of transport where possible;
- The school should influence parents’ parking behaviour, by discouraging inconsiderate/illegal parking and encouraging parking further from the school where spare capacity has been demonstrated by the surveys;
- The introduction of school warning signs could be considered Rayners Lane to help reduce vehicle speeds;
- The school should encourage parents to park and stride from roads further from the immediate vicinity of the school accesses; and
- The School Travel Plan should encourage car sharing and parents living within reasonable distance of the school to travel to school using sustainable means (walking/cycling/scootering).

School warning signs are already in place on Rayners Lane, however we have a proposal for a 20mph zone in the vicinity of the school programmed for 2016/17, additionally, we will also be considering improving facilities at the existing zebra crossing on Rayners Lane. These measures together with increased parking enforcement and implementation of the suggested mitigation actions should help to alleviate any potential problems.

Cycle parking in accordance with London Plan standards will be required as a measure to

encourage a reduction in car use. Based on full occupancy this would amount to 119 long stay spaces and 8 short stay spaces.

There are no changes proposed to car parking, however it is relevant to ensure that disabled parking facilities are provided with a minimum of two spaces being allocated.”

Drainage – Insufficient information submitted as outlined below:

- S4 storage should be increased by 15m³ to avoid flooding in pipes 1.000, 2.000 and 3.000 (see SW Results All for 1 in 100)
-
- Pipe S5.000 should be bigger than 150 dia to be able to discharge 33 l/s to a flood displacement tank below MUGA (a throttle now).
- Flood alleviation storage cannot have free outfall to sewers, its capacity should be fully utilised before discharging to public sewers once flooding recedes.
- Flood mitigation measures for a new construction should also be submitted but this can be a planning condition. A list should be provided of flood mitigation measures minimising water entry whilst maintaining structural integrity and using materials and construction techniques to facilitate drying and cleaning. Examples of such building materials, foundations, floor, walls, fittings and services can be found in CLG 2007 'Improving the Flood Performance of New Buildings' publication.
- Clarification required on where surface water run-off from MUGA is to be stored - There seems to be no connection between sw storage for MUGA and a flood displacement tank below it. Queried if MUGA is of permeable surface?
- Thames Water consent for both surface water and foul connections is also required – This can be conditioned.
- Full details of pumping stations with switch on/off levels and size of pump chamber should also be provided – this can be conditioned.

Landscaping – No objection subject to hard and soft landscape conditions to cover:

- Landscaping to be Approved
- Landscaping Scheme – Implementation including a period of 5 year period for replacements of soft landscape
- Levels
- Material Details

Advertisement

- N/A

Notifications

Sent: 55

Replies: 1

Expiry: 14-01-15

Addresses Consulted

Hawthorn Drive, Farm Avenue, Lankers Drive, Imperial Close, Dukes Avenue

Summary of Responses

- 1 objection to the proposal on the basis that proposal would adversely affect the right to light and air, and cause overlooking of the property, at 1 Dukes Avenue (immediate west of site, adjacent to site entrance). Also object on basis that hard play area would be dramatically reduced in size so as to render it inadequate when the number of pupils at the school would be increased.

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], 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
Development and Flood Risk
Accessibility
Sustainability
S17 Crime & Disorder Act
Equalities and Human Rights
Consultation Responses

Principle of the Development

The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 of the NPPF should be taken as a whole in defining what amounts to sustainable development. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating a high quality built environment that reflects the community needs and support its health, social and cultural well-being. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.

The National Planning Policy Framework (2012) outlines at paragraph 72 that: "The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Local Planning

authorities should give great weight to the need to create, expand or alter schools”.

Furthermore, on 15/08/11 the DCLG published a policy statement on planning for schools development which is designed to facilitate the delivery and expansion of state funded schools. It states:

“The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state funded school places, increasing choice and opportunity in state funded education and raising educational standards.....The Government wants to enable goods schools to opens and new schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state funded school sector to meet both demographic needs and the drive for increased choice and higher standards”.

“It is the Government’s view that the creation and development of state funded schools is strongly in the national interest and that planning decision makers can and should support that objective, in a manner consistent with their statutory obligations”

Core policy CS1 of the Harrow Core Strategy (2012) states that: “The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing and proposed development, or required to meet projected future requirements.” Policies 3.16 and 3.18 of The London Plan (2015) seek to ensure inter alia that development proposals which enhance social infrastructure, education and skills provision are supported.

Policy DM46 of the Harrow Development Management Policies Local Plan supports proposals for the provision of new education facilities provided that they are (a) located in the community which they are intended to serve; (b) subject to them being located in an area of good public transport accessibility and would not result in any adverse impacts on residential amenity or highway safety.

The educational use of this site is long established. The proposal would result in the provision of permanent educational facilities with a high standard of design and layout to provide much needed additional school places within the existing community. It is considered that the impact on residential amenity would be acceptable and that the proposal would not be detrimental to highway safety, as outlined further in the report. Against the backdrop of existing provision, the proposed development will result in an improvement in the quality of the physical facilities on the site. The development will be constructed for educational use and it is considered to be fit for its purpose (from a planning perspective). Furthermore, Harrow has a clear, demonstrable need to create more school places to meet a growing demand for educational space identified in the development plan.

London plan policy 7.18 sets out that “The loss of local protected open spaces must be resisted unless equivalent or better quality provision is made with the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate. Core Policy CS1 F of the Harrow Core Strategy outlines that Harrow’s open spaces will be managed as an interconnected, multifunctional environmental resource that contributes to biodiversity, adaptation to climate change, and to people’s health and well-being. The quantity and quality of existing open space shall not be eroded by inappropriate uses. It goes onto state that *“The reconfiguration of existing open space may be permitted where qualitative*

improvements and/or improved access can be secured without reducing the quantity of the open space.”

Policy DM 18 of the Harrow Development Management Policies Local Plan outlines that *“Proposals for ancillary development on land identified as open space will be supported where a – it is necessary or would facilitate the proper functioning of the open space, b – it is ancillary to the use of the open space, c – it would be appropriate in scale and d – it would not detract from the open character of the site or surroundings”*.

Parts of the application site, primarily north and north-east of the existing buildings, in areas where no expansion or physical works are proposed, and the south-eastern element of the site where the soft playing fields lie, are designated within the Local Plan as areas of open space. The reasoned justification for the protection of open space within the development plan explains that *“open spaces provide most of the Borough’s parks and gardens, play areas, amenity green spaces, natural and semi-natural environments, outdoor sport space and allotments which are close related to residents’ homes.”*

The extensions and physical works to the school grounds would be sited in such locations as not to materially impact on the area of open space to the north/north-east of the application site and its buildings identified as open land in the Local Plan. To the south-east, the area identified as open land which is currently occupied by soft playing fields would be partly occupied by a Multi-Use Games Area (MUGA). However, given the nature of this facility, which is effectively a more efficient use of play space to allow for intensification and use by different sports/activities to more efficiently use the land for such purposes, and the fact that it would not involve the construction of physical buildings or structures, and thus would keep the land ‘open’ in character, in this case, the MUGA is not considered to conflict with the aims of Local Plan policy in this regard.

When these factors are also weighed alongside the significant policy support to enhance and improve schools contained in the NPPF and Local Plan, the ever-increasing pressures on local authorities to fulfil statutory obligations relating to providing educational places, the pressures of availability of other land to deliver these obligations and the localised nature of the harm arising from development on this land, officers consider that the land use principle should be supported.

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 NPPF attaches great importance to the design of the built environment, stating, *“good design is a key aspect of sustainable development...and should contribute positively to making places better for people”*. It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments like the proposed development. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness. In addition, it states that *‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’*.

The 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. Policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment.

Core Policy CS1.B states that all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.

Policy DM 1 of the Development Management Policies Local Plan (2013) states that all development must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout or which would be detrimental to local character and appearance will be resisted. It reinforces the principles set out under The London Plan (2015) Policy 7.4B which seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surroundings and should have a satisfactory relationship with adjoining buildings and spaces.

Policy 7.21B of The London Plan (2015) states that “Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of ‘right place, right tree’. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species”.

Policy DM 22 of the Development Management Policies Local Plan states that:

“A. The removal of trees subject to TPOs or assessed as being of significant amenity value will only be considered acceptable where it can be demonstrated that the loss of the tree(s) is outweighed by the wider public benefits of the proposal.”

“B. Development proposals will be required to include hard and soft landscaping that:

- a. Is appropriate to the character of the area;*
- b. Is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours;*
- c. Achieves a suitable visual setting for the building(s);*
- d. Provides for sufficient space for new or existing trees and planting to grow; and*
- e. Supports biodiversity.”*

The school building consists of a predominantly two storey school building based on a linear form running west to east, with two large ‘wings’ projecting in a northerly direction along the centre and eastern end of the block. The far western end of the block, and a small part of the central ‘wing’ is single storey in scale. It is from this western end which the extension would take place, extending eastwards up to, and abutting, the western side of the two storey central ‘wing’ projecting off the main two storey building. Where the existing building is single storey at its western end, as outlined in the description of the proposal, the proposed extension ‘behind’ it would also be single storey, with a flat roof to match its 3.6m scale. The single storey element of extension would also partly be sited ‘behind’ part of the main building where it is two storeys in scale. The remainder, i.e. the eastern side of the extension, would be two storeys in scale. However, at 8m tall, with a flat roof, it would either match or sit below the main linear building and adjacent ‘wing’ projecting off it. Combined with its siting ‘behind’ the main building, facing inwards into the

site, and the fact that the remainder of the site would remain open in a northerly direction beyond it, and the fact that the existing northern wing of the main building would extend 25m north-wards beyond the deepest element of the proposed extension, it is considered that the proposal would not appear disproportionate in size, siting or scale, against the existing school building. Whilst its siting would render it visible from the school's western entrance off Dukes Avenue, its scale would clearly assist in its articulating the above appearance, and where less than existing, in part, helping it to appear subordinate to the original school. Whilst materials have not been finalised at this stage, subject to a condition to require materials samples to be submitted and approved by the Local Planning Authority prior to the construction of the building, it is considered that a high quality external finish appropriate to the character, appearance and context of the host school building could be achieved.

The proposed replacement pedestrian gates would be sited in the existing entrance off Dukes Avenue. The existing main site access for cars off Dukes Avenue, car park access road, car park, and fencing along the access road separating it from the hard play area would remain. Therefore the proposal is not considered to appear materially different over existing in this regard. The 1200mm high timber fence would feature behind the existing fencing on the northern boundary of the hard play area with the access road, and the new double pedestrian gate for kitchen deliveries is proposed behind the central 'wing' along the fence bounding the car park access road. Given the existing fencing in these locations, 1.2m high timber fence is not considered to appear detrimental to the character of the site and surrounding area, particularly given its timber material. Nor is the proposed additional gate, where its siting along the existing fence line is not considered materially different as it would continue this boundary treatment. These details could be approved as part of a wider landscaping scheme to be secured by condition, should permission be granted.

Towards the rear, the Multi-Use Games Area (MUGA) would be sited in the location of the existing soft playing field. As outlined in section 1, given the nature of this facility, which is effectively a more efficient use of play space to allow for intensification and use by different sports/activities to more efficiently use the land for such purposes, and the fact that it would not involve the construction of physical structures or buildings, it is not considered to materially alter the character and appearance of this area which is designated in the Local Plan as open land. No external lighting is proposed for the MUGA, and therefore this would not form part of the approved details if permission is granted, meaning lighting/floodlighting columns would require a further planning application to consider the potential impact of such measures on the character and appearance, and residential amenity, of the surrounding area.

No trees are proposed to be removed. However, in carrying out the works on hard surface play area, it may be necessary to remove two B category trees and four C category trees. If this takes place, it is proposed to replace these, which could be secured by way of planning condition. The landscape officer has raised no objection to this.

