

SECTION 1 – MAJOR APPLICATIONS

ITEM NO: 1/01

ADDRESS: CHURCHILL HALL, HAWTHORNE AVENUE, HARROW

REFERENCE: P/5255/15

DESCRIPTION REDEVELOPMENT TO PROVIDE THREE TO FIVE STOREY BUILDING TO CREATE 37 FLATS AND CLASS D1/D2 UNIT AT GROUND FLOOR; AMENITY AREAS; LANDSCAPING AND ASSOCIATED PARKING; BIN AND CYCLE STORAGE; RE-LOCATION OF VEHICLE ACCESS ON HAWTHORNE AVENUE

WARD GREENHILL

APPLICANT: MR J DE SWARTE

AGENT: PRESTON BENNETT PLANNING

CASE OFFICER: JUSTINE MAHANGA

EXPIRY DATE: 24/02/16

RECOMMENDATION

GRANT permission subject to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and issue of the planning permission and subject to minor amendments to the conditions or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- i. Provision of 14 affordable units, including 5 affordable rented units and 9 shared ownership units;
- ii. Prior to Occupation of the Development notify all prospective owners, residents, occupiers or tenants of the Housing Units and the non-residential parts of the Development that they will not be eligible for a Resident Parking Permit or Visitors Parking Permit to park a motor vehicle where a CPZ has been implemented unless they hold a Disabled Person's Badge.
- iii. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
- iv. Planning Administration Fee: Payment of £500 administration fee for the monitoring and compliance of the legal agreement

REASON

The proposed redevelopment of the site would provide new housing, including affordable housing to contribute towards the Council's housing targets set out in the Development Plan. The redevelopment of the site would also secure new community use space to replace the dilapidated Churchill Hall and provide an active frontage to Kenton Road. The building will provide a modern, contemporary design that responds positively to the local context, whilst providing good quality living conditions for all future occupiers of the development. The layout and orientation of the buildings to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers and mitigation measures would ensure that the safety and convenience of the road network of Harrow would be maintained, whilst encouraging a modal shift towards more sustainable modes of travel.

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 by 25th July 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 Planning on the grounds that:

The proposed development, in the absence of a legal agreement to secure affordable housing on site and restrict the future occupiers from applying for parking permits, would fail to comply with the requirements of policies 3.8, 3.11, 3.12 & 6.3 of The London Plan 2015, policy CS1.J of the Harrow Core Strategy 2012, and policy DM24 & DM42 of the Development Management Policies Local Plan 2013.

INFORMATION:

This application is reported to Planning Committee as it would provide in excess of 6 residential units. The application is therefore referred to the Planning Committee as it does fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 29 May 2013.

Statutory Return Type: Major Development

Council Interest: None

Gross Floorspace: 3,470sqm

Net additional floorspace: 2,687.00sqm

GLA Community Infrastructure (CIL) Contribution: £94,045.00

Harrow Community Infrastructure (CIL) Contribution: £295,570.00

Site Description

- The application site is a rectangular parcel of land (0.19 hectares), located on the corner of Kenton Road and Hawthorne Avenue.
- The site currently contains a part two-storey / part three storey conservative club (Class D1), known as Churchill Hall.
- The building ceased operation in January 2015.

- A car parking area (30 spaces), accessed via Hawthorne Avenue and Kenton Road, is located towards the sites frontage with Kenton Road.
- The surrounding area includes a mix of uses due to its close proximity to the Kenton District Centre, which is located approximately 60m south-west of the site.
- The surrounding development on Kenton Road is generally characterised by parades of three-storey buildings which include commercial uses at ground floor with residential above.
- Kenton Court, a three storey residential development adjoins the north-eastern boundary of the site.
- The boundary between the London Borough of Harrow and the London Borough of Brent is along the centre of Kenton Road and therefore, all residential streets to the south are within Brent.
- At the rear, the site adjoins a two-storey semi-detached dwelling located at 1/1a Hawthorne Avenue.
- Hawthorne Avenue is characterised by two-storey semi-detached and detached dwellings.
- The property is not located within a conservation area, nor are there any listed buildings in the immediate surrounds.
- The site has a Public Transport Accessibility Level [PTAL] rating of 5 (very good).

Proposal Details

- The proposed development intends to demolish the existing part two-storey / part three-storey building.
- The proposed replacement build would comprise a contemporary part three-storey / part four-storey / part five-storey building, comprising a flexible D1/D2 unit and 37 self-contained flats, including a mix of one-bed (2 person), two-bed (3 person) and two-bed (4 person) units.
- 14 of the proposed units would be affordable units.
- A flexible Class D1 (Clinics, Health Centres, Museums, Public Libraries, Art Gallery, Law Court); and/or D2 (Gymnasium) unit (290sqm) would be provided at ground floor, along the Kenton Road frontage.
- The proposed new build would follow an L-shape footprint, extending 40.7m in width across the Kenton Road frontage and 26.5m in depth along Hawthorne Avenue.
- The building would be 5 storeys on the corner of Hawthorne Avenue and Kenton Road, stepping down to 4 storeys along the Kenton Road elevation.
- The building would be stepped down a further level (3 storeys) adjacent the common boundary with No. 1 Hawthorne Avenue.
- The proposed building would be constructed of a sand-faced brickwork in buff and dark grey with powder-coated aluminium windows and doors.
- Pedestrian access to the D1 unit would be provided via Kenton Road. Two separate access points would be provided along the Hawthorne Avenue frontage for the residential use.
- An area of soft landscaping would be provided at the rear of the building.
- 3 car parking spaces would be provided to the north of the proposed building, accessed via a vehicle crossover from Hawthorne Avenue. The parking spaces include 2 wheelchair accessible spaces and a communal hire parking space.
- An electric charging point would also be provided.
- Refuse and recycling would be stored externally on the northern side of the building, approximately 10m from Hawthorne Avenue,
- Secure cycle parking for 68 cycles would be provided at the rear of the building.

Revisions to Current Application

- Parking provision has been amended, to provide 1no. disabled bay for residential use, 1no. for community use and 1no. car club bay, in line with Highways Officer recommendations;
- Two flats from the original submitted scheme have been omitted and the space allocated for D1 use. This has resulted in an increase of D1/D2 floor space of some 110m², the D1/D2 now being 290m²; and,
- The application has been amended from zero affordable housing provision to provide 14no. affordable units; 5no. units for affordable rent and 9no. for as shared ownership.

Relevant History

P/3490/15

Application for prior approval of proposed demolition of existing building and associated structures

Prior approval not required: 19/08/15

P/2774/15

Proposed notification for demolition of Churchill hall

Refused: 10/07/15

P/303/04/DAD

Advertisement Consent: Internally illuminated advertisement panel.

Refused: 06/05/04

EAST/395/95/ADV

Illuminated double sided unipole poster panel

Refused: 10/08/95

WEST/582/94/ADV

Advertisement hoarding

Refused: 10/10/94

Applicant Submission Documents

- Aboricultural Report, prepared by David Clarke Chartered Landscape Architect;
- Design Statement Document, prepared by Kenneth W Reed;
- Daylight and Sunlight Report, prepared by Anstey Horne;
- Energy Statement, prepared by Proport Eco-Services;
- Planning Statement, prepared by Preston Bennett;
- Sustainable Drainage Statement, prepared by EAS;
- Transport Statement, prepared by EAS;
- Tree Protection Plan (TPP/WNCCHAH/010 A);
- Affordable Housing Toolkit, prepared by Affordable 106;
- Response to Parking Concerns, prepared by EAS.

Consultations

- London Borough of Brent:

Initial Comment: Brent Council raises an objection to this proposal, on the grounds that it will be likely to lead to excessive overspill parking of vehicles from the development on nearby streets within the remit of Brent Council, to the detriment of

free and safe flow of traffic and to residential amenity.

Comment following EAS Parking Survey (submitted by applicant):

The overnight parking survey shows reasonable spare parking capacity in Hawthorne Avenue of up to 15 spaces, with a similar space capacity in Flambard Road. This provides some comfort that much of any overspill parking at night could be accommodated in those roads, before overspilling as far as Rushout Avenue. Notwithstanding this, it is still considered that the overspill of vehicles would add to parking demand in Rushout Avenue and as such, Brent maintains its objection to the proposal.

- Highways Authority (Parking): The site has a current PTAL of 5 with a 2021 forecast of improvement to 6a. The car free proposal complies with the Council's Development Management policy for car free development as the site is located in a high PTAL area with good access to local amenities.
Notwithstanding, the residential element should have at least 1 disabled bay and the community use should also have a disabled bay. The remaining space could be a car club bay. Dimensions for these spaces must comply with LP standards. These bays should include electric vehicle charging provision.
- Drainage Engineer: No objection subject to conditions.
- Landscape Architect: No Objection subject to conditions relating to landscaping, boundary treatment and levels.
- Housing Enabling Team: Support for proposal.
- TFL: No objections.
- MET Police: No objections. However, the development should achieve Secured by Design accreditation as detailed within the New Homes 2014 Guide.
- Elmwood Residents Association: Objections to lack of parking, height of development, flat roof and lack of detail surrounding the use and internal arrangement of the D1 unit.

Site Notice:

Posted: 1/12/15

Neighbourhood Notifications:

1, 1a, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 15a, 16, 17, 18, 18a, 19, 20, 20a, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 37 Hawthorne Avenue
Garages adjacent 2 Hawthorne Avenue
2, 2a, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24 Elmwood Avenue
1-24 Kenton Court
82, 82a, 84, 86, 86a, 88, 90, 92, 92a Kenton Road

Second round of consultation

Site Notice Posted: 25/04/16

Neighbour consultation letters: 21/04/16

Sent: 89

Replies: 19

Expiry: 18/12/15

Summary of Comments;

- The proposal is an over development of the site that would place a strain on local services.
- The architectural design of the building is not in keeping with the traditional character of the surrounding area.
- The proposed flat roof should be replaced with a pitched roof.
- The proposed five storey height would be visually obtrusive and is not in keeping with the surrounding area. The building should be restricted to 3 storeys.
- The use of yellow brick is inappropriate.
- The proposal would result in a loss of a community facility.
- No information has been provided regarding the use of the D1 unit or the internal floorplan. The plans do not demonstrate any amenities or kitchen facilities for the unit.
- The proposal includes an inadequate provision of parking that would have a detrimental impact on street parking.
- The D1 unit would significantly increase traffic flow.
- Parking should be provided at a rate of 1 space per unit.
- The Parking Survey is biased and does not take into consideration cars that are used for leisure purposes and not for commute to work.
- The proposal lacks area of open space and the provision of wheelchair units.
- The height of the proposal would have an impact on daylight and sunlight of surrounding properties.
- The proposal would reduce the visual amenity and block views from surrounding properties.
- There has been inadequate consultation of the planning application.
- The Harrow website planning search indicates the incorrect location of the site.