Overall, subject conditions discussed above, it is considered that the proposal is acceptable in this regard and would be in keeping with the character and appearance of the school site and wider area. As such, the proposal is considered to comply with policies 7.4B, 7.6B, 7.21 and 7.19 of The London Plan (2015) Core Policy CS1 B of the Harrow Core Strategy (2012) and policies DM1, DM20, DM21 and DM22 of the Harrow Development Management Policies Local Plan (2013).

Residential Amenity

The London Plan policy 7.6B states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. Policy DM1 (sub-sections C and D) of the Development Management Policies Local Plan (2013) requires all development to achieve a high standard of privacy and amenity. The adopted SPD 'Residential Design Guide' elaborates upon policy DM1 with detailed guidance aimed at balancing the right of a landowner to develop their property with the need to protect adjoining occupiers from development that would unduly harm their residential amenities.

Impact on residential amenity

The siting and physical dimensions of the school are outlined in the proposal details and section 2 above. Given its siting 'behind' the main linear school block, and scale which would not exceed, the school extension is not considered sufficient to cause discernible amenity impacts to neighbouring properties to the south or east. To the north, it would be sited 20m at its closest boundary (No.2 Dukes Avenue, rear garden boundary) and 60m at from the nearest properties (rear garden boundary) to the north on the deeper main element of the site to the north. Because of these distances, its scale, and siting 'tucked into' the main school building on two sides, it is not considered sufficient to cause detrimental amenity impacts to neighbouring properties to the north-west, north or north-east. The same view is made with regard to properties on Dukes Avenue to the immediate west and beyond.

In this regard, the objection and concerns raised with regard to impacts to No.1 Dukes Avenue are noted. The existing school is single storey adjacent to that property, and set back 6.1m from its adjacent rear garden at its closest point. The school building does not sit adjacent to the main dwelling house at No.1. The objection states that the proposal would adversely affect the right to light and air, and cause overlooking of that property. However, the proposal would retain the same western side building line, which, owing to the angle of the side boundary, would increase its distance from the boundary with No.1 from 6.1m at its rear, adjoining the existing school, to 6.691m from the boundary at its front. It would also match the 3.6m scale (including parapet height) of the existing school building here. Because of these factors, the proposed extension here is not considered sufficient to cause detrimental loss of light or 'air' to that property. In terms of overlooking, it is noted that it would feature two windows and a door on its western side elevation. However, given the presence of a boundary treatment (fence) with No.1, the single storey siting and limited flat roof 3.6m scale of the proposed extension, the fact its alignment would mean it would sit adjacent to the side of the house of No.1 rather than its garden, and the fact that No1's 'protected' windows are to its front and rear, and not the side, the proposal is not considered to lead to the amenity impacts suggested in the representation to a detrimental degree, including overlooking.

Increase in Intensity of Use

The National Planning Policy Framework places particular emphasis on meeting the need for school places. Within urban areas, the growth of school places will result in some additional impacts upon nearby residential properties. The NPPF nevertheless requires that particular weight be applied to the need to expand and alter schools.

The proposed extension would accommodate an additional form of entry with additional capacity to cater for up to 120 additional pupils (with 90 to 90 actually expected), and an additional 12 members of staff. Whilst such an increase will likely result in an increase in noise during school hours, the resulting noise and disturbance is not considered to significantly undermine residential amenity to a greater degree than the existing school

use would and such impacts given the established nature of the school and its site, and retention of key outdoor hard play areas, would not outweigh the strong emphasis given to expanding schools within national planning policy and the support within the Local Plan.

Vehicle Access and Traffic

The proposal does not include alterations to the existing vehicular access arrangements and the existing car parking area is to be retained in terms of capacity. The pedestrian gates proposed would serve the existing entrance and as such would not materially change the existing situation at the school in this regard. The kitchen gate would be sited internally, and off the existing access road, and, as such, is not considered to lead to a material change over existing. The application is therefore considered acceptable in this regard.

Construction Disturbance

The development has been planned to involve minimal on-site construction, with the building being constructed from components built off-site. However, a degree of noise and disturbance is to be expected during the construction process.

Given the proximity of the application site to surrounding residential premises, and the potential to cause disturbance throughout the construction phase, it is considered reasonable to require a full Construction Logistics Plan to be submitted prior to development, and a planning condition requiring this is attached accordingly.

In summary, the proposal would accord with policy 7.6B of The London plan (2015) and policy DM 1 of the Harrow Development Management Polices Local Plan (2013).

Traffic and Parking

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different polices and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The London Plan (2015) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel and ensure that development proposals will not adversely impact on the transport capacity and the transport network, at both corridor and local level. This is further emphasised by core policy CS 1 R of the Harrow Core strategy (2012). Policy DM 42 of the Harrow Development Management Local Plan outlines the council's parking standards and cycle parking standards.

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different polices and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The London Plan (2015) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel and ensure that development proposals will not adversely impact on the transport capacity and the transport network, at both corridor and local level. This is further emphasised by core policy CS 1 R of the Harrow Core strategy (2012). Policy DM 42 of the Harrow Development Management Local Plan outlines the council's parking standards and cycle parking standards.

The proposed car parking area would be located in the same area as existing, at the same capacity as existing, and would retain two disabled spaces as requested by the Council's Highway's Officer. The Highway Officer was involved in pre-application discussions, and given the need to promote alternative means of travel for pupils via School Travel Plans (given existing on-street parking constraints) and the limited staff increase, they are satisfied with retaining the existing level of car parking spaces. A planning condition could ensure an updated Travel Plan is secured as part of the planning permission.

In terms of the cycle parking spaces, London Plan standards require 1 long stay space per 8 staff (15 spaces), 1 long stay per 8 students (95 spaces) and 1 short stay space per 100 students (8 spaces). These could be secured by condition if permission is granted.

For the reasons outlined above, and subject to the above suggested conditions, the transport impacts of the proposal are considered to be acceptable, having regard to the aims and objectives of Policies 6.3, 6.9, 6.10 and 6.13 of The London Plan, Core Policy CS 1 R of the Harrow Core Strategy, and Policies DM 42 and 43 of the Harrow Development Management Policies Local Plan (2013).

Development and Flood Risk

The NPPF (2012) outlines the need to manage flood risk from all sources (paragraph 100). Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban drainage (SUDS) hierarchy. Similarly, policy DM 10 of the Harrow Development Management Policies Local Plan (2013) requires that "*proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off. Substantial weight will be afforded to the achievement of greenfield run off rates*".

The site lies in flood zone 1 and therefore has a low risk of flooding. As such, there are no restrictions in terms of planning policy for constructing an extension on the site, subject to surface water management controls, given that the south-east of the site lies in a critical drainage area.

The development would actually lead to an increase in the footprint of development (although replacing hard surfacing) on the site. Due to its 'new build' area the relevant requirements for mitigation in critical drainage areas apply to all of the proposed development, which have been discussed with drainage officers during pre-application discussions. The details submitted by the applicant in this application in this respect were not considered satisfactory by drainage officers. At the time of writing this report, drainage officers are awaiting revised details. However, they are satisfied that these could be dealt satisfactorily by the time the report is presented to committee, and/or by means of planning condition(s) should permission be granted.

Subject to the above measures being resolved by the time of a committee resolution, with revised approved details/plans incorporating such measures in condition 2, and any additional conditions considered necessary added to the list of conditions below, the proposal is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and would satisfy London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policy DM 10 of The Harrow Development

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 DM 2 of the Harrow Development Management Policies Local Plan (2013) seeks to ensure that buildings and public spaces are readily accessible to all.

The applicant has stated that the proposed extension has been designed in full accordance with Part M of the Building Regulations and the plans illustrate that it would be fully wheelchair accessible with level access provided to the building both internally and externally.

It is therefore considered that the proposal would meet the requirements of policy 7.2 of the London Plan (2015) and policy DM 2 of the Harrow DMPLP (2013).

Sustainability

London Plan policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11. Policy 5.2 B outlines the targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations. Currently the target is a 40% reduction for all major development proposals. Policy 5.2 C outlines that "Major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions are to be met within the framework of the energy hierarchy".

Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to ensure that the design and layout of development proposals are sustainable. It states that development will need to "*utilise natural systems such as passive solar design and, wherever possible incorporate high performing energy retention materials*"..."*Proposals should make provision for natural ventilation and shading to prevent internal overheating and incorporate techniques that enhance biodiversity*". Policy DM 14 highlights that development proposals should incorporate renewable energy technology where feasible.

Harrow Council's Supplementary Planning Document on sustainable Building Design (adopted May 2009) seeks to address climate change through minimising emissions of carbon dioxide.

The internal layout and proportions of the teaching rooms and windows have been designed to allow optimum daylight and optimum natural ventilation within the space to prevent overheating in line with Education Funding Agency (EFA) requirements.

The Compliance Simulation Report submitted in support of the application states that the building has also been designed to comply with Building Regulations Part L (energy efficiency), with low energy lighting with intelligent controls and 25m² of Photo Voltaic Cells included at roof level to provide an additional 20% reduction in carbon emissions. The proposal is not classified as a major development, therefore a 40% reduction above TER is not required in this instance. However, the use of renewable technology is welcomed.

It is considered that the proposal is in accordance with policies 5.2 and 5.3 of The London Plan, Core Policy CS1 T, policies DM 12 and DM 14 of the Harrow Development Management Policies Local Plan and the Councils adopted SPD Sustainable Building Design.

S17 Crime & Disorder Act

It is considered that the proposed development would not adversely impact upon community safety issues and so it would comply with policy 7.3 of The London Plan (2015).

Equalities and Human Rights Considerations

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 Response

The issues raised in the representation received relating to residential amenity area addressed above. In terms of reduced hard play areas, the remaining area is considered by the school to meet the requirements, and this would be further mitigated by the creation of a multi-use-games-area elsewhere on the south-east of the site which would lead to more efficient use of that area for sports and recreation.

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 development hereby permitted shall be carried out in accordance with the following approved plans: Arboricultural Impact Assessment, 'Harrow School Window Design' details, 'FLYGT' duty analysis and design pipe system' details, Design and Access Statement, Geo-Environmental Design Study dated May 2015, F2.75229 REV.D, Longfield Primary School Travel Plan 2015, 50 REV.C, 100 REV.C, 101 REV.A, 102 REV.A, 600 REV.A, 101 'Drainage Layout', 22312_OGL REV.0, 22312_UG REV.0, Transport Assessment dated March 2015, Compliance Simulation Report, dated 27 November 2015, Flygt 2012 Technical Specification, Ecological Report, Tree Survey Schedule dated 23/11/15, Tree Constraints Plan, 150, 200, 22312_02_E REV.0

3 No development shall take place, including any works of demolition, until a Construction Method 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 provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site, thereby according with policies DM1, DM42, DM43 and DM44 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT as enforcement action after time would serve no purpose.

4 Notwithstanding the details shown on the approved plans and documents, details and samples of the materials to be used in the construction of the external surfaces noted below shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of any work above damp proof course level of the buildings hereby permitted is carried out.

a: the building

b: the ground surfacing

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND DAMP PROOF COURSE as enforcement action after time may be unfeasible.

5 The development hereby permitted shall not be occupied until details of hard and soft landscape works have been submitted to, and approved in writing by the Local Planning Authority.

Soft landscape works details shall include: planting plans, and schedules of plants, including replacement planting of any trees to be removed, noting species, plant sizes and proposed numbers / densities.

Hard landscape works details shall include: Site levels, details of boundary treatments, internal fencing, details of any external lighting (luminescence, column height and location)

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO OCCUPATION as enforcement action after time may be unfeasible.

6 No site works or development above damp proof course level of the buildings 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 levels of the site, have been submitted to, and approved by, the local planning authority. The development shall be carried out in accordance with the approved details.

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 policy DM 1 and DM 10 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND DAMP PROOF COURSE as enforcement action after time may be unfeasible.