APPRAISAL

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

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

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

In this instance, the Development Plan comprises The London Plan (2015) and the Local Development Framework (LDF). The LDF comprises The Harrow Core Strategy 2012, Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (DMP) 2013, the Site Allocations Local Plan (SALP) 2013 and Harrow Local Area Map (LAP) 2013.

MAIN CONSIDERATIONS

Principle of Development
Character and Appearance of the Area
Residential Amenity
Accessibility

Affordable Housing
Traffic and Parking
Development and Flood Risk
Sustainable Building and Design
Statement of Community Involvement
Planning Obligations
Equalities
S17 Crime & Disorder Act 1998
Consultation Response

Principle of Development

The proposed development results in the demolition of the existing building on site, known as 'Churchill Hall'. The Community Hall has been closed since January 2015.

When in operation, the hall provided approximately 783sqm of Class D1 floorspace within a part two-storey / part three-storey building. Specifically, the existing floor plans indicate that the building comprises a function hall and bar on the ground and first floors, while the second floor includes a snooker hall.

While it is noted that objections have been received from surrounding residents in regards to the loss of Churchill Hall, the former manager of the facility has indicated that due to declining membership and the poor quality of the venue, the ground floor function room of the hall was only opened Thursday, Friday and Saturday nights. Furthermore, due to a lack of heating and demand for the upper levels, these rooms have effectively been vacant for several years.

The applicant has indicated that the existing building is of an age and condition such that its re-use is uneconomic and inefficient for modern purposes. Specifically, the existing building is considered to have poor wheelchair accessibility and the deteriorating fabric of the building is considered to result in its poor energy efficiency. The vacancy and dilapidated condition of the building was confirmed during an officer visit to the property in November 2015. Accordingly, it is accepted that significant works are required to the existing building in order to achieve an acceptable quality of D1 floorspace that would comply with Building Regulations and Energy and CO2 Savings.

Notwithstanding this, given the lawful use of the site as a community hall (Class D1), the proposed redevelopment is required to be assessed against *Policy DM 47: Retention of Existing Community, Sport and Education Facilities* of the Development Management Policies Document 2013.

Policy DM47 reads as follows:

'A. Proposals involving the loss of an existing community, sport or educational facility will be permitted if:

- a) there is no longer a need for that facility (having regard to the amount of local patronage, the quality of facilities offered and the duration and extent of marketing; or,*
- b) there are adequate similar facilities within walking distance which offer equivalent provision; or,*
- c) the activities carried on are inconsistent and cannot be made consistent with acceptable living conditions for nearby residents; or,*
- d) the redevelopment of the site would secure an over-riding public benefit.*

B. Proposals for the redevelopment of community or educational facilities that secure enhanced re-provision on the site, or on another site which improves accessibility will be supported’.

In support of the above policy, the applicant has indicated that marketing of the site was carried out by London Commercial Agent Levy’s across three media to cover local / regional and national interest: (i) email marketing to client database; (ii) national property press – Estates Gazette, and (iii) a ‘FOR SALE’ board on site fronting Kenton Road to capture mainly local interest. Following this, several inspection open days were arranged for interested parties.

Offers were invited for the freehold interest on an unconditional basis. While 22 offers were received, the majority of interested parties were proposing residential redevelopment of change of use for restaurant / take-away food. The agents confirmed that they received no offers for the D1 use of the site.

The applicant has not provided any specific details regarding the marketed price of the site and the offers received. Furthermore, no detail has been provided in regards to the extent / period of marketing undertaken. Accordingly, due to the lack of detail provided in regards to the marketing of the site, though it would be go some way towards addressing this criterion and should be afforded some weight, the submitted information is insufficient to wholly address Policy DM47 A(a).

Notwithstanding this, it is considered that the current dated and dilapidated condition of the building would be a significant contributor to the lack of interest and demand for the building during marketing. In this context, and also given the extent of works required to improve the existing building and the location of the site along Kenton Road, it is considered that the application property is an appropriate site for redevelopment.

In this context, the proposal is required to demonstrate compliance with DM47(B) in that the redevelopment of the community facility would secure an enhanced re-provision on the site.

While it is acknowledged that the proposal represents a significant reduction in the overall amount of D1 floorspace, it is noted that in recent years, the use of the existing building was generally restricted to the ground floor. Given the part two / part three storey scale of the building, the total extent of the floorspace was generally not required to accommodate the events.

When considering the quality of the existing community hall, the proposed D1/D2 unit is considered to represent an enhanced re-provision in terms of quality. Specifically, in addition to the dated appearance of the building, the hall was located at the rear of the site, with a car parking area provided towards the sites frontage with Kenton Road. The proposal intends to provide a 290sqm unit within a new build mixed-use building. The proposal would provide an active ground floor community facility along the Kenton Road frontage, with a courtyard area including soft landscaping and seating to the front of the building. In this respect, the proposed unit would provide for an enhanced external appearance that would have a high visibility within Kenton Road and a modern internal fit out. Furthermore, given the location of the community use within a new build, the proposed unit would be wheelchair compliant, with grade level thresholds provided via Kenton Road and would also meet energy efficient requirements.

The applicant has indicated that the proposed unit would offer a flexible Class D1(a-g, excluding place of worship) and Class D2(e) use. The space could be occupied by a single tenant or divided into smaller spaces. While concerns have been received regarding the intended use of the D1 unit, it is considered that the flexibility in the internal arrangement of the space would ensure that the space is available and functional to a range of end users within the D1/D2 use class. Although further concerns have been raised regarding the lack of amenities within the unit, the proposal plans demonstrate an indicative layout of the unit, with the internal arrangement omitted. As aforementioned, it is considered that the internal layout of the unit would be determined based on the requirements of future tenants, once they are known. Given the stage of the development (prior to the grant of planning permission), it would be unrealistic to expect the developer to have secured an end user at this time.

Accordingly, while it is noted that the proposal represents a significantly smaller provision of D1 floorspace, given the current condition of the existing building, the low levels of use and the lack of interest during marketing, it is considered that the proposed unit represents an enhanced re-provision in terms of quality. Specifically, the unit within a new-build mixed-use building would be more suitable in terms of appearance and internal condition, flexibility and accessibility. Accordingly, the proposal is considered to satisfy Policy DM47(B) of the Development Management Policies Document 2013.

The site is regarded as previously developed land for the purposes of the policies contained within the National Planning Policy Framework and the Harrow Core Strategy which seeks to redirect all new development the Harrow and Development Opportunity Area, to town centers and to previously developed land in suburban area. In addition to the D1/D2 use of the site, the site could also support residential use, in part to cross-subsidise the D1/D2 use but also to deliver new housing in a high accessible location, thereby contributing to the Borough Housing targets. The proposal to develop this site for residential purposes is therefore considered to be acceptable in principle.

The reduction in Class D1 floorspace is further reinforced by the fact that the redevelopment would bring forward the delivery of affordable housing on this site which would add to the Council's housing delivery targets.

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.'

The application site is located on the corner of Kenton Road and Hawthorne Avenue. Hawthorne Avenue is a residential street generally comprising large two-storey semi-detached and detached dwellings. The property adjoining the north-western boundary of the site is a two-storey semi-detached dwelling that has been converted into two flats (1/1a Hawthorne Avenue). On the opposite side of Hawthorne Avenue is a two-storey detached dwelling. This building on the site, given its more civic purpose, differs in design form to the more traditional 'metroland' architecture of the surrounding area.

Kenton Road is noted as being mixed in character, comprising both residential and commercial uses. Although the site is located outside the boundary of the Kenton District Centre, the application site and the development opposite establish the start of commercial uses leading into the district centre. Specifically, development on the south-western side of Hawthorne Avenue and Rushout Avenue is predominantly residential, comprising two-storey detached and semi-detached dwellings with front forecourts. Development on the north-eastern side of these roads incorporates mixed-use buildings with greater heights. Opposite the application site on the corner of Kenton Road and Rushout Avenue is a three-storey terrace building, which includes an active frontage of commercial, service, and retail uses at ground floor, with residential above. The application site establishes non-residential uses on the north-eastern side of Kenton Road. The exception to this is Kenton Court, a three storey residential development that adjoins the north-eastern boundary of the application site. While this property does not include ground floor commercial units, the building establishes higher density residential development along Kenton Road. Further north-east towards Kenton Station, development heights increase to 6 storeys.

Massing, Scale and Siting

The subject application seeks permission to replace the existing part two / part three-storey community hall with a more contemporary style flatted development with D1/D2 floorspace at ground floor. The proposed building would form an L-shape to address both street frontages that would rise in steps towards the road junction, creating a higher prominent corner element.

When considering the existing building at the application site, it is noted that due to the positioning of the building towards the rear boundary, with car parking towards the frontage, the community hall did not actively form part of the Kenton Road streetscene. Specifically, the community hall was set back approximately 30m from Kenton Road and approximately 20m from the established front building line of Kenton Court to the north-east. The building included its primary entrance along the Hawthorne Avenue frontage.

In this context, the proposed redevelopment is considered to be an overall enhancement of the site, providing definition to this part of the Kenton Road streetscene and appropriately relate its siting to the building line of adjoining properties. Through the use of a highly glazed frontage, the ground floor commercial unit forms an active frontage within the Kenton Road streetscene. The front building elevation would also align with the principle front elevation of Kenton Court to the north-east. Although the building line would step forward towards the corner with Hawthorne Avenue, this is considered acceptable given the form of the building, which has been designed to include a prominent corner element.

The proposed new build would follow a stepped design along the Kenton Road frontage. The 5 storey corner element would be stepped down to 4 storeys at the north-eastern end, adjacent Kenton Court. At 4 storeys in height, the proposed development would sit lower than the ridgeline of the adjoining three-storey pitched roof of Kenton Court. In this respect, the proposed scheme is considered to respect the scale and character of the surrounding development on Kenton Road.

Similarly, the proposed Hawthorne Avenue elevation has been designed to respect the scale, massing and building lines of the surrounding development. The north-western projection of the building has been setback to align with the principle front building elevation of the adjoining property at no. 1/1a Hawthorne Avenue. The proposed building

also represents an increased setback and an overall reduction in the depth and bulk adjacent to this common boundary in comparison with the existing building on the site. Accordingly, when considering the siting and scale of the existing building, the proposed scheme better respects the scale and siting of surrounding development, especially that of no. 1/1A Hawthorne Avenue.

In terms of massing, the proposed Hawthorne Avenue elevation would include two steps. Specifically, this elevation would step down to 4 storeys from the corner element and would step down to 3 storeys, with a ground floor undercroft, adjacent no. 1 Hawthorne Avenue. In this context, the flat roof of the proposed new build would only extend marginally higher than the pitched roof of no. 1 Hawthorne Avenue. The proposed stepped nature of the building along this frontage is considered to provide articulation to the building elevation, while breaking up the overall massing of the building.

While it is acknowledged that the 5 storey maximum height and the 4 storey height along Hawthorne Avenue would exceed the maximum height of the surrounding area, given the corner location of the site within close proximity to the Kenton District Centre and also when considering the appropriate design of the proposal, the height and proportions of the new build are considered acceptable. The scale of the application site and the mixed character of Kenton Road, which includes increased building heights towards the Kenton Station, indicate that the application site is a suitable location for a higher density development. In addition to this, the proposal has been designed to address the corner junction, with the 5 storey height restricted to this location. In this respect, the 5 storey height would mark the building out and set an appropriate termination for the building on this corner. The proposed inset, stepped nature of the scheme and recessed elements also reduces the overall bulk and massing of the building by providing visual articulation.

Accordingly, while it is noted that concerns have been received in regards to the overall height and massing of the proposal, for the reasons discussed above, the scale and massing of the proposed building is considered to be proportionate to the site and surrounding scale of development, while establishing its own character in the urban environment.

Architecture

In terms of the overall appearance of the development, the proposed new build would provide a composed and contemporary design, which centres on large steps within the building elevations and a prominent corner element, designed to address the junction at Hawthorne Avenue and Kenton Road. While the building lacks specific detailed design elements, the inset, stepped nature and recessed areas would break up the massing and provide an adequate level of articulation to the façades of the building. The depth of window reveals and recessed balconies would further articulate the relatively uncluttered appearance of the building by adding depth to the facades. While the arrangement of the window reveals and the stepped nature of the building all help delineate each of the proposed storeys, the use of vertical portrait shaped windows provide a degree of vertical emphasis to the proposal. Overall it is considered that the use of materials, the generous window pattern and use of recessed balconies, results in a coherent and legible facade to the building along Kenton Road and Hawthorne Avenue.

The form of the proposed roof profile within the Kenton Road and Hawthorne Avenue frontages are acceptable. Specifically, the proposed breaks within the front elevation and the steps within the roof profile ensure the bulk of the building is broken up without becoming overly complicated. Notwithstanding this, the proposed roofline and parapet

lacks specific detail to provide an appropriate termination to the building. A condition is recommended requiring the submission of further detail in this respect.

The proposed fenestration follows a simple and legible pattern within each of the elevations, drawing some similarities to the pattern of fenestration within surrounding development. Overall, it is considered that the pattern of fenestration and inset balconies would provide a sense of rhythm and legibility to the building. Details have not been submitted to demonstrate the depth of the reveals within the elevation of the windows or full-length doors. Providing depth to these elements is important, especially given the simple design of the building, as this ensures that there would be sufficient articulation within the elevations. It is therefore considered reasonable that a condition requiring details of the reveal depth of the proposed fenestration is recommended.

On the rear elevation of the proposed building, it is proposed to include projecting balconies. It is considered that this design of balcony on the rear elevation would not be widely visible from the surrounding area and as such, is considered acceptable. In addition, the balconies would assist in providing natural surveillance into the rear car parking area.

The proposed ground floor commercial unit has been designed to address the Kenton Road streetscene and distinguish it from the upper floor residential levels. Specifically, the D1/D2s unit would form an active frontage through the provision of full height glazing with a sprandel panel separating the ground floor from the level above. The entrances, especially the primary entrance at the north-eastern end of the building, have been appropriately designed to appear as focal parts of the frontage. Notwithstanding this, the proposed floor plans demonstrate that the proposed canopy's above the entrances to the D1/D2 units project a significant distance from the front elevation. A condition of approval would require additional detail of the proposed canopies to ensure they are acceptable in design terms. The floor to ceiling height of the ground floor has also been marginally increased to further distinguish from the upper levels. Overall it is considered that the ground floor has been adequately expressed to create a robust base to the building.

Overall, the appearance of the building would be modern and the palette of materials would be modest, seeking to establish its own character in the urban environment, while respecting the character of nearby buildings. While concerns have been received from surrounding residents regarding the use of yellow brick, the type of brick would be secured by way of a condition. The window and doors would include dark grey powder-coated aluminium. The balconies would include obscured glazed panels. While on balance the palette of materials is considered acceptable, it is important that the colour and texture of the brick is appropriate for the scale of the building and the surrounding area. Furthermore, the additional materials used within the façade of the building would have to appropriately relate to the selected tone of brick. Accordingly, the detailed finish of the external materials would be controlled by way of an appropriate condition.

Overall, it is considered that the contemporary design and appearance of the development would be a welcomed enhancement of the site, that sits well alongside surrounding buildings and would make a positive contribution to the wider urban environment.

Layout and Landscaping

The proposed siting of the building appropriately relates to the surrounding development and allows for a suitable arrangement of hard and soft landscaping at the front of the site.

Specifically, it is intended to provide a street level courtyard area to the front of the commercial unit, along Kenton Road. While this would be predominantly hardstanding, it is proposed to include soft landscaping to the front of the building and also street trees along the frontage of the site. Seating areas and bike storage would also be provided. The successful arrangement of this space is considered to further contribute to the opening up and activation of this area within the Kenton Road streetscene.

The applicant has also indicated that the Hawthorne Avenue frontage would include tiered soft landscaping to separate the frontage from the public pavements. The inclusion of meaningful soft landscaping in this location is imperative to providing an adequate defensible buffer that would protect the privacy of the ground floor residential units. Further detail is required by way of condition in regards to the proposed landscaping and levels of this aspect of the proposal.

An automatic metal bar vehicular gate would be provided at the north-western end of the Hawthorne Avenue frontage, securing the area to the rear of the building. A self-closing / self-locking metal pedestrian gate would also be provided. The secured area to the rear of the site would include 3 parking spaces, 68 cycle spaces within proprietary semi vertical bike racks and a bin storage area. The parking provision, in terms of quantum, is considered in detail in following sections of this report. Soft landscaping would also be provided adjacent the north-eastern boundary.

Refuse for the proposed development would be stored within the vehicular access undercroft on Hawthorne Avenue. The applicant has not provided any detail in regards to the proposed refuse collection or service arrangements of the proposed development. A condition of approval would require further information in this respect.

Given each of the proposed units would be provided with an adequate amount of private amenity space, it is considered that the layout of the rear of the site is generally acceptable. Specifically, due to the restricted number of parking spaces, it is considered that there is an appropriate balance between the amount of hardstanding within the development and a satisfactory amount of soft landscaping to ensure a high quality appearance. In terms of layout, the refuse and cycle storage is located in an easily accessible location, with direct access provided via side entrance to the building. The applicant has also indicated that defensible planting would be included around the ground floor private amenity space and also the car parking area. While this is considered acceptable, further detail will be required in this respect to ensure that the rear of the site is a workable space that does not result in any conflict in uses that could lead to undesirable impacts for the future occupiers.

While the general layout of the amenity space and external areas is acceptable, a condition of approval would require the submission of further details relating to landscaping, surfacing materials and the proposed boundary treatment.

Viewing Corridor

The application site is located within the Wood Farm 'wider setting' viewing corridor. In this context, the proposed development is required to comply with Policy DM3 'Protected Views and Vistas'. Specifically, DM3B(b) requires the following:

'Development in the wider setting consultation area (shown in yellow) should form an attractive element in its own right and preserve or enhance the viewer's ability to recognise and to appreciate the landmark'.

Due to the dated appearance of Churchill Hall, it is considered that at present, the site does not form an attractive element within its context, nor does it make a positive contribution to the characteristics and composition of the protected view. In this respect, the proposal to redevelop the site is welcomed.

As aforementioned, the proposed contemporary design and appearance of the development is considered to make a positive contribution to the site and surrounding area. While the building would establish its own character within the surrounding context, the simple yet legible design of the facades would ensure that the building would not conflict with the traditional style of surrounding buildings.

Furthermore, given the location of the site from Wood Farm and the relatively modest height of the building, the proposal is not considered to compromise the views from this vantage point. Accordingly, no conflict is identified with Policy DM3.

Accordingly, the design approach for the proposed new build and external area is considered to satisfactorily relate to the surrounding development. The architectural design would provide a building of appropriate proportions which would sit comfortably within its surroundings. Subject to the use of robust materials, which would be secured by conditions, it is considered that the building proposed would accord with policies 7.4.B and 7.6.B of the London Plan, policy CS1.B of the CS and policy DM1 and DM3 of the DMP.

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.

There are no specific policies within the AAP which deal with safeguarding residential amenity but eludes that development proposals would be required to meet policy DM1 of the Development Management Policies Local Plan (2013), which seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.

Impact on Neighbouring Amenity

The proposed development would introduce 37 residential units to the application property. It is likely that up to a maximum of 114 people would occupy the proposed flats. Given the mixed character of the surrounding area and also the location of the site from Kenton district centre, it is considered that the proposed development would not unacceptably exacerbate any existing levels of noise and disturbance experienced within the area. In this respect, any potential amenity impacts of the proposed development would be limited to the scale and siting of the proposed building.

The applicant has submitted a Sunlight and Daylight Assessment which explores the potential impact of the proposed development upon the adjoining buildings. The following buildings were assessed:

Kenton Court
1/1a Hawthorne Avenue
92/92a Hawthorne Avenue

Kenton Court

Kenton Court is a three-storey residential development adjoining the north-eastern boundary of the application site. The property is of a traditional design, with a pitched roof and front bay windows. The property includes an additional building fronting Elmwood Avenue and a car parking area at the rear, adjacent the north-eastern boundary of the application property.