7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the 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 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 compliance with policies DM 1 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

8 The development hereby permitted, shall be undertaken in accordance with the recommendations of the Arboricultural Impact Assessment at Longfield Primary School by A.T Coombes Associates, dated 09 December 2015. This will include that arboricultural supervision is undertaken throughout the project and the development shall be carried out in accordance with the recommendations of the Arboricultural Survey. The tree protection measures shall be erected before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. 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, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected, and as required by policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

9 The development hereby permitted shall not be occupied until a scheme for the provision of secure cycle parking spaces (115 long-stay, 8 short-stay) in accordance with the London Plan (2015) has been submitted to and agreed in writing by the Local Planning Authority. The use hereby approved shall not commence until the cycle parking scheme has been implemented in accordance with the approved details and thereafter retained.

REASON To encourage occupants of the development to use methods of transport other than the private car in accordance with London Plan polices 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Polices Local Plan (2013). Details are required PRIOR TO OCCUPATION as enforcement action after time may be unfeasible.

10 Construction works on site shall cease immediately if evidence of badgers or reptiles are found within the site. A suitably qualified ecologist shall be contacted and local planning authority informed. Works shall not recommence without the written consent of the local planning authority.

REASON: To safeguard the ecology and biodiversity of the area in line with the requirements of policy DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013).

11 The Longfield Primary School Travel Plan shall be implemented in accordance with the approved details upon the first occupation of the development hereby approved.

Thereafter a Travel Plan review shall be undertaken and a revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority annually and not later than June of each year of the expansion of the school. A gold accreditation shall be obtained by the time the school is at full capacity. The mitigation measures identified in the Travel Plan shall be implemented for the duration of the development.

REASON: To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with London Plan polices 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2012)

Policy Statement – Planning for Schools Development (DCLG, 15/08/11)

The London Plan (2015):

3.16 – Protection and Enhancement of Social Infrastructure

3.18 – Education Facilities

5.2 - Minimising carbon dioxide emissions

5.3 – Sustainable design and construction

5.7 – Renewable energy

5.10 – Urban Greening

5.11 – Green roofs and development site environs

5.13 – Sustainable Drainage

6.3 – Assessing effects of development on transport capacity

6.9 – Cycling

6.10 – Walking

6.11 – Smoothing traffic flow and tackling congestion

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

7.17 – Metropolitan Open Land

7.18 – Protecting Open Space and Addressing Deficiency

7.21 – Trees and Woodlands

Harrow Core Strategy (2012)

CS1: Overarching Principles

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 14 – Renewable Energy

Policy DM15 – Maintaining the Openness of the Green Belt and Metropolitan Open Land

Policy DM 20 – Protection of Biodiversity and Access to Nature

Policy DM 21 – Enhancement of Biodiversity and Access to Nature
Policy DM 22 – Trees and Landscaping
Policy DM 42 – Parking Standards
Policy DM 43 – Transport Assessments and Travel Plans
Policy DM 46 – New Community Sport and Educational Facilities

Other Relevant Guidance:

Supplementary Planning Document Sustainable Building Design (2009)
Supplementary Planning Document: Access for All (2006)

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 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.

4 PARTY WALL ACT:

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

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

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

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB
Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

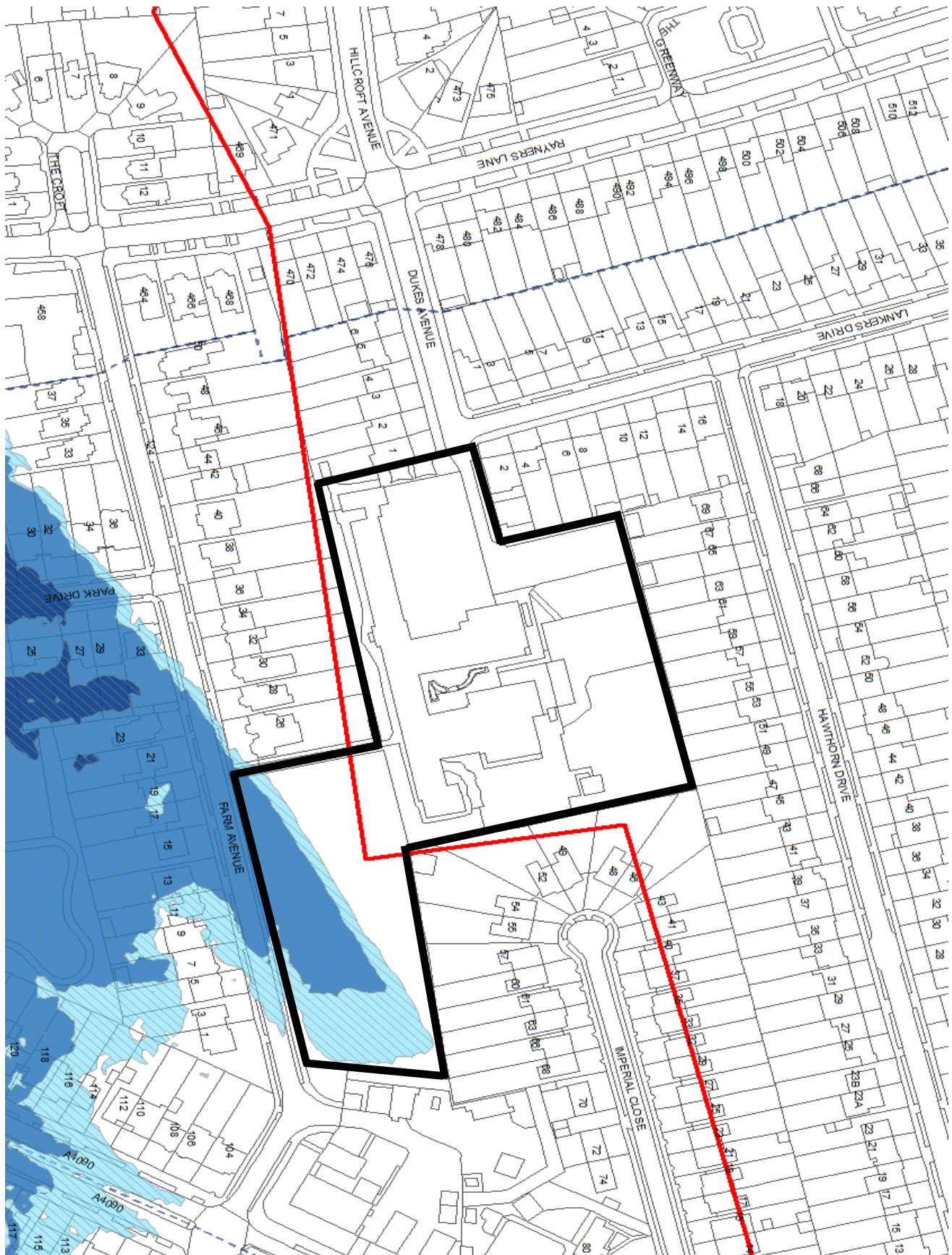
Textphone: 0870 1207 405

E-mail: communities@twoten.com

5 GRANT WITH PRE-APP ADVICE

Plan Nos: Arboricultural Impact Assessment, 'Harrow School Window Design' details, 'FLYGT' duty analysis and design pipe system' details, Design and Access Statement, Geo-Environmental Design Study dated May 2015, F2.75229 REV.D, Longfield Primary School Travel Plan 2015, 50 REV.C, 100 REV.C, 101 REV.A, 102 REV.A, 600 REV.A, 101 'Drainage Layout', 22312_OGL REV.0, 22312_UG REV.0, Transport Assessment dated March 2015, Compliance Simulation Report, dated 27 November 2015, Flygt 2012 Technical Specification, Ecological Report, Tree Survey Schedule dated 23/11/15, Tree Constraints Plan, 150, 200, 22312_02_E REV.0

LONGFIELD PRIMARY SCHOOL, DUKES AVENUE, NORTH HARROW



ITEM NO: 2/08
ADDRESS: WOODFIELD HOUSE, 506 - 508 HONEYPOT LANE, STANMORE
REFERENCE: P/5080/15
DESCRIPTION: TWO STOREY SIDE EXTENSION AT FIRST AND SECOND FLOOR LEVEL; CREATION OF THIRD FLOOR LEVEL TO PROVIDE EIGHT FLATS WITH PARKING AND BIN / CYCLE STORAGE
WARD: QUEENSBURY
APPLICANT: HONEYPOT DEVELOPMENT LIMITED
AGENT: SF PLANNING LIMITED
CASE OFFICER: MICHAEL ROWSON
EXPIRY DATE: 15/01/2016

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to condition(s).

Statutory Return Type: 13: Minor Dwellings

Council Interest: None

Gross Floorspace: None

Net additional Floorspace: 561.80m²

GLA Community Infrastructure Levy (CIL) Contribution: £19,670

Harrow Community Infrastructure Levy (CIL) Contribution: £61,820

INFORMATION:

The application is reported to the Planning Committee because the proposal includes the creation of more than six new units, and therefore falls outside of category 1(e) of the Council's scheme of delegation.

Site Description

- The subject site contains a detached three storey building located on Honeypot Lane at the junction with Wigton Gardens in Stanmore.
- The ground floor of the building is occupied by a 'Golfinstore', which includes warehouse, retail and office uses.
- The first and second floors are in residential use (2 studio flats and 14 one bedroom flats) after a recent conversion following the submission of a prior approval application to change the use of the floorspace from office to residential use.
- The existing residential flats are accessed via a separate access on the south side of the front elevation.
- The building is set back from Honeypot Lane and has a large area of hard surfaced forecourt which includes parking for both commercial and residential uses on the

site. The forecourt is accessed from both Wigton Gardens and Honeypot Lane.

- The site has a public transport accessibility level (PTAL) of 1b.
- The site is within the Honeypot Lane Strategic Industrial Location (SIL) and is an Industrial Business Park (IBP) as designated in the London Plan. The SIL extends to the east and south of the site, whilst the surrounding area is residential in nature to the north and west.
- The SIL designation consists of B1 (Business), B2 (General Industry) and B8 (Storage and Industry) uses. The adjacent buildings consist of car sales, vehicle repairs, offices and cash and carry premises.
- The site is within Flood Zone 1.

Proposal Details

- The application proposes the erection a two storey side extension above the existing ground floor element on the north flank of the building, and an additional storey across the resulting building.
- The side extension at first, second and new third floor level would measure 13.45m in height, 5.10m in width and 10.75m in depth.
- The additional storey would have a flat roof and increase the height of the existing building by 2.90m, to a maximum height of 13.45m. The additional storey would be 46.10m wide and 10.80m deep.
- The proposal would provide seven, one bedroom flats and one studio flat.
- The additional flats would be accessed via the existing entrance on the south side of the front elevation.
- The six flats positioned within the additional storey would include balconies within the front elevation, and an open deck access at the rear.
- Twenty car parking spaces would be provided on the existing front forecourt for the residential units.
- A waste and recycling store and bicycle store would be positioned on the forecourt.

Relevant History

P/2723/14 – External alterations including replacement windows.

GRANT - 10/09/2014

P/0502/14 - Conversion Of Offices (Class B1A) On The First And Second Floors To Sixteen Self-Contained Flat (Class C3) (Prior Approval Of Transport & Highways Impacts Of The Development And Of Contamination Risks And Flooding Risks On The Site)

GRANT - 01/04/2014

P/1781/12 - First floor double height floor rear extension; change of use of first and second floors from warehouse and ancillary office to banqueting hall (use class B1 to use class D2).

REFUSE - 08/11/2012

APPEAL DISMISSED - 21/05/2013

P/2364/09 - Single storey rear and side extensions, new fencing along front and side boundaries, addition of air conditioning units, external alterations to building (resubmission).

GRANT - 18/01/2010

P/1675/09 - Change of use from car showroom, workshop and offices to warehouse and

ancillary retail use and offices (sui generis to b8/a1), with external alterations to the building.

GRANT - 15/01/2010

Pre Application Advice (P/1645/14/PREAPP). (Response dated 18th July 2014)

It is considered that permitting any residential development over and above that obtained through the Prior Approval process at this site, would undermine the primary use of the site as an industrial location.