As demonstrated on the site plan, the proposed building would not extend forward of the principle front building elevation of Kenton Court. The north-eastern projection of the proposed new build would also generally align with the rear elevation of this neighbouring property. In this respect, the proposed building would not intercept the 45 degree horizontal splay taken from the nearest corner of this neighbour to the main building. While it is noted that a small section of the proposed projecting roof terraces would marginally intersect the 45 degree splay, this would not result in a loss of light to this neighbour. It is also noted that Kenton Court includes three flank windows located approximately 6.3m from the flank elevation of the proposed building. The Daylight and Sunlight Assessment indicates that these windows serve bedrooms. Given the separation provided to these windows, the assessment confirms that the windows shows full adherence to the BRE guidelines.

In terms of outlook, it is noted that in addition to the 3 flank wall windows, Kenton Court includes rear facing bay windows. However, given the L-shape of the proposed building, which generally aligns with this neighbouring property and includes the bulk of the mass towards the corner of Kenton Road and Hawthorne Avenue, it is not considered that the proposed building would appear overly dominant when viewed from Kenton Court. Furthermore, given the current dilapidated appearance of Churchill Hall, the proposed new build is considered to represent a visual enhancement of the application premises.

In terms of overlooking, while it is acknowledged that the proposal would introduce flank wall windows and roof terraces facing this neighbouring property, no undue loss of privacy would occur. Specifically, the proposed flank elevation located approximately 4.7m from this neighbour would include obscured glazing to all residential windows. While flank wall windows to the proposed ground floor D1/D2 unit are proposed, these would overlook a blank flank wall. Furthermore, given the L-shape of the building, the north-western projection of the property and the proposed fourth floor would include windows and roof terraces facing Kenton Court. However, given the separation provided between these windows and the common boundary (approximately 27m) and also considering that this part of the building aligns with the car parking area of Kenton Court, no undue overlooking or loss of privacy would result. Furthermore, in order to reduce the potential for overlooking to this property, conditions of approval would require further information regarding the proposed screening to roof terrace and the treatment along the common boundary.

1/1a Hawthorne Avenue

The rear boundary of the site adjoins 1/1a Hawthorne Avenue, a two-storey semi-detached dwelling. Specifically, the property comprises two flats, No. 1 at ground floor and no.1a at first floor. At present, Churchill Hall extends approximately 1.5m from the common boundary with no.1/1a, at a height of 3 storeys. The existing building also extends approximately 1.5m forward of the front elevation of this neighbouring property.

At ground floor, a proposed undercroft area, including refuse storage and vehicular

access to the site, would be located approximately 0.8m from the common boundary with this neighbour. This part of the building would include a height of 3.0m and would align with the front elevation of the neighbouring property. The proposal would then extend to three-storeys (including ground floor undercroft) approximately 2.0m from this boundary. The rear elevation of this part of the building would generally align with the principle rear elevation of this neighbour.

While the ground floor of the proposal would intersect the 45 degree splay when taken from the original rear corner of 1/1a Hawthorne Avenue, given the acceptable height of this part of the proposal (3.0m), no undue loss of amenity would occur. Furthermore, the proposed upper floors of the building would not intercept the 45 degree horizontal splay, with the exception of a small section of the proposed projecting roof terraces. This would not result in a loss of light to this neighbour. As detailed within the Daylight and Sunlight Assessment, the proposal represents light gains to the flank and rear facing windows at this property due to the reduced height and the proposed massing being relocated away from this common boundary. The report concludes that the flank windows at this property exceed the BRE guidelines.

Given the proposal significantly reduces the height and massing along the common boundary with no. 1/1a, it is considered that the proposal would enhance the outlook from the rear facing windows and rear amenity space of this property.

The proposed siting of the building would not result in an undue harm to this neighbour in terms of loss of outlook. Specifically, the rear windows and roof terraces facing the application premises are located a minimum distance of 18m from this boundary. While some overlooking of the rear amenity space would occur from the upper floor flats, in built up areas it is accepted that some degree of mutual overlooking would occur given the compact nature of the urban built form. Notwithstanding this, proposed first floor flat 6 located adjacent the common boundary with no. 1/1a, includes a 4.4m deep roof terrace which extends beyond the first floor rear elevation of the neighbouring property. While the proposal plans demonstrate the use of a defensible landscape barrier to restrict overlooking to this property, a condition of approval would require further details regarding the screenings of these areas are provided to the LPA for approval prior to development commencing.

No objections have been received from the occupiers of this property.

92/92a Kenton Road & Properties opposite on Kenton Road

No. 92 Hawthorne Avenue is a two-storey detached property located on the opposite site of Hawthorne Avenue. A distance of approximately 20 separates the proposed development from this property. Similarly, a distance of approximately 26.0m separates the upper floor residential units on the opposite side of Kenton Road. In this respect, no undue loss of amenity would occur.

While the proposal would have some impact on the visual amenity of surrounding properties, especially when considering the 5 storey height on the corner of Kenton Road and Hawthorne Avenue, given the acceptable design and appearance of the proposal, it is not considered that any undue loss of outlook would occur.

Accordingly, the proposed development would have an acceptable impact on the amenities of neighbouring occupiers, and would therefore would accord with the aims and objectives of policies 7.4B and 7.6B of The London Plan (2015), Core Policy CS1B of the

Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Plan (2013), and the adopted SPD: Residential Design Guide (2010).

Future Occupiers

Density, Unit Mix & Room Size

The application site area is 0.19 hectares and it has a public transport accessibility level (PTAL) score of 5 indicating a very good level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have an urban setting. The proposal, taken as a whole, equates to a density of 194 units per hectare and of 542 habitable rooms per hectare. These densities fall within the overall matrix ranges for urban setting sites with PTAL 5, being between 70-260 units 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.

Unit Size	No. of Units (Total)	% of All Units
1 Bed (2 Person):	8	21.6%
2 Bed (3 Person):	17	45.9%
2 Bed (4 Person):	12	32.4%
Totals:	37	100%

All of 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. It is acknowledged that the proposed housing mix within the development includes a majority of two bedroom, 3 or 4 person units. Whilst it is acknowledged that the amount of units is significantly weighted to the lower occupancy levels, for a scheme of this scale and location, which is likely to be attractive to small family or professional groups, it is considered that the mix and size of units would be appropriate and would accord with development plan policies.

Room Size

Policy 3.5C of The London Plan requires all new residential developments 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. Further detailed room standards are set out in the Mayors Housing Supplementary Planning Guidance 2016.

On 25 March 2015 through a written ministerial statement, the Government introduced new technical housing standards in England and detailed how these would be applied through planning policy.

The national standards came into effect on 1st October and therefore an application

submitted at this site would be considered against the new national standards instead of the current London Plan standards. Furthermore, the imposition of any conditions requiring compliance with specific policy standards relating to new housing would need to be considered against the national standards.

These standards came into effect on the 1st of October 2015.

Therefore from October 2015, policy 3.2 (c) requires that table 3.3 to be substituted with Table 1 of the nationally described space standards, which is set out in the table below. Policy 3.8 (c) of the London Plan relating to Housing Choice, from the 1 October should be interpreted as 90% of homes should meeting building regulations M4 (2) – ‘accessible and adopted dwellings’. Policy 3.8 (d) will require 10% of new housing to meeting building regulations M4 93) – ‘wheelchair user dwellings’.

Bedrooms	Bed spaces	Minimum GIA (sqm)			Built – in storage (sqm)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Proposed Flats	Gross Internal floor Area	Private Amenity Space
Ground Floor		
D1 unit	290sqm	
Flat 1 (2 bed, 3 person) (affordable for rent)	65sqm (61sqm)	6sqm
Flat 2 (1 bed, 2 person) (affordable for rent)	51sqm (50sqm)	6sqm
Flat 3 (1 bed, 2 person) (affordable for rent)	54sqm (50sqm)	20sqm
Flat 4 (2 bed, 3 person) (affordable for rent)	67sqm (61sqm)	20sqm
Flat 5 (2 bed, 3 person) (affordable for rent)	70sqm (61sqm)	16sqm
First floor		
Flat 6 (2 bed, 4 person)	76sqm (70sqm)	27sqm
Flat 7 (2 bed, 3 person) (shared ownership)	65sqm (61sqm)	6sqm
Flat 8 (2 bed, 4 person) (shared ownership)	74sqm (70sqm)	6sqm
Flat 9(1 bed, 2 person) (shared ownership)	51sqm (50sqm)	6sqm
Flat 10 (2 bed, 4 person) (shared ownership)	76sqm (70sqm)	6sqm

Flat 11 (2 bed, 3 person) (shared ownership)	64sqm (61sqm)	6sqm
Flat 12 (2 bed, 4 person) (shared ownership)	76 sqm (70sqm)	6sqm
Flat 13 (1 bed, 2 person) (shared ownership)	54sqm (50sqm)	6sqm
Flat 14 (2 bed, 3 person) (shared ownership)	67sqm (61sqm)	6sqm
Flat 15 (2 bed, 3 person) (shared ownership)	65sqm (61sqm)	6sqm
Second Floor		
Flat 16 (2 bed, 4 person)	76sqm (70sqm)	12sqm
Flat 17 (2 bed, 3 person)	65sqm (61sqm)	6sqm
Flat 18 (2 bed, 4 person)	74sqm (70sqm)	6sqm
Flat 19 (1 bed, 2 person)	51sqm (50sqm)	6sqm
Flat 20 (2 bed, 4 person)	76sqm (70sqm)	6sqm
Flat 21 (2 bed, 3 person)	64sqm (61sqm)	6sqm
Flat 22 (2 bed, 4 person)	76sqm (70sqm)	6sqm
Flat 23 (1 bed, 2 person)	54sqm (50sqm)	6sqm
Flat 24 (2 bed, 3 person)	67sqm (61sqm)	6sqm
Flat 25 (2 bed, 3 person)	65sqm (61sqm)	6sqm
Third Floor		
Flat 26 (2 bed, 2 person)	68sqm (61sqm)	6sqm
Flat 27 (2 bed, 4 person)	74sqm (70sqm)	6sqm
Flat 28 (1 bed, 2 person)	51sqm (50sqm)	6sqm
Flat 29 (2 bed, 4 person)	76sqm (71sqm)	6sqm
Flat 30 (2 bed, 3 person)	64sqm (61sqm)	6sqm
Flat 31 (2 bed, 4 person)	76sqm (70sqm)	6sqm
Flat 32 (1 bed, 2 person)	54sqm (50sqm)	6sqm
Flat 33 (2 bed, 3 person)	67sqm (61sqm)	6sqm
Flat 34 (2 bed, 3 person)	68sqm (61sqm)	20sqm
Fourth Floor		
Flat 35 (2 bed, 4 person)	76sqm (70sqm)	28sqm
Flat 36 (2 bed, 3 person)	66sqm (61sqm)	6sqm
Flat 37 (2 bed, 3 person)	67sqm (61sqm)	36sqm

The proposal demonstrates that each of the units would meet the respective minimum GIA standards and also the internal space standards for individual rooms.