The current proposal would form part of a larger scheme of dwelling units that would trigger an affordable housing contribution.

The layout and size of the proposed units would offer an acceptable standard of accommodation for future occupants. However the proposed residential use is not compatible with the industrial use of the site and the adjoining sites. The proposal is therefore unacceptable in principle.

Applicant Submission Documents

- Planning, Design and Access Statement
- Air Quality Assessment
- Transport Statement
- Noise Assessment

Consultations:

Policy & Research

The applicant site has an implemented Prior Approval to convert the upper two floors to residential use and it can no longer be classed as being in Industrial or Business Use. Therefore the addition of an extra storey plus side extension would not result in the further loss of SIL land. Given the surrounding context of residential use to the north and west, and the site lying on the edge of the SIL designation, and the fact the site has a separate access removed from the other businesses on the SIL land, it would not further prejudice the existing businesses adjacent, given the extant residential use on site.

Given the fact there is an established residential use on site and the periphery location within the SIL, it is considered in this instance that an additional storey plus extension would not compromise the proper functioning of the SIL land.

Policy therefore has no objections.

Environmental Health

- *Noise*

I note the consultant's comments that, despite the location, when carrying out a noise survey they found the dominant noise source is traffic, and industrial noise is actually not significant.

I note that it will be necessary for the build to meet the acoustic insulation specifications provided by the consultant's report, which also means windows have to be closed to provide an acceptable noise reduction. Therefore mechanical ventilation will be required over and above trickle ventilation. I therefore recommend a condition requiring a noise insulation scheme, including mechanical ventilation, be submitted to the LPA and

approved before commencement of the development.

- *Air Quality*

I note an air quality assessment has been produced, and this concludes air quality is not a barrier to the development. This has not included an “air quality neutral” calculation as referred to in the London Plan policy 7.14, however this is not a major development, therefore an air quality neutral calculation is not required.

Highways Authority:-

In light of the low PTAL and known poor access to public transport links, combined with local parking congestion we are satisfied that the proposed high parking ratio is acceptable. London Plan requirements for electric charging, disabled parking and cycle parking have been met.

Site Notice: 24/11/2015

Neighbour Notifications:

Sent: 33

Replies: 2

Expiry: 02/12/2014

16 additional consultation letters were sent on 13/01/2016 which expire on 03/02/2016

Summary of Responses:

- The planning application does not include the existing flats.
- Insufficient parking provision.
- Owners of the flats and or its agents block access to the neighbouring site.
- The existing bin store is accessed over neighbours' land and access has been denied
- The existing bins within the bin store are not accessible, resulting in bins outside the store and on neighbouring land.
- The location of the bin store will exacerbate the existing rodent infestation and result in unpleasant odours.
- Works to convert the property to flats have caused inconvenience to neighbouring properties.

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, the Harrow Core strategy 2012 and the policies of the Harrow Development Management Policies Local Plan 2013.

MAIN CONSIDERATIONS

Principle of development

Impact upon character and appearance of the area
Residential amenity
Traffic, Parking and Servicing
Sustainability and Sustainable Drainage
Equalities
S17 Crime & Disorder Act 1998
Consultation Responses

Principle of development

The site is located within Honey Pot Lane Strategic Industrial Location (SIL) and is an Industrial Business Park (IBP), as defined in The London Plan (2015). SILs are London's main reservoir of industrial land comprising approximately 40% of London's total supply and have been identified following an assessment of future need. Policy 2.17(B) of The London Plan states that proposals in SIL's should be refused unless:

- a. they fall within the broad industrial type activities outlined in paragraph 2.79 [research and development, light industrial and higher value general industrial, some waste management, utility and transport functions, wholesale markets and small scale distribution]; or
- b. they are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework or borough development plan document; or
- c. the proposal is for employment workspace to meet identified needs for small and medium sized enterprises (SME) or new emerging industrial sectors; or
- d. the proposal is for small scale 'walk to' services for industrial occupiers such as work place crèches or cafes'.

Policy CS1.O of the Harrow Core Strategy states that any release of the Borough's surplus business and employment stock should have regard to the most up to date monitoring of the demand and supply balance, and sets out a sequential approach whilst CS8.E of the Harrow Core Strategy states that the Honey Pot Lane Industrial Business Park will be retained for appropriate B1, B2 and B8 uses.

The applicants have obtained Prior Approval for the change of use of the office B1(C) to residential (C3) for the first and second floors, and that change of use has now taken place, resulting in 16 residential units. As such the site is no longer considered to be in purely Industrial or Business use, with commercial uses positioned on the ground floor only.

Intensification of the existing residential use through the erection of the side extension and additional storey would therefore not result in the release of any strategic industrial land. As the proposal would not result in the release of any surplus industrial stock, it is considered that the proposal is in compliance with Policy CS1.O and CS8.E of the Core Strategy.

Although positioned on its periphery, the site remains within an allocated SIL and the impact of the proposal on the successful future operation of the SIL must be assessed.

Part C of Policy 2.17 of the London Plan states that development proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial type activities.

Bullet point three of Paragraph 123 of the NPPF states that planning decisions should aim to recognise that development will often create some noise and existing businesses

wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

Part E of DM1 of the DMP states that development which would prejudice the future development of the site, adjoining land, or which would frustrate the delivery of adopted plans and allocated sites, will be resisted.

The site is positioned on the north west edge of the SIL designation, with access provided from both Honeypot Lane and Wigton Gardens. This access points are separate from those which serve other businesses within the SIL designation, and are adjacent to residential properties on Wigton Gardens, therefore the proposal would not require access through the SIL or further prejudice the existing businesses adjacent in terms of impacting future servicing needs.

The proposal would result in intensification of an existing residential use within a strategically important industrial location. The provision of residential accommodation is generally considered to be incompatible within an industrial area due to the potential conflict between the amenity of residents and the operation of industrial uses and the need to safeguard land for industrial uses.

Whilst the acceptability of living conditions of future occupiers will be discussed in section 3 below, the potential implication of increased provision of residential use in this location is the reverse sensitivity of future occupiers, which may inhibit the intensification and growth of industrial uses within the SIL, and this must therefore be considered.

The creation of the 16 existing residential units was carried out through the Prior Approval regime, and the impact of that development on the integrity or effectiveness of the SIL could not be assessed as part of that assessment. Whilst the proposal for the eight additional residential units can be assessed in terms of impact in this regard, two floors of the building remain in residential use and the subject proposal must be assessed in this context, i.e. the assessment must assess how the *additional* units would impact the future functioning and growth of the SIL.

As stated above, the applicant received pre-application advice in relation to the proposal. That response advised that the subject scheme would be unacceptable in principle, due to the incompatible nature of the residential use and the undermining of the primary use of the site as an industrial location.

However, a recent appeal decision has been submitted in support of the application which is both relevant and comparable to the subject proposal, and is therefore considered to be a material consideration.

The appeal site is 102-104 Stewarts Road, London, SW8 4UG, within the London Borough of Wandsworth. The appeal (referenced APP/H5960/W/15/3011931) related to the refusal of an application to extend the existing three storey building including an additional fourth floor for the creation of four flats. The appeal was allowed on 6th August 2015. The appeal site was located within a SIL designation, and the existing office building had received Prior Approval for a change of use to residential use. The site was positioned on the edge of a SIL and neighbouring uses consisted of warehousing, and light industrial uses, including a vehicle servicing and an MOT garage to the rear.

It is therefore considered that the application sites and the proposals are comparable and that the appeal decision is a material consideration in the assessment of the subject proposal.

In his assessment of the appeal, the main issues assessed by the Inspector were whether the additional residential flats would be an incompatible form of development within this Strategic Industrial Location (SIL), and whether living conditions for their future occupiers would be satisfactory with particular reference to noise and outdoor amenity space.

In allowing the appeal the Inspector assessed the likelihood of future residential occupiers making noise complaints and whether such complaints would be likely to prejudice existing business uses. In reaching his decision the Inspector concluded that should noise complaints arise, the existing industrial occupiers would be likely to be able to mount a strong defence through means of best practicable to address such a nuisance because their occupation pre-dated the construction of the flats.

The Inspector found that the position of an additional four flats above 21 flats (granted under the Prior Approval) would not significantly increase the likelihood of serious noise impacts whilst he also stated that the position of the flats within an industrial area would be clear to potential purchasers, and this would be taken into account in a decision to purchase a flat in that location.

In light of the similarities between the proposals identified above, it is considered that the Council's concerns over the impact of the proposal on the future intensification and growth of industrial uses within the SIL would not form a defensible reason for refusal.

As discussed above, the proposal would not result in the release of any strategic industrial land within this designated Strategic Industrial Location, and would not prejudice the future development and intensification of the designation. It is therefore considered that the proposal is in compliance with the National Planning Policy Framework (2012), policy 2.17 of The London Plan, Core Policy CS1.O and CS8.E of the Core Strategy (2012) and policy DM1 of the Development Management Policies Local Plan (2013).

Impact upon character and appearance of the area

Policies 7.4B and 7.6B of The London Plan (2015) set out the design principles that all boroughs should seek to ensure for all development proposals. Policy 7.4B of The London Plan requires buildings to provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in scale proportion and mass. 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 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.

DM1 of the DMP states that all development 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, the local character and pattern of development and the provision of appropriate space around buildings for setting and landscaping as a resource for the occupiers and to secure privacy and amenity (DM1 C and D).

The Council has adopted a Supplementary Planning Document Residential Design Guide 2010 (SPD) which supplements Policy DM1 of the Development Management Policies Local Plan (2013). This SPD therefore carries substantial weight as a material planning consideration.

Paragraph 6.6 of the Council's adopted SPD Residential Design Guide states that extensions should harmonise with the scale and architectural style of the original building. Therefore in terms of character and appearance, the primary emphasis in creating an acceptable extension should be on retaining the character and appearance of the original building and the buildings in the surrounding area.

Paragraph 6.11 of the SPD states an extension should have a sense of proportion and balance, both in its own right and in its relationship to the original building and should not dominate the original building or the surrounding streetscape.

The corner site is bordered by the busy Honeypot Lane to the west, Wigton Gardens to the north and commercial properties to the east and west. The site forms the north west corner of Honeypot Lane industrial estate, which extends to the south and east. The neighbouring commercial buildings consist of predominantly two storey warehouse buildings with attached two storey brick built buildings fronting the secondary road which runs parallel to Honeypot Lane.

The extension would increase the height of the building from three storeys to four storeys (an increase of 2.90m), and the resulting building would be two storeys greater in height than surrounding buildings.

The commercial buildings to the south are two storeys in height with limited set back from Honeypot Lane. The subject property is set back at least 12.0m from the road at first floor level, and does not continue the building line of those properties. As such the building does not follow the pattern of development within the SIL, both in terms of scale and set back within the plot.

The building is set-back approximately 13.0m from the north boundary (Wigton Gardens) at first floor level, resulting in ample setting space on that boundary and the closest of the two storey residential buildings to the north is approximately 27.0m away.

In this context, the erection of an additional storey to the existing three storey building, resulting in a four storey building is considered acceptable.

The proposed side extension would align with the existing front and rear elevations of the building and would not extend beyond the existing footprint of the building on the north flank. The side extension would continue the existing fenestration across the front and rear elevations, resulting in a continuation of the design of the existing building and an acceptable appearance.

The third floor extension would extend across the width of the resulting building and

would have a flat roof to match the existing roof and limit the additional height. The additional storey would be set in 1.70m from the front elevation for the full width of the building, and would be set in 2.0m for the majority of the width of the rear elevation.

Whilst the extension would continue the flank walls of the existing building vertically, and would not be set-in, it is considered that the setting space on the north boundary would limit the visual impact of the additional storey when viewed from the north, whilst the set back from the front site boundary and the forward position of the two storey commercial building to the south would limit the visual impact of the additional floor when viewed from that direction.