Layout, Stacking and Privacy

The proposed development includes 290sqm of Class D1 floorspace, extending along the buildings front elevation within Kenton Road. While the internal configuration of this space has not been demonstrated within this application, this is considered acceptable as the proposed layout would be subject to the requirements of the future user/s. Furthermore, the flexibility in the internal arrangement would ensure that this space was available to a range of D1 uses.

This D1 floorspace would be accessed via two entrances along the front elevation of the building. No internal access would be provided to this unit. A courtyard with areas of soft landscaping, seating and cycle parking would be located to the front of the D1 unit. Given the arrangement and access to this space, there would be no conflict which would impact the standard of accommodation of the future occupiers of the residential units.

The primary access to the residential units would be located along the Hawthorne Avenue elevation. An additional access would be provided at the north-western end of the building, towards the cycle / car parking and refuse storage areas. A centrally located lift

and stairwell would provide access to the upper floors. While the layout of the building requires that the main circulation areas, in particularly the ground floor, would need to be artificially lit and mechanically vented, overall, the internal circulation areas would achieve a good standard of layout for the future occupiers of this development.

The proposed residential accommodation would comprise 5 affordable rented units on the ground floor and 9 shared ownership units on the first floor. No issues arise in this respect.

In terms of the layout and relationship between the proposed flats, despite some minor conflicts identified between the horizontal stacking of the units, on balance the layout would not result in an undue level of noise and disturbance to the future occupiers.

The layout of the building would provide adequately lit units with an acceptable level of outlook. However, given the constraints of the proposed design of the building and the size of the proposed units, it is noted that over half of the units would be single aspect. Whilst the preference would be for dual aspect units, the proposed layout and orientation of the single aspect units are considered to receive adequate levels of natural daylight and an acceptable level of outlook. The applicant has submitted a Daylight Sunlight Assessment prepared by Anstey Horne, which concludes that of the representative selection of proposed units tested, all of the rooms would exceed the minimum targets as set out in the BRE guidelines.

In terms of the privacy of individual units, it is acknowledged that the L shape footprint of the proposed building has the ability to give rise to overlooking between the rear facing windows and terraces. However, given the layout of the building and internal arrangement of the flats, overlooking between the habitable rooms of these units would occur at oblique angles only, and would not result in direct overlooking. Where rear facing windows are oriented towards the roof terraces of other units, it is considered that privacy to these areas could be maintained through the inclusion of privacy screens.

Furthermore, it is noted that the ground floor rear facing windows and private amenity areas to flats 3, 4 and 5 adjoin communal areas and therefore the level of privacy maintained to these windows would, to some degree, be affected. It is acknowledged that this relationship is not uncommon in flatted developments and would not result in a substandard level of accommodation to these residents. Notwithstanding this, in order to protect the privacy of these units, the proposal plans demonstrate the inclusion of 1.5m high metal grille fencing and creeper planting. Similarly, the proposal plans demonstrate low ground cover planting to the front of the ground floor private amenity areas fronting Hawthorne Avenue. While this form of defensible planting is considered acceptable, further detail is required in this respect to ensure that the defensible barrier is sufficient in protecting the privacy of these residents.

In terms of private amenity space, all balconies within the front elevation of the building would be recessed and in general, the return stepped element of these balconies would provide screening for these private amenity areas. As previously discussed, the projecting rear balconies would include obscured privacy screens. Where there are instances when ground floor private amenity spaces adjoin, these would be provided with privacy screens to protect the privacy of the occupiers of each respective unit. The detail for the privacy screens will be conditioned to ensure that an appropriate form of material is used and that the correct level of obscurity is achieved.

Outdoor Amenity Space

Policy DM1 of the DMP seeks to *inter alia* ensure that development proposals provide an appropriate form of useable outdoor space. This is further reinforced under paragraph 4.64 of the SPD requires that residential development should provide appropriate amenity space. In case of town centre locations, alternative forms of outdoor amenity such as balconies should be explored.

The proposal includes a small landscaped area to the rear of the building, given the layout and scale of this area, which, though not substantial in scale, offers a private amenity area for residents. In addition, each of the units would have access to a private amenity area in the form of a roof terrace. The terraces would all meet or exceed the minimum 5sqm set out in the Mayors SPG and each is shown to have a minimum width and depth of 1.5m. Given the location of the property and the proposed scale of the residential units, it is considered that roof terraces are an appropriate form of amenity space for the future occupiers.

In conclusion, subject to the imposition of appropriate planning conditions aforementioned, it is considered that the proposed development would provide an acceptable standard of accommodation for the future occupiers, in compliance with policies 7.4B and 7.6B of The London Plan (2015), policies DM1 and DM30 of the DMP and the Council's adopted Supplementary Planning Document 'Residential Design Guide (2010)' in that respect.

Accessibility

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2015) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document *Accessible Homes 2010* (SPD) outlines the necessary criteria for a 'Lifetime Home'.

While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'.

The Design and Access Statement has confirmed that the common areas within the building, including the stairwells corridors and lobbies, will be designed to comply with Lifetime Homes and Wheelchair standards. Level access would be provided to the D1 unit and the residential properties. While objections have been received from surrounding residents in regards to the lack of wheelchair units provided, the applicant has indicated that all of the proposed flats would comply with Lifetime Homes Standards and would be wheelchair adaptable.

While compliance with the Lifetime Homes Standards is acknowledged, a condition of approval is required to ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

Accordingly, subject to compliance with this condition, it is considered that the proposed accommodation would be satisfactory and as such would comply with policy 3.5 of The

London Plan (2015), standard 5.4.1 of the Housing SPG (2012).

Affordable Housing

Policy CS1.J of the Harrow Core Strategy 2012 sets an aim for 40% of new housing development in the borough to be affordable housing and states that the Council will seek the maximum reasonable amount of affordable housing on all development sites with a capacity to provide for ten or more units having regard to various criteria and the viability of the scheme. Such requirements are in line with London Plan policy 3.12.A/B which requires the maximum reasonable level of affordable housing to be provided. The reasoned justification to policy 3.12.A/B of The London Plan 2015 states that boroughs should take a reasonable and flexible approach to securing affordable housing on a site by site basis. As noted under section 1 of the appraisal, the consolidated London Plan 2015 designates Harrow and Wealdstone as an Opportunity Area and seeks to increase the minimum annual housing target for Harrow from 350 to 593 per annum.

Policy 3.11A of The London Plan sets out that of the 60% of the affordable housing should be for social and affordable rented accommodation and 40% for intermediate rent or sale of the overall affordable housing provision on any given development site. Policy 3.11B sets out that individual boroughs should set out in their LDF the amount of affordable housing provision needed.

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 site. The policy undertakes to have regards *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 proposed development would provide 37 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.

The development proposed here would contribute towards the housing stock and increase the choice of housing in the borough and would therefore find some support in policies 3.5 and 3.8 of The London Plan as detailed above.

The Council recognise that not in all circumstances is it viable to provide affordable housing targets within a scheme. 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 proposed development initially offered a zero provision of affordable housing to the boroughs stocks. The submitted information has been robustly tested and independently reviewed to ensure that the zero provision of affordable housing is the maximum reasonable affordable housing that can be made as part of the proposed scheme.

The independent assessment of the Financial Viability Assessment concluded that the proposed scheme could indeed reasonably provide an affordable housing contribution, contrary to what was detailed within the applicant's appraisal. The independent review concluded that the proposed development could reasonable provide 17 units (44%) as an affordable housing contribution, though this level included 3 additional units to the final scheme. Negotiations with the applicant and amendments to the provision of the D1 floorspace / residential units have since resulted in an agreement of 14 units been offered as affordable units, representing 37.8% of the overall housing scheme. Specifically, the affordable units would include 5 affordable rented units and 9 shared ownership units:

Flat 1 (2-bed, 3 person): affordable rent;
Flat 2 (1-bed, 2 person): affordable rent
Flat 3 (1 bed, 2 person): affordable rent;
Flat 4 (2 bed, 3 person): affordable rent;
Flat 5 (2 bed, 3 person): affordable rent;
Flat 7 (2 bed, 3 person): shared ownership;
Flat 8 (2 bed, 4 person): shared ownership;
Flat 9 (1 bed, 2 person): shared ownership;
Flat 10: (2 bed, 4 person): shared ownership;
Flat 11 (2 bed, 3 person): shared ownership;
Flat 12 (2 bed, 4 person): shared ownership;
Flat 13 (1 bed, 2 person): shared ownership;
Flat 14 (2 bed, 3 person): shared ownership; and,
Flat 15 (2 bed, 3 person): shared ownership.

As noted above, the London Plan contains a target mix of 60% affordable rent and 40% intermediate products over the life of the plan. Accordingly, if the scheme delivered a policy compliant tenure split, this would give 8 affordable rent and 6 shared ownership. It is noted that this split allows the affordable rented units to be provided at ground floor, with the shared ownership are grouped together at first floor. This arrangement is considered to deliver the optimum level of affordable housing to enable the successful management of the building, as there should not be a conflict between tenure mix. In addition, a requirement to provide a revised tenure split would depress the overall level of affordable housing that could be provided. It is considered that the affordable housing offer proposed, subject to appropriate mechanisms to secure its provision through the s106 agreement, would be consistent with the objective of maximising affordable housing output from the site.

Based on the above factors, it is considered that the development would accord with policies 3.11 and 3.12.A/B of The London Plan 2015, policy CS1.J of the Harrow Core Strategy 2012 and policy DM24 and DM50 of the Harrow Development Management Policies Local plan (2013) and Supplementary Planning Document Planning Obligations

and Affordable Housing (2013).

Parking, Access & Servicing

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

In support of the current planning application a Transport Statement has been submitted in an attempt to demonstrate that the proposed development would not unacceptably harm the safety and free flow of the public highway. An additional document has been prepared by EAS in response to the comments raised by the local residents and the objection raised by Brent Council. Specifically, Brent Council raised an objection on the grounds that the proposal would likely lead to excessive overspill on nearby streets within the remit of Brent Council, to the detriment of free and safe flow of traffic.

The proposed development would result in the demolition of the existing community hall and loss of the car parking area to the front of the site to make way for the new build. Two dropped kerbs on Hawthorne Avenue and Kenton Road serve the existing car parking area. It is proposed to provide 3 on-site parking spaces to the rear of the site to serve the 37 flats and the commercial unit. It is proposed to relocate the current vehicular access on Hawthorne Avenue, approximately 40m from the junction with Kenton Road. The existing crossover on Kenton Road would be closed up. While the relocation of the crossover on Hawthorne Avenue is accepted in principle, this would be subject to approval from the Highways department following the grant of planning permission.

The applicant has shown the provision of secure cycle storage (68 spaces) for the occupiers of the residential units in line with the requirements of the London Plan. 5 additional spaces have been provided for the D1 use at the front of the site. While the proposed locations of the cycle storage are considered to be acceptable, further details regarding the cycle shelter would be required by way of a condition of approval. The proposed provision of cycle parking is considered to support the London Plan's desire for achieving a modal shift away from private car ownership.

It is noted that a number of objections have been received in terms of the proposed quantum of parking spaces and the potential impact this would have on the surrounding area in terms of overspill of vehicles. The residents of Elmwood Avenue and some residents of Hawthorne Avenue have expressed concerns that on-street parking is already at capacity. However, in accordance with the aforementioned London Plan and Borough policies, in general, within locations that have a high level of accessibility to public transport, a car free development would be highly supported. In this respect, given the site's PTAL of 5, the proposed allocation of 3 on-site parking spaces is in line with policy. The proposed car parking spaces would include one car club space and two wheelchair accessible spaces, one serving the residential use and the other serving the

commercial use. An electrical car charging point would also be provided. The Council's Highways Officer has confirmed that the provision and allocation of parking is considered acceptable. Transport for London has also confirmed that no objection is raised in regards to the proposed quantum of on-site parking.

In term of Brent Council's objection to the scheme, the Highways Officer has confirmed that ordinarily they would support a mainly car free planning application for a residential lead scheme. However, in this circumstance there is no CPZ (controlled parking zone) in the vicinity (in Brent) and this area is already under pressure from commuter parking from Northwick Park tube station.

In response to this, a parking survey was undertaken by EAS Transport Planning Ltd. In order to assess the likely impact on local roads, the study determined the likely car ownership of the proposed development. In order to do this, the study utilised data from the 2011 census which gives car ownership in the surrounding area. Based on this data, it is assumed that car ownership at the development would be 11 / 12 cars. As 1 car parking space is provided for the residents, it can be assumed that 10 cars may overspill.

A parking survey was then undertaken on two separate nights, mid-week. The survey included surrounding roads within both the London Borough of Harrow and Brent. The study concluded that approximately 11 spaces would be available over-night in Hawthorne Avenue, with additional spaces available within a 200m radius of the site. The availability of street parking therefore exceeds the amount of car ownership based on the 2011 census data of surrounding residential developments.

Notwithstanding this, it is acknowledged that the 2011 census data is based on car ownership for flatted development where the residents would have access to parking permits, on-site parking areas, no car club and probably minimal cycle parking. By contrast, the proposed development would be sold on the basis that there is limited on-site parking, there is free membership to a car club located on the site, they would not have access to a parking permit and they have secure cycle parking. Given these factors, it is likely that car ownership would be significant lower than that established using the 2011 census data.

Comments received in response to the parking survey question why the survey was undertaken during the night only, as this only considers vehicles used to travel to work and does not take into consideration car ownership for leisure purposes. The reason for this, as discussed within the survey, is owing to the parking restrictions within the surrounding area. Specifically, parking restrictions are in force on the surrounding roads between 11:00-12:00 Monday to Friday. As the residents of the development would not have the option of applying for parking permits, they would not be able to park their cars on the streets during the working day. In this context, it is considered that only those people who fundamentally have to own a car would chose to do so and these would be people who have to own a car for their journey to work. For this reason, the parking survey was undertaken during evening hours.

The Highways Officer from Brent confirmed that the parking survey provided some comfort that any potential overspill could be accommodated on the surrounding roads before overspilling as far as Rushout Avenue. Notwithstanding this, given Rushout Avenue and the surrounding streets are not located within a CPZ, it was considered that any overspill from the development would have the potential to add parking demand in Rushout Avenue and as such, the initial objection to the scheme was upheld. While these

concerns are acknowledged, it is considered that the absence of a CPZ demonstrates that the existing demand for parking on these streets is not at a level which warrants regulation in terms of a CPZ. In this context, and as agreed by Brent, should the proposed development add to parking pressure on these streets, a CPZ could be introduced (by Brent Council on their road network) to control demand.

As aforementioned, it is considered that as the development would be sold on the basis that there is limited on-site parking, the residents would not have access to a parking permits, but would have free access to the car club and sufficient cycle storage. In this context and also given the highly accessible location of the site, it is considered that these factors would deter car owners from purchasing units within the proposed development. In this respect, and in accordance with the findings of the EAS Parking Survey, the actual car ownership at the development site is expected to be low and would not result in a significant demand on surrounding street parking.

Accordingly, it is considered that subject to a condition restricting the occupiers from applying for parking permits, the potential overspill of vehicles on surrounding streets, would be not result in a significant strain on surrounding parking.

Accordingly, while the concerns of surrounding residents have been acknowledged, it is considered that the development would not result in any significant increase in traffic movements from the site or unreasonable impacts on highway safety and convenience and subject to safeguarding conditions would therefore accord with policies DM26 and DM42 of the DMP (2013).

Development and Flood Risk

The site is located within a Critical Drainage Area and therefore, the Council's Drainage Team has also advised that the detailed drainage design be secured by condition. In this regard, and subject to the imposition of suitable conditions, the proposal would give rise to no conflict with the above stated policies.

Sustainable Build and Design

Policy 5.1 of The London Plan (2015) seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent by 2025. For 'major' developments (i.e. 10 or more dwellings) Policy 5.2A/B of The London Plan (2015) sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A. The London Plan carbon dioxide reduction target for residential and non-domestic buildings during the period 2013-2016 is to achieve a 40% improvement on the 2010 Building Regulations (BR) (which equates to 35% above 2013 BR).

The applicant has submitted an Energy Statement prepared by Eco-Services. The methodology for the proposed Energy Statement accords with the hierarchy set out within the London Plan and demonstrates how the minimum savings in carbon emissions against the Building Control targets would be achieved on site. The Energy Statement provides a number of options that could be utilised on site to meet the 35% carbon reduction above the BR 2013 standards. It is concluded that a mixture of both fabric and the use of photovoltaic panels would be used to ensure that this reduction would be met by the development. Officers consider that the findings of the Energy Statement are fair and would accord with the development plan policies.

It is therefore considered that subject to a condition requiring the recommendations within the Energy Statement report to be implemented within the development, the proposal

would accord with the policies listed above. Conditions to this effect have been recommended.

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.

The Council also sent out letters of consultation to local residents in the surrounding area inviting them to make representations on the proposed development.

The applicant has sought to encourage public consultation in respect the proposal in line with the guidance set out in the NPPF and the Localism Act.

Planning Obligations

The heads of terms of the section 106 agreement have been set out above. These are considered necessary to make the application acceptable, in accordance with policy 3.2 of The London Plan 2015 and policies CS1.Z/AA and CS2.Q of the Harrow Core Strategy 2012.

Equalities

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

Policies 7.3.B and 7.13.B of The London Plan and policy AAP 4 of the AAP require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal.

The applicant has not specifically referred to the prevention of crime in the design proposal, other than that the proposal would be built to Secure by Design principles. The main entrances to the building would benefit from natural surveillance. While gates would control the public pedestrian route and vehicular access through the site, no details have been provided regarding the restricted access to these entrances. Furthermore, given the secondary entrance at the rear of the building, it is considered that the pathway to this access would need to include some form of lighting.

Accordingly, it should be demonstrated that the development would accord with 'Secured by Design' principles of the New Homes Guide 2014. It is considered that this requirement could be secured by condition. Accordingly, and subject to a condition, it is considered that the proposed development would not increase crime risk or safety in the locality,

thereby according with the policies stated above.

Consultation Responses

- *The proposal is an over development of the site that would place a strain on local services.*

The proposed redevelopment to provide 37 units is considered appropriate in the context of surrounding development and the location of the site within a town centre. All of the proposed units meet the minimum floor space standards and the proposed density is within London Plan standards.

- *The architectural design of the building is not in keeping with the traditional character of the surrounding area.*

The appearance of the proposal would be modern and the palette of materials would seek to compliment the nearby buildings, but at the same time establish their own character in the urban environment. The building proposed would accord with policies 7.4.B and 7.6.B of the London Plan, policy CS1.B of the CS and policy DM1 of the DMP. Please refer to section 2 for further discussion.

- *The proposed flat roof should be replaced with a pitched roof.*

Given the scale and architectural vernacular of the proposed building, the use of a flat roof is considered acceptable. Please refer to section 2 for further discussion.

- *The proposed five storey height would be visually obtrusive and is not in keeping with the surrounding area. The building should be restricted to 3 storeys.*

Given the corner location of the site within close proximity to the Kenton District Centre and also when considering the appropriate design of the proposal, the height and proportions of the new build are considered acceptable. Please refer to section 2 for further discussion.

- *The use of yellow brick is inappropriate.*

A condition of approval requires the submission of details and samples of the proposed materials. Further consideration of the materials will be considered at this stage.

- *The proposal would result in a loss of a community facility.*

As discussed within section 1 of this report, the proposal meets the criteria of Policy DM47(B). Please refer to section 1 of this report for further discussion.

- *No information has been provided regarding the use of the D1 unit or the internal floorplan. The plans do not demonstrate any amenities or kitchen facilities for the unit.*

The proposal plans demonstrate the indicative floors pace of the D1 unit. Specific details of the internal arrangement have not been provided. It is considered that the internal layout of the unit would be determined based on the requirements of future tenants, once they are known. Given the stage of the development (prior to the grant of planning permission), it would be unrealistic to expect the developer to have secured an end user at this time.