It is therefore considered that the extension would appear as a proportionate and sympathetic extension to the existing building and is therefore acceptable in design terms.

To ensure that the materials used in construction of the extension are acceptable, a condition has been attached requiring submission of samples prior to commencement of development, which ensures that the extension would sufficiently harmonise with the appearance of the existing building.

The proposed location of the bin store to the north of the building would be acceptable, subject to submission of details in relation to its appearance and accessibility as required by an attached condition.

Accordingly, it is considered that the scale, design and character of the proposed development would give rise to no conflict with the above stated policies, namely policy 7.4B and 7.6B of The London Plan (2015), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the guidance contained in the Council's adopted SPD 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 DM1 of the Development Management Policies Local Plan (2013) 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".

Neighbouring Amenity

The closest residential properties (572 Honeypot Lane and 1-7 Wigton Lane) are two storey terraced houses facing south and are positioned approximately 27.0m to the north. It is considered that the separation distance retained between those properties and the proposed extensions would negate any harmful impacts on the living conditions within those properties in terms of loss of light, outlook, overshadowing or loss of privacy.

The second floor of the building is currently in residential use, therefore the impact on the living conditions within those neighbouring flats must be considered. Paragraph 5.12

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.'

The flats created within the side extension would have matching internal layouts, therefore would have a satisfactory vertical relationship.

The second floor of the existing building has been divided to provide eight flats (six, one bedroom flats and two studios). It is therefore considered impractical to arrange five, one bedroom flats above, without overlapping of bedrooms with living spaces / bathrooms. It is considered that the creation of the additional storey would require compliance with the relevant Building Regulations, which in this instance is considered adequate to prevent significant noise disturbance between the flats. Discussion with the Councils Building Control Department has confirmed that sound transfer tests would be carried out to ensure that acceptable noise transfer levels between the units are not exceeded.

It is considered that the proposal would not have detrimental effect on any neighbouring residential properties.

Impact on the Amenity of the Intended Occupiers of the Flats

Policy 3.5C of The London Plan specifies that Boroughs should ensure that, amongst other things, "new dwellings have adequately sized rooms and convenient and efficient room layouts".

The Technical Housing Standards (2015) and the London Plan (2015) specify minimum Gross Internal Areas (GIAs) for residential units and advise 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.

The proposal includes seven, one bedroom/two person flats, and the proposed GIA of each flat meets or exceeds the 50m² essential GIA figure required. The proposed studio flat would measure 38.1m² GIA, exceeding the 37m² stated within the above stated policies.

The National Housing Standards (2015) set out minimum bedroom area requirements. These are 11.5m² for double bedrooms and 7.5m² for single bedrooms. Each of the double bedrooms proposed would exceed the 11.5m² minimum requirement.

The National Housing Standards (2015) set out minimum internal storage space standards, with a minimum area of 1.5m² for 1 and 2 person dwelling and an additional 0.5m² of additional storage space per additional occupant. Each of the one bedroom flat includes storage areas to meet this standard. Whilst the one studio bedroom does not include allocated storage space, the layout of the flat and the floorspace proposed indicates that adequate storage could be provided. The layout is therefore considered acceptable in this instance.

Standard 4.10.1 of The London Plan Housing Supplementary Planning Guidance (2012) states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. Each of the six flats created within the additional storey would have balconies exceeding the minimum standards. The balconies would be positioned on the front elevation, and whilst a degree of road noise would be audible from the balcony areas, the proposed

position would lessen any impacts from the any noise created by the vehicle garage at the rear. It is therefore considered that the amenity space provision for the six flats within the fourth floor would be acceptable.

The two flats created within the side extension would not include any amenity space. However, both flats would have only one bedroom, therefore are not considered to be family units. The existing flats on the first and second floors do not benefit from amenity space whilst Centenary Park is 0.4 miles from the site, which is considered to be an acceptable walking distance. Furthermore, it is considered that the inclusion of balconies would have resulted in a harmful impact on the appearance of the building due to the resulting loss of visual balance to the front elevation at first and second floor levels.

As discussed in section 1, above, the site is location within a Strategic Industrial Location, with the nature of industrial uses resulting in a degree of noise.

The submission includes a Noise Assessment and an Air Quality Assessment which consider the impacts of the location on the fringe of the SIL on the living conditions of future occupiers. Both statements indicate that subject to mitigation measures (secured by condition) the dwellings proposed would result in an acceptable standard of accommodation. The mitigation measures include mechanical ventilation to meet the acoustic insulation specification, which would allow the double glazed windows to remain shut.

The Council's Environmental Health team have provided comments on the proposal and do not object to the proposal subject to the imposition of conditions including the submission of a noise insulation scheme.

The proposal would therefore comply with policy 7.6 B of The London Plan (2015), policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document – Residential Design Guide (2010).

- Accessibility

Policies 3.8 and 7.2 of The London Plan seek to ensure that all new housing is built to Lifetime Homes standards and that all future development 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 Technical Housing Standards (March 2015) altered the interpretation of the relevant London Plan (2015) policies and associated Housing SPG standards, placing the previous Lifetime Homes Standards under the control of Building Control regime (specifically Part M of the Building Regulations).

It is considered that the submitted plans and Design and Access Statement satisfactorily illustrate that the proposed flats could meet the relevant standards.

Consequently, it is considered that subject to a condition requiring submission of plans illustrating compliance with the Building Regulations Standard M4(2) for accessible and adaptable home, the proposal would provide an acceptable level of accessibility in accordance with the above polices.

The proposal is considered to be consistent with policies 3.8, 7.1 and 7.2 of The London

Plan (2015), policy DM2 of the Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document: Accessible Homes (2010).

Traffic, Parking and Servicing

The London Plan (2015) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel.

Core Strategy Policy CS1R and policy DM42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development. Policy DM42 states that proposals that result in inappropriate on-site parking provisions, which lead to significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclist will be resisted.

- Parking provision

The site is located in an area of poor public transport accessibility with a PTAL of 1b and there are no localised parking controls on the surrounding road network.

The Transport Assessment submitted in support of the application included an assessment of the car ownership rates for flats within the local area, which identified a figure of 0.82 cars per flat in the local area. It also included an on-street parking survey which identified that just under half of all the unrestricted on street parking spaces (a minimum of 108 spaces) within the local area were free for the use of visitors.

The proposed car park would provide 20 car parking spaces for the 24 residential units on the existing car parking area, resulting in a figure of 0.83 spaces per flat.

This would include four 'active' electric charging points and four 'passive' electric charging points. Three of the car parking spaces would be accessible by disabled users, whilst six spaces would be retained for the use of the ground floor commercial unit.

The London Plan indicates a maximum of one car parking space per one or two bedroom unit. In light of the area's low PTAL and poor access to public transport links in the area, it is considered that the high parking ratio is acceptable in this instance.

London Plan requirements for electric charging, motorcycle parking, disabled parking and cycle parking have been met by the proposal.

The car parking provision for the ground floor commercial premises must also be considered. The commercial space at ground floor comprises of 110m² of A1 (retail) floor area, 396m² of B1 (business) use and 700m² of B8 floor area (storage or distribution). The 6 car parking spaces required to comply with the London Plan parking standards have been included in the proposal, therefore the parking provision is considered acceptable in this instance.

- Access Arrangements

Vehicular access to the site would remain as existing, with a dual entrance/exit arrangement onto Wigton Gardens and the Honey Pot Lane service road. As the current access points have been operational without known detriment to road traffic movement, this arrangement is considered acceptable.

- Bicycle Parking

Policy 6.9 of the London Plan states that all developments should provide dedicated storage space for bicycles at the level of one space per one or two bedroom flats. The

proposal includes a bicycle parking area at the front of the property, close to the entrance which would be capable of storing the 24 bicycles required. A condition has been attached which requires submission of details of the bicycle store to ensure it is satisfactory in terms of appearance and provides sufficient security and cover for bicycles.

- Servicing of ground floor commercial unit

The existing ground floor commercial unit includes 700m² of warehousing, with two large shutter doors in the front elevation to service that area and these doors would remain in use for servicing the warehouse. An appendix to the submitted Transport Assessment illustrates a swept path analysis which illustrates that a large delivery vehicle would be able to enter the existing doors. The parking arrangement is therefore considered acceptable in this regard.

- Servicing of residential units

Policy DM1 and DM45 of the Development Management Plan require that all the design and layout of all development should consider the functionality of the development including provision, servicing, and arrangements for storage and collection waste and recycling.

The proposal includes a bin store area for 24 residential properties on the north side of the building. Two bin stores would provide a total of three 1100 litre waste bins and three 1280 litre blue recycling bins which meets the Council's waste and recycling storage requirements.

It was originally intended to locate the bin store in an area positioned at the south of the site. However, owners of the neighbouring property to the south have objected as the ownership of that access road, and an easement for access across that land has not been agreed, with the parties currently in legal discussions. The amended bin store location is considered to be a satisfactory alternative.

The proposed refuse storage collection would accord with the Council's Refuse code of practice and Manual for Streets (2007) guidance in terms of volume and location with collection points located within 10m of the public highway.

The proposal is therefore considered to be consistent with London Plan (2015) policies 6.3, 6.9 and 6.13, Core Strategy Policy CS1R and policy DM1, DM42 and DM45 of the Development Management Local Policies Plan.

Sustainability and Sustainable Drainage

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. Harrow Council has adopted a Supplementary Planning Document on Sustainable Building Design (adopted May 2009).

For minor development proposals, the development plan at this point does not set out energy and sustainability targets greater than those required by Building Regulations. As these standards will be secured through other legislation, no conditions are required in relation to sustainability measures. Accordingly, no conflict with sustainability policies in the development plan is found.

Policy DM10 of the Harrow Development Management Local Policies Plan (2013) states

that appropriate attenuation measures should be incorporated in all development generating surface water run-off. Development likely to result in adverse impacts, such as increased risk of flooding, river channel instability or damage to habitats, will be resisted.

The site is located within Flood Zone 1, and would not increase the total footprint of the building, or any additional hard standing area, therefore would not result in additional surface water run-off. The Council's Drainage Engineering Team have advised that the development, if approved, should be subject to a condition requiring the submission and approval details for the disposal of sewage.

It is therefore considered that, subject to conditions, the development would have no unacceptable drainage impact.

Equalities

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 not considered that there are any equality impacts as part of this application.

S17 Crime & Disorder Act 1998

It is considered that this application does not have any detrimental impact upon community safety and is therefore acceptable in this regard. As such, notwithstanding the raised concern, it is considered that the proposed development would not adversely impact upon community safety issues and so it would comply with policy 7.3B of The London Plan (2011) and policy DM2 of the Harrow Development Policies Local Plan (2013)

Consultation Responses

- The planning application does not include the existing flats.
 - *The conversion of the premises to provide the 16 existing units was undertaken following the submission of a Prior Approval application, and is not the subject of this planning application.*
- Insufficient parking provision.
 - *See section 4, above*
- Owners of the flats and or its agents block access to the neighbouring site.
 - *See section 4, above, which concludes that the proposed access, parking and servicing arrangements are sufficient.*

- The existing bin store is accessed over neighbours' land and access has been denied.
-The location of the additional bin store has been relocated from the south side of the building to the south side. The amended location is considered acceptable.
- The existing bins within the bin store are not accessible, resulting in bins outside the store and on neighbouring land.
- The location of the bin store will exacerbate the existing rodent infestation and result in unpleasant odours.
-The proposed bin store has been relocated from the south side of the building to the north side. Submission of additional details of the bin store, including elevation treatment has been secured by condition.
- Works to convert the property to flats have caused inconvenience to neighbouring properties.
-A condition requiring the submission of a construction management plan has been included to ensure works are carried out with limited inconvenience to local residents and businesses.