- *The proposal includes an inadequate provision of parking that would have a huge impact on street parking.*

- *The D1 unit would significantly increase traffic flow.*

- *Parking should be provided at a rate of 1 space per unit.*

- *The Parking Survey is biased and does not take into consideration cars that are used for leisure purposes and not for commute to work.*
The Highways Authority and TFL have raised no objection to the proposal.
Please refer to section 6 of this report for further discussion.
- *The proposal lacks area of open space and the provision of wheelchair units.*
Given each of the units would be served by private amenity space, the provision of open space within the proposal is considered to be acceptable. The applicant has indicated that all flats would meet Lifetime Home standards and would be wheelchair adaptable.
- *The height of the proposal would have an impact on daylight and sunlight of surrounding properties.*
The applicant has prepared a Daylight / Sunlight assessment that indicates that the proposal meets the BRE standards and as such, no undue harm would result to the surrounding properties in terms of loss of light.
- *The proposal would reduce the visual amenity and block views from surrounding properties.*
Given the design, siting and massing of the proposed new build, it is not considered that the proposal would result in an undue loss of outlook to surrounding properties.
Please refer to section 3 of this report for further detail.
- *There has been inadequate consultation of the planning application.*
Upon receipt of the planning application, neighbour notification letters were sent to properties adjoining and opposite the application site. A site notice was also erected at the site. An additional round of neighbour consultation letters and an amended site notice was erected to notify the surrounding residents of the amendments to the scheme. Accordingly, the consultation undertaken exceeds the statutory requirements.
- *The Harrow website planning search indicates the incorrect location of the site.*
- This is a link to google maps which provides an 'approximate location of the site'. This is not part of the Harrow Council website. It is noted that this site has been correctly identified on all site plans.

CONCLUSION

The proposed redevelopment of the site would provide a residential development which would contribute towards the Boroughs housing requirements. The loss of the community facility and proposed provision meets the criteria of Policy DM47(B) of the DMP.

The redevelopment of the site would enhance the urban environment in terms of material presence, attractive streetscape and makes a positive contribution to the local area, in terms of quality and character. The proposal would provide appropriate living conditions which would be accessible for all future occupiers of the development.

The layout and orientation of the buildings and relationship with neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers.

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 92 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following documents and plans: 99; 110; 101K; 102K; 103K; 104K; 105K; 107F; 108F; 109D; TPP/WNCCHAH/010 A; Design & Access Statement; Transport Statement; EAS Parking Survey; Energy Statement; Planning Statement; Daylight & Sunlight Assessment; Sustainable Drainage Statement; Arboriculture Report.

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

3 Notwithstanding the approved drawings, the 290sqm ground floor unit, fronting Kenton Road, shall only be used for the following purposes without the prior written approval of the local planning authority; Use Class D1 (Clinics, Health Centres, Museums, Public Libraries, Art Gallery, Law Court); and/or D2 (Gymnasium) 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 protect the amenity of future and existing residential occupiers, and to protect the use of the ground floor of the approved development as commercial floor space in accordance with policies DM1 and DM31 of the Harrow Development Management Policies Local Plan (2013).

4 Notwithstanding the details shown on the approved drawings, the development hereby approved shall not progress beyond 150mm above ground 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, including brickwork and spandrel detail
- b) windows/ doors
- c) boundary fencing including all pedestrian/ access gates
- d) ground surfacing
- e) external materials of the proposed bin and cycle storage
- f) external seating

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 Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

5 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not progress beyond 150mm above ground level until there has been submitted to and approved in writing by the Local Planning Authority:

- i) detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations;

ii) sections and elevations of the parapet detail and roofline of the proposed building
iii) detailed sections and elevations of the proposed ground floor entrance canopies.
The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policy 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

6 The development hereby approved shall not progress beyond 150mm above ground level until further details regarding servicing and refuse collection have been submitted to, and approved in writing by, the local planning authority. The development shall be implemented in accordance with the approved details.

REASON: To minimise the impacts of refuse collection 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.

7 The refuse bins shall be stored at all times in the designated refuse storage area, as shown on the approved drawing plans.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013.

8 The development hereby permitted shall be constructed to the specifications of: “Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings” of the Building Regulations 2013 and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting ‘Accessible and Adaptable Dwellings’ standards in accordance with policies 3.5 and 3.8 of The London Plan 2015, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

9 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.

10 The development hereby approved shall not commence beyond 150mm above ground level, until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include green roofs, storage tanks, investigation of (and, if feasible, proposals for) rainwater harvesting and measures to prevent water pollution. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that opportunities drainage measures that contribute to biodiversity and the efficient use of mains water are exploited, in accordance with London Policies 5.11, 5.13 & 5.15 of the London Plan (2015) and policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

11 The development hereby approved shall not commence beyond 150mm above ground level until a foul water drainage strategy, detailing any on and/or off site works that may be needed to dispose of foul water from the development and to safeguard the development from foul water flooding, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the drainage strategy, including any on and/or off site works so agreed, has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, in accordance with Policy 5.14 of the London Plan (2015) and Harrow Core Strategy Policy CS1, and to ensure that the development would be resistant and resilient to foul water flooding in accordance with policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

12 The development hereby approved shall not progress beyond 150mm above ground level until a scheme for the hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, raised planters and external seating, has been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer. The hard and soft landscaping details shall demonstrate how they would contribute to privacy between the approved private terraces and the public pedestrian footpath, and communal areas. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and

attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy 7.4B of The London Plan (2015), policy CS.1B of the Harrow Core Strategy (2012) and policy DM22 of The Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

13 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

14 No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, have been submitted to, and agreed in writing by the local planning authority. The development shall be carried out in accordance with the details so agreed.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with Policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

15 Notwithstanding the approved plans, prior to construction of the development beyond 150mm above ground level, details of privacy screens to be installed to all balconies and the proposed landscape buffer to proposed private amenity space of flat 6 have first been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings, in accordance with Policy 7.6 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

16 Prior to the occupation of the development hereby permitted, additional details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be 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 building 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: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area, thereby according with policy 7.4.B of The London Plan (2015) and policy DM1 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO OCCUPATION as the approval of details beyond this point would be likely to be unenforceable.

17 Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the development shall be installed in accordance with details to be submitted to and agreed in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant design guides published on the Secured by Design website: <http://www.securedbydesign.com/guides/index.aspx>.

The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy DM2 of the Harrow Development Management Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

18 The development hereby permitted shall be constructed and operated in accordance with the details contained with the approved Energy Statement.

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).

INFORMATIVES:

1 INFORMATIVE:

The following the policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2015):

2.13 Opportunity Areas and Intensification Areas

3.1 Ensuring Equal Life Chances for All

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

3.6 Children and Young People's Play and Informal Recreation Facilities

3.7 Large Residential Developments

3.8 Housing Choice

3.9 Mixed and Balanced Communities

3.11 Affordable Housing Targets

3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

3.13 Affordable Housing Thresholds

5.2 Minimising Carbon Dioxide Emissions

5.3 Sustainable Design and Construction

5.6 Decentralised Energy in Development Proposals

5.7 Renewable Energy

5.9 Overheating and Cooling

5.12 Flood Risk Management

5.13 Sustainable Drainage

6.3 Assessing Effects of Development on Transport Capacity
6.9 Cycling
6.10 Walking
6.12 Road Network Capacity
6.13 Parking
7.1 Building London's Neighbourhoods and Communities
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local Character
7.5 Public Realm
7.6 Architecture
7.8 Heritage Assets and Archaeology

Local Development Framework

Harrow Core Strategy 2012

CS1 Overarching Policy
CS3 Harrow on the Hill and Sudbury Hill

Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development
DM2 Achieving Lifetime Neighbourhoods
DM3 Protected Views and Vistas
DM10 On Site Water Management and Surface Water Attenuation
DM12 Sustainable Design and Layout
DM15 Prevention and Remediation of Contaminated Land
DM20 Protection of Biodiversity and Access to Nature
DM22 Trees and Landscaping
DM27 Amenity Space
DM31 Supporting Economic Activity and Development
DM45 Waste Management
DM47 Retention of Existing Community, Sport and Education Facilities
DM50 Planning Obligations

Supplementary Planning Documents

Supplementary Planning Document: Sustainable Building Design 2009
Supplementary Planning Document: Access For All 2006
Supplementary Planning Document: Accessible Homes 2010
Supplementary Planning Document: Residential Design Guide 2010

2 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.p
df](http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf)

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

5 INFORMATIVE:

The applicant is advised that any window in the flank elevation of the development hereby permitted will not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.

6 INFORMATIVE:

Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract a liability payment of **£94,045.00** 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 **£94,045.00** for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of **2,687sqm**

You are advised to visit the [planningportal](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

7 INFORMATIVE:

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant.

It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

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

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

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

All other uses - Nil.

The Harrow CIL contribution for this development is **£295,570.00**

8 INFORMATIVE:

Notwithstanding the note on your submitted plan(s), this decision has been made on the basis of measurements scaled from the plan(s), unless a dimensioned measurement overrides it.

9 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.

10 Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

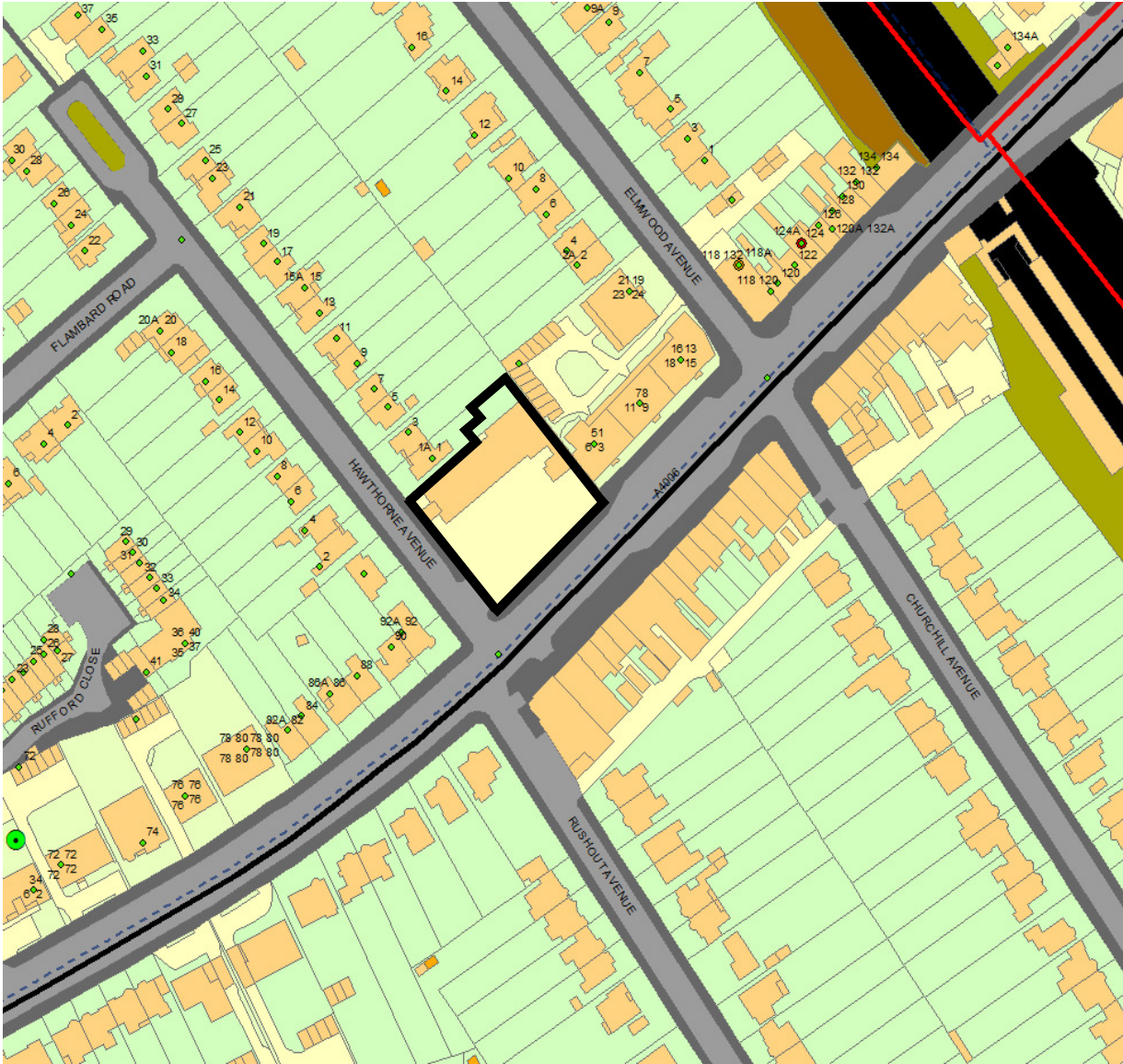
All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