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 development hereby permitted shall be carried out in accordance with the following approved plans:

1831-10 Rev C, 1831-23 Rev A, 1831-35 Rev A, 1831-34 Rev A, 1831-27, 1831-24 Rev A, 1831-25 Rev A, Air Quality Assessment, dated September 2014, Noise Assessment, dated December 2014, Transport Statement, dated October 2015, Planning, Design and Access Statement, dated October 2015

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Notwithstanding the details shown on the approved plans and documents, details and samples of the materials to be used in the construction of the external surfaces shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of the development hereby permitted is carried out. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT as enforcement action after that time may be unfeasible.

4 The development hereby permitted shall not be occupied until details of works for the

disposal of sewage have been submitted to and approved in writing by, the local planning authority. The works shall be implemented in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the National Planning Policy Framework (2012) and Policy DM 10 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF (2012). Details are required PRIOR TO COMMENCEMENT as enforcement action after that time may be unfeasible.

5 Notwithstanding the details shown on the approved plans and documents, details of secure bicycle storage, including materials position and elevations, shall be submitted to, and approved in writing by, the Local Planning Authority before the occupation of the development hereby permitted takes place. The development shall be carried out in accordance with the approved details and shall thereafter be retained

REASON To encourage occupants of the development to use methods of transport other than the private car in accordance with London Plan polices 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Polices Local Plan (2013). PRIOR TO OCCUPATION as enforcement action after that time may be unfeasible.

6 Notwithstanding the details shown on the approved plans, the development hereby approved shall not be occupied until annotated plans demonstrating how (and to what extent) the development would comply with the Building Regulations Standard M4(2) for accessible and adaptable home has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details which shall be fully implemented before the first occupation of the development and shall be retained as such thereafter.

REASON: To ensure that the development is accessible to all in accordance with policies 3.5, 3.8 and 7.2 of The London Plan 2015, policy CS1.K of the Harrow Core Strategy 2012 and policy DM2 of the Harrow Development Management Policies Local Plan 2013. PRIOR TO OCCUPATION as enforcement action after that time may be unfeasible.

7 The development hereby permitted shall not be occupied until a noise insulation and mechanical ventilation scheme has been submitted to, and agreed in writing, by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and thereafter be retained.

REASON To safeguard the residential amenities of existing and future occupiers in accordance with policy 3.5 of The London Plan (2015) and DM1 of the Harrow Development Management Policies Local Plan 2013. PRIOR TO OCCUPATION as enforcement action after that time may be unfeasible.

8. No development shall take place, including any works of demolition, until a Construction Method 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 provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and

construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site and the properties adjoining the site, and the use of the adjoining public highways, thereby according with policies DM1, DM42, DM43 and DM44 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT as enforcement action after that time would serve no purpose.

9 Notwithstanding the details shown on the approved plans and documents, details of an enclosure for the storage of the waste and recycling bins and access thereto, shall be submitted to, and approved in writing by, the Local Planning Authority before the occupation of the development hereby permitted takes place. The development shall be carried out in accordance with the approved details and shall thereafter be retained

REASON: To ensure adequate standards of hygiene and refuse/waste collection and to safeguard the character and appearance of the locality, in accordance with policies DM1 and DM45 of the Harrow Development Management Policies Local Plan 2013. PRIOR TO OCCUPATION as enforcement action after that time may be unfeasible.

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2012)

The London Plan (2015):

2.17 – Strategic industrial locations

3.16 – Protection and Enhancement of Social Infrastructure

3.18 – Education Facilities

5.1 – Climate Change Mitigation

5.13 – Sustainable Drainage

6.9 – Cycling

6.13 – Parking

7.2 – An inclusive environment

7.3 – Designing out crime

7.4 – Local character

7.6 – Architecture

7.21 – Trees and Woodlands

Harrow Core Strategy (2012)

CS1: Overarching Principles

CS8: Edgware and Burnt Oak

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 14 – Renewable Energy

Policy DM 22 – Trees and Landscaping

Policy DM 42 – Parking Standards

Policy DM 45 – Waste Management

Other Relevant Guidance:

Supplementary Planning Document Sustainable Building Design (2009)

Supplementary Planning Document: Access for All (2006)

Supplementary Planning Document: Residential Design Guide (2010)

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 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 **£19,670** 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 **£19,670** for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of **562 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/ci>

6 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 **£61,820**

7 The applicant and future occupiers of the dwellings hereby permitted are advised that the subject site is within a Strategic Industrial Location (SIL), and the development of these additional residential dwellings hereby permitted will not prejudice the future outcome of any application which may be submitted in respect of the adjoining industrial premises within this SIL and their continued uses.

8 GRANT WITH PRE-APP

Plan Nos: 1831-10 Rev C, 1831-23 Rev A, 1831-35 Rev A, 1831-34 Rev A, 1831-27, 1831-24 Rev A, 1831-25 Rev A, Air Quality Assessment, dated September 2014, Noise Assessment, dated December 2014, Transport Statement, dated October 2015, Planning, Design and Access Statement, dated October 2015

WOODFIELD HOUSE, 506 - 508 HONEYPOT LANE, STANMORE



Appeal Decision

Site visit made on 8 May 2013

by **Elizabeth Lawrence BTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 May 2013

Appeal Ref: APP/M5450/A/12/2188698
506 – 508 Honeypot Lane, Stanmore, London, HA7 1LA.

- 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 Mr M Pindoria against the decision of the Council to the London Borough of Harrow.
 - The application Ref P/1781/12, dated 26 June 2012, was refused by notice dated 8 November 2012.
 - The development proposed is described as proposed first floor double height rear extensions, roof extension and change of use of the existing and new extended floor space at first floor and existing 2nd floor space from warehouse and ancillary office space to a banqueting suite.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the supply of business space within strategic locations within and around London.

Reasons

3. The Appeal site is located within the Honeypot Lane and Dalston Gardens Business Use Area, which is allocated both as an Industrial Business Park (IBP) and a Strategic Industrial Location (SIL). SIL's are London's main reservoir of industrial land and are afforded protection in policy EM14 of the Harrow Unitary Development Plan (UDP), policy CS1 & CS9 of the Harrow Core Strategy and policy 2.17 of The London Plan. Collectively these policies aim to retain the Honeypot Lane IBP/SIL for appropriate B1, B2, B8 and other industrial related activities. With this in mind policy 2.17 of The London Plan states that other forms of development should be refused unless they comply with criteria Bb, Bc or Bd of policy 2.17 of The London Plan. The Appeal proposal does not fall into any of these categories and so would be in direct conflict with all of these policies.
4. The aims of these policies are consistent with the economic aims of the National Planning Policy Framework (NPPF). However, in themselves, they provide little flexibility and as stated in the NPPF, planning policies should avoid

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- the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed and where there is no prospect of a site being used for the allocated employment use, proposals for alternative uses should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. This is a material consideration in relation to this Appeal and reduces the weight given to the adopted policies.
5. The emerging Harrow Development Management Policies Development Plan Document (DPD), advises that there is likely to be a surplus of traditional industrial and warehousing land within the borough. To manage this policy 40 of the DPD sets out various criteria, including a sequential approach, against which sites can be assessed to see whether they are surplus and therefore could be released for alternative uses. No such assessment has been undertaken in relation to the Appeal scheme.
 6. The DPD has reached an advanced stage in its preparation and so in relation to this Appeal is given a moderate amount of weight.
 7. The upper floors of the Appeal building are currently vacant and the proposal would result in the extension and full use of the upper floors. The proposed use would generate a considerable amount of direct and indirect employment, as well as providing a recreational facility that could benefit the local community as a whole. In addition, the use would primarily take place during the evenings and at weekends when the industrial units are closed and so full advantage could be taken of the availability of on and off street parking.
 8. However, few details are provided concerning the demand/need for offices and warehousing on the estate and no details are provided relating to the marketing of the premises. It has not been demonstrated that there is no prospect of a site being used for its allocated employment use. At the same time there is no assessment of the likely impact of the proposal on London's main reservoirs of industrial land and premises. Likewise, no details are provided regarding other potential alternative sites for the proposed use, which would not reduce the supply of business floor space within an IBP or SIL. As a result only a moderate amount of weight is given to the benefits that would result from the scheme.
 9. It is noted that the ground floor of the premises are used for warehousing with ancillary retail sales. The retail element was permitted only as an ancillary activity and to meet the specific requirements of the occupier and so does not set a precedent for the current proposal.
 10. Overall, the benefits resulting from the scheme would not outweigh the loss of available business floor space within this Strategic Industrial Location and the associated conflict with the policy.
 11. I conclude on the main issue that the proposal would reduce and materially harm the supply of business space within strategic locations within and around London. It would also conflict with policy EM14 of the UDP, policy CS1 & CS9 of the Core Strategy, policy 2.17 of The London Plan, emerging policy 40 of the DPD and the NPPF.

Other matters

12. It is noted that the Council has expressed no concerns relating to the appearance of the proposed extension. Given its siting, size, bulk and design it would be readily assimilated into the environment within the industrial estate and would not have a material impact on the character of the surrounding residential frontages.
13. The Appeal building is located close to housing developments in both Honeypot Lane and Wigton Gardens. As such the proposed use has the potential to generate noise and disturbance which could materially detract from the living conditions of local residents. Although Honeypot Lane is busy distributor road and the current industrial activities may generate a significant amount of noise and activity, this is likely to be concentrated during the day and early evening. The proposed use would take place outside these times and would thus extend the period of noise and activity into the evenings and weekends. The conditions suggested in the Council officer's report in relation to building insulation, odour and smell resulting from cooking and hours of operation would address these concerns.
14. In relation to traffic and parking, although the proposed use could increase the demand for parking, this could be reduced through the introduction of a Travel Plan. In addition, larger functions would more likely take place during the evenings and at weekends, when there is significantly less demand for parking in association with the business park uses.

Conclusion

15. Although I have found in favour of the Appellant on some points the conclusion on the main issue represents a compelling reason for dismissing this Appeal, which could not be addressed through the imposition of conditions.

Elizabeth Lawrence

INSPECTOR

SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

ITEM NO: 3/01 & 3/02

ADDRESS: 20 BENTLEY PRIORY, MANSION HOUSE DRIVE, STANMORE

REFERENCE: P/5563/15 AND P/5561/15

DESCRIPTION: TWO ROOFLIGHTS PROPOSED TO THE SOUTHERN ROOFSLOPE OF BUILDING 267

WARD: STANMORE PARK

APPLICANT: MS EMMA OUSBHEY

CASE OFFICER: LUCY HAILE

EXPIRY DATE: 20/01/2016

RECOMMENDATION

REFUSE Listed Building Consent and Planning Permission for the development described in the application and submitted plans for the following reasons:

REASON FOR REFUSAL OF LISTED BUILDING CONSENT

The proposal is unacceptable by reason of the harm to the special interest of the listed mansion along with its attached 1958 extension (building 267) and its setting caused by the two proposed triple width rooflights on the southern roofslope. These would introduce a more cluttered and complicated roofspace undermining the existing simple and utilitarian character of building 267 which is a reminder of the historically important RAF use of the site. Also, the more contrived and confused design that the rooflights of varying size and siting would introduce would appear awkward and out of place against the special, highly considered, high quality and simple design of the main mansion. The larger size of the rooflights and lower siting now allowing for people to stand looking out would be more visually intrusive. This harm would not be outweighed by any clear and convincing justification including public benefits. The proposal therefore conflicts with National Planning Policy Framework (March 2012) paragraphs 129, 131, 132, 133, 134 and 137; The London Plan (2011) policy 7.8 C and D; Development Management Local Plan (2013) Policy DM7, the Harrow Core Strategy policy CS1 D, and the guidance contained within the Bentley Priory SPD (2007); Planning Practice Guidance (updated 10.04.2014), Historic England's Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets and Historic England's guidance document entitled 'Enabling development and the conservation of significant places' June 2012.

REASON FOR REFUSAL OF PLANNING PERMISSION

The proposal is unacceptable by reason of the harm to the special interest of the listed mansion along with its attached 1958 extension (building 267) and its setting and the character and appearance of the grade II listed registered park and garden caused by the two proposed triple width rooflights on the southern roofslope. These would introduce a more cluttered and complicated roofspace undermining the existing simple and utilitarian character of building 267 which is a reminder of the historically important

RAF use of the site. Also, the more contrived and confused design that the rooflights of varying size and siting would introduce would appear awkward and out of place against the special, highly considered, high quality and simple design of the main mansion. The larger size of the rooflights and lower siting now allowing for people to stand looking out would be more visually intrusive. This would harm good views towards the mansion within the registered park and garden. This harm would not be outweighed by any clear and convincing justification including public benefits. The proposal therefore conflicts with National Planning Policy Framework (March 2012) paragraphs 129, 131, 132, 133, 134 and 137; The London Plan (2011) policy 7.8 C and D; Development Management Local Plan (2013) Policy DM7, the Harrow Core Strategy policy CS1 D, and the guidance contained within the Bentley Priory SPD (2007); Planning Practice Guidance (updated 10.04.2014), Historic England's Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets and Historic England's guidance document entitled 'Enabling development and the conservation of significant places' June 2012.

INFORMATION

The application is reported to the Planning Committee because it has been called in by a nominated member, on account of the receipt of a request by the agent for the application.

Statutory Return Type: 23

Council Interest: None

Gross Floorspace: N/A

Net additional Floorspace: N/A

GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A

Site Description

- The application site lies between the urban areas of Stanmore in the south and Bushey.
- The focal point of the site is the grade II* listed Bentley Priory mansion house which has recently been converted to flats and a museum.
- It became grade II* listed on 25-May-1983 and the list description for this reads:
- 'By Sir John Soane, 1789-90. Enlargement by Robert Smirke 1810-18. Entrance lobby, long drawing room and circular boudoir are probably the only parts by Soane in anything like their original condition. The external facades are quite changed by iron balconies and other C19 additions. Some fragments of older work remain. The house was, for the last year and a half of her life, the home of the Dowager Queen Adelaide, who died here in 1849. It was also the home of the Marquesses of Abercorn and Lord Aberdeen in C19. Gutted by fire 1979. Of historical interest as the headquarters of Fighter Command during the Battle of Britain and until 1968. (DRUETT, W W "Stanmore and Harrow Weald Through the Ages" 1938 pages 130 to 137; IREMONGER, Lucille "Lord Aberdeen" 1978 pages 25 and 26)'.
- On the west side is building 267 which is listed by virtue of being attached to the mansion.
- It is stated in the Bentley Priory SPD to have been constructed in 1958 as officers' accommodation.
- Further to the west and physically detached from this is a 19th century single storey brick building that is known as building 7 and constructed as a bedroom wing in association with the use of the Mansion as a hotel. This is curtilage listed due to its date.

- The site is also within a grade II listed registered park and garden which was listed on 9th December 1999. The list description includes the following:
- 'A C16 estate enlarged and improved in the late C18 by James Hamilton, ninth Earl and first Marquess of Abercorn who corresponded with Sir Uvedale Price. Price, along with William Sawrey Gilpin influenced the design of the park in the early part of the C19'.
- Historic and architectural significance
- Bentley Priory evolved from a monastic site, with the present house originating as a modest country villa built in the late-eighteenth century which was dramatically altered when owner James Hamilton employed Sir John Soane to remodel and extend the property in the late 1780s.
- The house also underwent alterations following the lease of the property to the Dowager Queen Adelaide in the 1840s.
- In 1880, the estate passed into the hands of Fredrick Gordon, who turned Bentley Priory into a grand hotel.
- The venture failed and the Priory was used as a girls school for a period, before being split up for sale in various lots in 1926 with the largest portion of the estate was bought by the RAF.
- One of the most significant parts of Bentley Priory's history is its former use as home of the RAF Fighter Command centre.
- The mansion is most notably known during this period for being the location from which Lord Dowding co-ordinated the Battle of Britain, and where the Dowding system of filtering and interpreting field and operational information was tested, developed and used.
- As part of this use by the RAF, many service buildings including a walled garden and stable yard were replaced with modern buildings and facilities including modern utilitarian accommodation blocks and offices constructed within close proximity of the listed building, including building 267 attached to the main mansion from 1958 built as senior officers' accommodation
- A number of these functional military buildings have since been demolished.
- Operational use of the site ceased in May 2008 and planning permission and listed building consent was subsequently granted for change of use from defence establishment to provide a museum/education facility and 103 dwellinghouses with associated energy centre, car parking, landscaping and demolition of listed buildings (refs P/1452/08CFU and P/1453/08CFU).
- Whilst permission was approved for the removal of building 267 as part of the redevelopment of the site, it was opted to retain and reuse this building.
- It has historic and architectural significance for being a physical reminder of this historically very important former use of the site by the RAF. This is more relevant today than when the Bentley Priory SPD was adopted in 2007 since then more buildings on site were present that were former RAF structures.
- It has a clear institutional feel that is associated with and signals its former use as officers' accommodation.
- The building's utilitarian form and appearance was maintained under recent reordering and redesign of the rear elevation (under application reference P/1488/12) that introduced a slightly more classical feel.
- The simpler design of building 267 ensures it is a subservient and plainer addition, clearly distinguished from the core listed mansion.
- Building 267 fits in with other heritage assets on the site due to an absence of dormers or recessed balconies within the roofs.
- The absence of roof features (other than simple conservation style rooflights) and

plain and uncluttered low pitched roof of building 267 retains the intended nature of the historic core of the mansion as the focal point.

- Building 267's scale in terms of height and its 3 stories is in keeping with the immediately adjoining part of the listed mansion and ensures it does not dominate the listed core, though the Bentley Priory SPD (2007) recognised that demolition of building 267 would provide an opportunity to create a more subservient building line.
- The rear elevation of Bentley Priory facing the Italianate gardens is a key focal point of views on the site, particularly the core historic part of the listed mansion. Building 267 forms part of this listed mansion and so forms part of these key views.

Proposal Details

- The application proposes two, triple light rooflights to replace two existing single rooflights.

Revisions to Previous Application

Following the previous decision (P/2892/14 and P/2756/14) the following amendments have been made:

- The rear dormers have now been amended to rooflights and the side balcony with railings has been removed.

Relevant History

P/2892/14 – Non-material amendment application to planning permission p/1841/11 dated 14/10/11 for external alterations to include construction of two dormers in south elevation and installation of terraced balcony in place of rooflights in east elevation
REFUSE – 09/10/2014

P/1452/08CFU and P/1453/08CFU - Change of use from defence establishment to provide a museum/education facility (d1 use class) 103 dwelling (c3 class) with associated car parking ancillary service/accommodation energy centre works to landscape (including open space provision boundary fencing and removal of trees) with improvised means of access to the common, and including alterations and partial demolition of the mansion house, alterations and extension of building 7. Relocation of entrance to the walled garden and demolition of other listed buildings
GRANT - 16/09/2010

P/1061/11 - Listed building consent: removal of parts of the curtilage listed building abutting the orangery and main Bentley Priory building and associated making good. External alterations including modifications to existing window openings and internal alterations
GRANT - 14/10/2011

P/1841/11- Part demolition and conversion of building 267 to 7 flats; external alterations to fenestration and insertion of rooflights (amendments to planning permission p/1452/08cfu dated 16/09/2010 to retain the building instead of replacing the building with 3 new dwelling houses
GRANT - 14/10/2011

P/1726/11 - Change of use from defence establishment to provide 93 dwellings (C3 use class) with ancillary buildings, concierge building and entrance gates with associated car parking, works to landscape (including open space provision, boundary fencing and removal of trees) with improved means of access to the common and demolition of

listed building (amendments to previous planning permission reference P/1452/08CFU dated 16/09/2010 comprising removal of energy centre, addition of single storey concierge/garage building and security gates, additional 4 dwellings, additional parking spaces, re-siting of refuse/cycle stores and alterations to elevation of dwellings (application site excludes mansion house and associated area, as shown within the green line on drawing number NO.5229/001G)

GRANT - 22 December 2011

P/1907/12 – Non-material amendment to planning permission P/1841/11 dated 14/10/2011 to amend internal layout changes including location of lift and retention of historic link

GRANT - 06/08/2012

P/1488/12 - Amend listed building consent application reference P/1061/11 via proposed external and internal alterations for building 267 including relocating the lift retaining the east link building reordering the elevations proposed south terrace and installing rooflights

GRANT - 07/09/2012

P/2892/14- Non-material amendment application to planning permission P/1841/11 dated 14/10/11 for insertion of two dormers glazed screen and balcony

Current linked application – Decision due: 18/08/2014

Pre-Application Discussion (Ref.)

- Informal in May 2012. Rear dormers were proposed on building 267. In consultation with English Heritage (as it was called, now Historic England), the conservation team responded to say:
- 'As stated on our site meeting (when we were discussing the windows), I share English Heritage's view that the proposals would erode the institutional character with the re-ordering, dormers and central balcony. Therefore as a general point I recommend trying to retain some degree of the institutional character of the building in forming the proposals for this building. This could be achieved by having some sought of balance between an increase in decorative elements and retaining the existing character of the building.
- In particular, it is my view that the dormers should be omitted from the proposal since this is not a characteristic feature of the site or principal listed building. Conservation rooflights as per the previous approval would be more appropriate in my view'.

Applicant Submission Documents

- Design and Access Statement

Consultations

The following groups were notified and any response was due by 21st December, 2015:

The Georgian Group

Ancient Monuments Society

Council for British Archaeology

Society for the Protection of Ancient Buildings

Victorian Society

Stanmore Society

Twentieth Century Society

The Gardens Trust was consulted for the planning application reference P/5561/15 on 26th January and any response was due on 16th February 2016.

For the Listed Building Consent application reference P/5563/15 the consultation period expires on 10th February 2016.

Advertisement

Site notice
Harrow Observer
Harrow Times

Expiry: 30th December, 2015

Notifications

Sent: 39
Replies: 0

Addresses Consulted

- N/A

Summary of Responses

Historic England responded in relation to the planning application reference P/5561/15 on 21st December 2015 to state this application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

APPRAISAL

MAIN CONSIDERATIONS

Special Interest of the Listed Building

The proposal is to install two triple width rooflights on the rear (south) elevation of building 267 to replace two single width rooflights on the rear elevation which contains and to go alongside the other existing four single rooflights on this elevation. This building is listed by virtue of being attached to the grade II* listed mansion of Bentley Priory. The acceptability of the proposed works must be assessed against the need to preserve the special interest of the Listed Buildings, having particular regard to the National Planning Policy Framework (March 2012) paragraphs 129, 131, 132, 133, 134 and 137, London Plan (July 2011) policy 7.8 D, Harrow Core Strategy (February 2012), Development Management Policy (May 2013) DM 7 part E, The Bentley Priory SPD dated 18/10/2007, and the guidance contained within the Planning Policy Statement 5 Planning for the Historic Environment: Historic Environment Planning Practice Guide (Practice Guide, March 2010) and English Heritage's document entitled 'the Setting of Heritage Assets' published 20/10/2011.

Significance

According to paragraph 129 of the National Planning Policy Framework (NPPF) 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal...taking account of the available evidence and any necessary expertise'. According to the NPPF's definition of 'significance', this is 'the value of the heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural,

artistic or historic’.

The significance of the listed Bentley Priory is largely architectural and historic and is summarised under the ‘site description’ heading. It relates to the core mansion house being an 18th century construction designed by Sir John Soane with later enlargement by Robert Smike and an association with the Dowager Queen Adelaide, the Marchionesses of Abercorn and Lord Aberdeen in C19. It is of particularly high historic significance for its use by the RAF and being the headquarters of Fighter Command during the Battle of Britain and until 1968. Reminders of this use of the site by the RAF are therefore historically significant.

Under ownership by the RAF, many relatively plain and utilitarian modern accommodation blocks were constructed in close proximity of the listed building, including building 267 in 1958 as senior officers’ accommodation attached to the listed building. In this context, the Bentley Priory sustainability appraisal (adopted by the Council in 2007) stated that in and of itself building 267 ‘is not considered to be of any specific special architectural or historic interest due to...utilitarian form and appearance’. However, it is noted that under the recent redevelopment of the site, most of these RAF accommodation blocks were removed and replaced. Whilst permission was approved for the demolition of building 267, it was opted to retain and reuse this. Given most of the other RAF blocks have been removed, this block remains as an interesting physical reminder of the former use of the site by the RAF – one of the most historically important stages in the ownership of the listed Bentley Priory. Its institutional design and utilitarian form and appearance is associated with, and an integral reminder of, its former use as RAF officers’ accommodation. City and Country’s reappraisal in 2011 of the building deemed it worthy of retention given the interest of the building itself as well as environmental reasons (application references P/1061/11 and P/1841/11).

The simpler design of building 267 preserves the special interest of the mansion as it ensures it is a subservient and plainer addition, clearly distinguished from the core listed mansion. This was maintained under recent reordering and redesign of the rear elevation (under application reference P/1488/12) that nevertheless introduced a slightly more classical feel.

Building 267 fits in with other heritage assets on the site due to an absence of dormers or recessed balconies within the roof slopes. The absence of roof features (other than simple conservation style rooflights) and the plain and uncluttered low pitched roof of building 267 retains the intended nature of the core of the mansion as a focal point. It also links in with the style of the roof of the adjacent part of the historic core of the mansion. Building 267’s scale (in terms of height and its 3 stories) is in keeping with the immediately adjoining part of the listed mansion and ensures it does not dominate the listed core.

There are key views towards the listed Bentley Priory from the Italianate gardens. It forms a key focal point of the site, particularly the core historic part of the listed mansion. Building 267 forms part of this listed mansion and so forms a key part of important views.

Harm to Significance

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. That is a statutory requirement for the decision maker.

Harm to significance must be judged in accordance with relevant the following policies from the National Planning Policy Framework (NPPF). Paragraph 131 states: 'local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets...the desirability of new development making a positive contribution to local character and distinctiveness'. Paragraph 132 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...Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'. Paragraph 134 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'. Paragraph 137 states 'Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably'.

London Plan policy 7.8 D states 'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'. Harrow Core Strategy policy CS1 part D states 'Proposals that would harm the significance of heritage assets including their setting will be resisted. The enhancement of heritage assets will be supported and encouraged'. The Development Management Policies Local Plan policy DM 7, part E states In addition to (A) and (B) above, when considering proposals affecting listed buildings and their setting, the Council will: a. pay special attention to the building's character and any features of special architectural or historic interest which it possesses, and the role of the building's setting in these regards'.

The approved rear elevation to building 267 is as built with 6 small rooflights of the same size, in a level row, with the regular spacing between them. This helps retain the institutional design and utilitarian form and appearance which is associated with, and an integral reminder of, building 267's former use as RAF officers' accommodation. The simpler design of building 267 also preserves the special interest of the mansion as it ensures it is a subservient and plainer addition, clearly distinguished from the core listed mansion. This was maintained under the approved reordering and redesign of the rear elevation (under application reference P/1488/12) that nevertheless introduced a slightly more classical feel, and with the previously approved demolition and replacement of building 267, the replacement having a similar simple, shallow pitched roof with no rooflights.

This proposal is an improvement upon the refused applications (references P/2892/14 and P/2756/15) since these had proposed rear dormers as well as a side balcony with railings that protruded out from the existing roof line. These would have been far more obtrusive alterations. However, the current proposal would cause harm to the significance of the listed building and its setting the rooflights would no longer be of a regular size and spacing nor of minimal size and number, as explained below. That harm would be less than substantial in the terms of the NPPF. No public benefits have been identified that would outweigh that harm and so listed building consent should be refused.

The new rooflights would be two, triple light rooflights to replace two existing single rooflights. They would be at a much lower level than the existing three single rooflights that would remain in place. This would create a large expanse of rooflights at two

different levels. This would introduce a more complicated and cluttered roofspace, undermining the existing simple and utilitarian character which is part of its special interest as a reminder of the historically important RAF use of the site. Also, the more contrived and confused design would be awkward against the highly considered, high quality and simple design of the main mansion. This would detract from the setting of the listed building by detracting attention from its simple and very high quality design. The lower siting of the rooflights would also ensure that their presence would be more obvious and obtrusive as this would be below head height now so people could more easily stand in them looking out. Their larger size would ensure that this would be more visually intrusive still. These issues are all the more harmful given the great sensitivity of views this way in the grade II listed park and garden and grade II* building.

Insufficient Justification

Some harm from the proposal is alluded to by the applicant's Design and Access statement as it refers to paragraph 134 of the NPPF and as it states that the works are the 'minimum necessary' to 'resolve the shortfalls of the apartment'.

NPPF paragraph 132 states 'As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building...should be exceptional'. The NPPF allows for the harm to be weighed against public benefits of the proposal in paragraph 134. However, the evidence provided does not provide clear and convincing justification as to the need for the harm or of any public benefits of this part of the proposal.

It is stated that the recessed rooflight design and layout is required in order to ensure this apartment in the mansion block sells by helping provide it with light and views. However, in recognition of the sensitivity of the roofline here to alterations, the original approval showed 3 terraced houses in this space, with a similar simple roof line to the current building thereby avoiding the demand for intensive use of the roof space. It was subsequently opted to retain the existing building and install seven flats within. During pre-application discussions for this proposal for seven flats, the need to avoid alterations more invasive than conservation rooflights to this sloping roof was made clear by Historic England (then English Heritage) and the Council, so it was always understood that this apartment would not have clear views or private outdoor space. This would have been taken into account in terms of understanding of its value.

Reference is made in the Design and Access Statement to enabling development, indicating that this current proposal may be considered as such. It states that the proposal is justified against relevant enabling development policies. Whilst the original proposal for the site as a whole may have had an element of enabling development, Historic England's own guidance document entitled 'Enabling development and the conservation of significant places' June 2012 states in paragraph 5.4.4 that: 'Taking an incremental approach to enabling development, in which additional enabling development is sought once the scheme is under way or completed, as a means of recovering unforeseen or underestimated costs, is not an acceptable practice. Such an approach distorts the process, because it is necessary to consider the effects of the enabling development proposals in their entirety before deciding whether the benefits outweigh the harm. The developer bears the risk – there can be no 'second bite of the same cherry'. This then clearly cannot be used as justification for the proposal.

Special Interest of the Listed Park and Garden

The impact on the special interest of the listed park and garden is a material

consideration of the planning application. The mansion house forms a key focal point of views within the grade II listed registered park and garden. Since the above proposed rooflights would harm the special interest of the mansion they would in turn harm the key views in the park and garden. As stated there is no clear and convincing justification for the proposal including consideration of any public benefits. The proposal therefore conflicts with National Planning Policy Framework (March 2012) paragraphs 129, 131, 132, 133, 134 and 137; The London Plan (2011) policy 7.8 C and D; Development Management Local Plan (2013) Policy DM7, the Harrow Core Strategy policy CS1 D, and the guidance contained within the Bentley Priory SPD (2007); Planning Practice Guidance (updated 10.04.2014), Historic England's Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets and Historic England's guidance document entitled 'Enabling development and the conservation of significant places' June 2012 .

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations as set out above, this application is recommended for refusal.

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy Framework (March 2012)

London Plan policy 7.8 C and D (July 2015)

Harrow Core Strategy policy CS1 part D

Harrow Development Management Policies Local Plan Policy DM7 part A, B, E (May 2013)

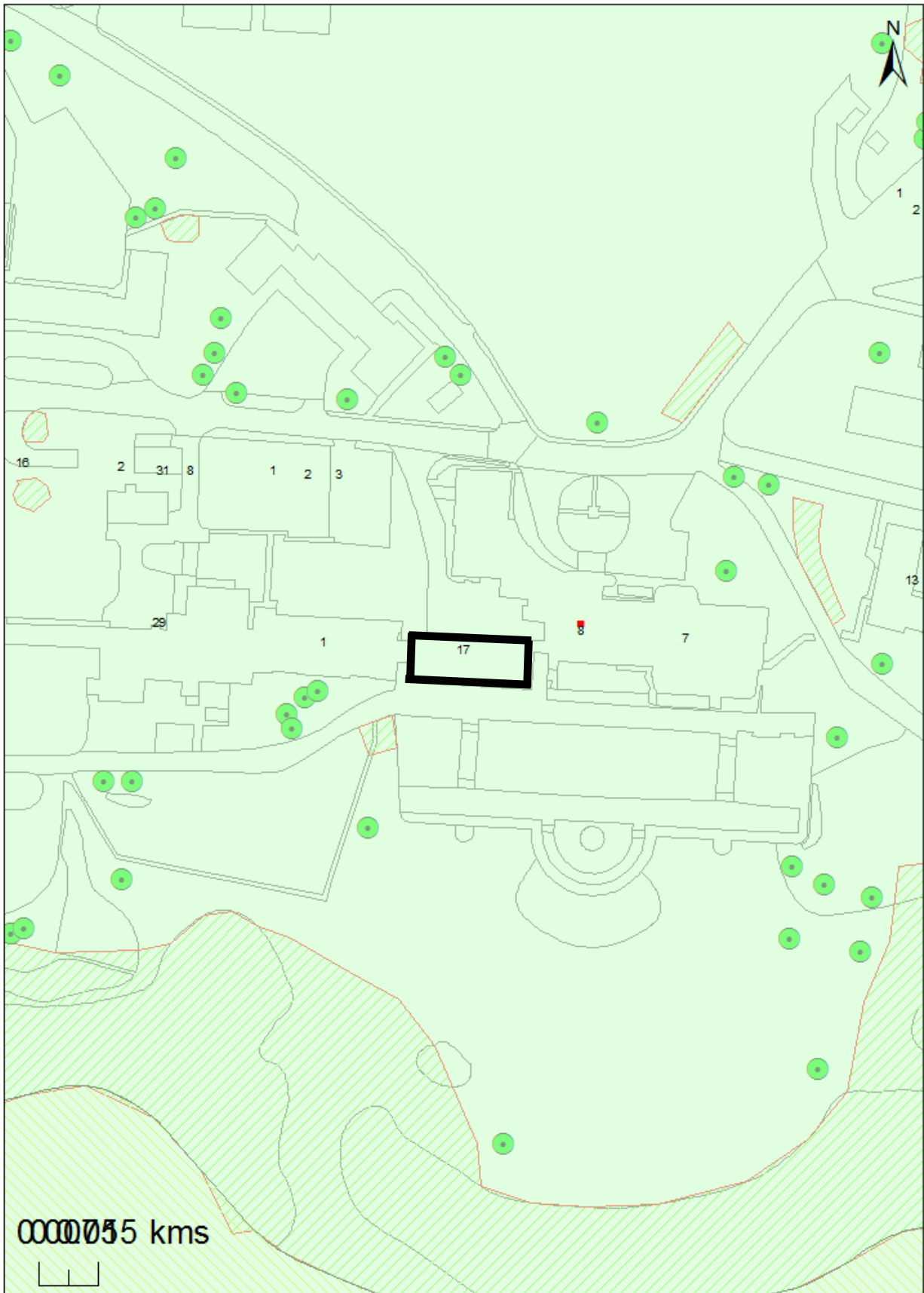
Planning Practice Guidance for Conserving and Enhancing the Historic Environment (updated 06/03/2014)

Historic England's 'Enabling development and the conservation of significant places' June 2012

Historic England's Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets

Plan Nos: PHOTO STUDY BEFORE AND AFTER; PLANNING AND DESIGN STATEMENT; HERITAGE IMPACT ASSESSMENT; CC309-267-RL2; CC309-267-RL1; CC309-267-RL3;

20 BENTLEY PRIORY, MANSION HOUSE DRIVE, STANMORE



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SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.