Plan Nos: 99; 110; 101K; 102K; 103K; 104K; 105K; 107F; 108F; TPP/WNCCHAH/010 A; Design & Access Statement; Transport Statement; Parking Survey; Energy Statement; Planning Statement; Daylight & Sunlight Assessment; Sustainable Drainage Statement; Arboriculture Report.

CHURCHILL HALL, HAWTHORNE AVENUE, HARROW



ITEM NO: 1/02

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) conditions; and
- (ii) the completion of a section 106 Planning Obligation;

by 31st August 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, Enterprise 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) The developer to enter into a section 278 Agreement to secure highways improvements to the Wemborough Road/Whitchurch Lane/Marsh Lane/Honeypot Lane junction and (if necessary) agree interim arrangements for safe crossing at the 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
- e) contribution of £40,000 to fund publicly accessible sport and recreation infrastructure and improvements within the site

RECOMMENDATION B

That if, by 31st August 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.

INFORMATION:

Details of this application were reported to the Planning Committee on 17th February 2016. As modified in the addendum information, the Divisional Director's recommendation to the Committee was to 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.

The reported Heads of Terms for the section 106 Planning Obligation, as modified in the addendum information, were as set out under Recommendation A above.

A copy of the application report and addendum information presented to the 17th February meeting of the Committee is attached to this report at **Appendix A**.

The Planning Committee, at its meeting on 17th February 2016, unanimously resolved to grant the application subject to the completion of a section 106 Planning Obligation and referral back to the Planning Committee, in relation specifically to the Travel Plan and the Community Use Agreement, by 31st July 2016.

Statutory Return Type: Largescale Major Development

Council Interest: Yes

Gross Existing Floorspace (GIA): not known¹

Net Proposed Floorspace: 9,285 square metres

GLA CIL (provisional): Nil²

Harrow CIL (provisional): Nil³

Site Description

- see report to Planning Committee 17th February 2016 (**Appendix A**)

¹ 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.

² 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.

³ The Harrow CIL does not apply to development for uses falling within Classes D1 or D2.

Proposal Details

- see report to Planning Committee 17th February 2016 (**Appendix A**)

Relevant History

- see report to Planning Committee 17th February 2016 (**Appendix A**)

Additional Documents Submitted by the Applicant

- Highways and Transport Briefing Note March 2016
- Eco Green Roofs specification and drawing numbered 29800
- Email dated 11th April 2016 (detailing brown roof costings calculated by Bowmer and Kirkland)
- Drawing number L-1439-PRP-005 (*Trees to be retained and removed*)
- Drawing number L-1439-SKP-028 (*Additional tree planting*)
- Energy Statement Rev D dated 29th April 2016, drawing numbered 000-PE-01-03-DR-A-0104 Rev. P05; BRUKL Output Documents

Advertisement & Site Notices

- see report to Planning Committee 17th February 2016 (**Appendix A**)

Notification Responses

Supports: 220 representations were noted in the report to Planning Committee on 17th February 2016, a further 367 were reported on the addendum and a further 55 were reported verbally at the meeting. Since then a further 12 representations have been received, none raising any issue not already considered, bringing the total number of representations in support of the proposal to **654**.

Objections: 52 representations were noted in the report to Planning Committee on 17th February 2016, a further 59 were reported on the addendum and a further 14 were reported verbally at the meeting. Since then a further 7 representations have been received, bringing the total number of representations objecting to the proposal to **132**. Additional issues raised as follows:

- Alternative site at junction of Marsh Lane & Wemborough Road should be considered – this would eliminate the transport problems; council tax will be withheld to reflect site maintenance cost savings to council and loss of green space to residents; small space left over for residents is a joke.

APPRAISAL

The main and other considerations relevant to this application are as set out in the report to the Planning Committee and associated addendum dated 17th February 2016 (**Appendix A**). This report updates Members on progress relating to the completion of the Planning Obligation, in relation specifically to the Travel Plan and the Community Use Agreement, and addresses other matters relating to the application recommendation to the Planning Committee on 17th February.

Planning Obligation

A draft of the section 106 Planning Obligation has been prepared, based on the heads of terms set out in the officers' report and as amended in the addendum to the Planning Committee on 17th February, and is currently undergoing scrutiny and refinement as necessary between the Council's and the applicant's legal representatives. The Council's legal representative has advised that the conclusion of the necessary legal work and the

completion of the Planning Obligation may take slightly longer than originally envisaged. Whilst every effort will continue to be made to complete the Obligation by 31st July, it is considered prudent to extend the deadline imposed by the Planning Committee at the 17th February meeting by one month, to 31st August. Such a deadline extension is, therefore, recommended.

Travel Plan

A draft school Travel Plan was submitted with the planning application. As was reported⁴ to the Committee at the 17th February meeting, the Plan targets gold standard against the TfL STARS accreditation criteria and is considered by the Highway Authority to be underpinned by a comprehensive and deliverable action plan.

In accordance with the Committee's wishes for a continuing dialogue, pursuant to securing the optimum package of measures to mitigate the highways and transport impacts of the development, officers met with the applicant on 1st March. Following that meeting, the applicant's transport planning consultant has issued a briefing note, a copy of which is appended to this report (**Appendix B**). In summary, the briefing note provides the following information/clarification:

- transport assessment modelling reveals that the overall performance of the Wemborough Road/Abercorn Road/St. Andrew's Drive junction would not be improved by replacement of the existing roundabout with an optimised signal controlled junction;
- there would be one school minibus with a capacity to carry 50 pupils and would make 3 trips in each of the AM & PM periods (i.e. 150 pupils each way);
- TfL has confirmed the availability of Mayor of London funds for an additional AM & PM bus peak service to serve the school, likely to be on the 186 bus route;
- the local Highway Authority will investigate the option of controlling commuter/long stay parking in the Whitchurch Playing Fields public car park; and
- the Travel Plan will be updated to include the additional 186 bus route capacity and a commitment to termly meetings with neighbouring schools to co-ordinate travel issues and traffic marshalling, but that the 9% target for modal split by car is already ambitious and be retained as originally proposed; and

It is therefore recommended that the updated version of the school Travel Plan (April 2016) addressing the matters in the final bullet point above, be accepted and given effect through the section 106 Planning Obligation. A copy of the updated Travel Plan is appended to this report (**Appendix C**). Furthermore, an additional condition is proposed as a safeguard against the potential highways and transport impacts of any future school expansion – please refer to the conditions section of this report (below).

Community Use Agreement

Council officers have been separately working to progress to completion a Community Use Agreement that would secure controlled access for the community to the school's sports hall and outdoor sports facilities. As with the Travel Plan, the final version will be given effect through the section 106 Planning Obligation.

Sport England

As was reported verbally by officers at the 17th February meeting, Sport England has withdrawn its objection confirming that, subject to additional conditions (proposed in the addendum to the 17th February meeting), it is satisfied that the proposed development meets its policy exceptions [for development on playing fields] as follows:

⁴ See page 110 of the published report to Planning Committee on 17th February 2016.

- Policy Exception 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 development'*; and
- Policy Exception 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'*.

Accordingly, it has not been necessary to refer the application to the National Planning Casework Unit.

Referral to the Mayor of London

On 3rd May 2016 confirmation was received that the Mayor of London is content for Harrow Council to determine the application and that he does not wish to direct refusal.

During the course of the Mayoral referral, Greater London Authority (GLA) officers requested the submission of a revised Energy Statement to demonstrate, using methodology compliant with GLA energy planning guidance, that the proposal would meet the London Plan carbon dioxide reduction target. A revised Energy Statement and associated documents/drawing have been submitted and GLA officers have confirmed that they are satisfied with this.

The GLA officers' report notes that 4 letters and a petition (30 signatories) objecting to the proposed development were sent directly to the Mayor. These are addressed in the GLA officers' report and would have been taken into account by the Mayor in reaching his decision not to call-in the application or direct refusal.

Conditions

Construction Impacts Management Plans

The report to Planning Committee of 17th February 2016 recommended that planning permission be granted subject to a number of conditions, and further conditions were recommended in the addendum. Prior to the Committee, in order to expedite the progress of this development project, the applicant submitted an acceptable Construction and Logistics Plan. The relevant pre-commencement condition⁵ was amended, in the addendum, to reflect this.

Two of the other pre-commencement conditions⁶ require the approval of a Dust, Noise and Vibration Management Plan and of a Demolition and Construction Waste Management Plan. Details pursuant to these conditions have been submitted by the applicant and dialogue with the Council's Environmental Health Officer, as regards their acceptability, is underway. The outcome of this dialogue and a recommendation as to the acceptability of the details submitted, will be reported to the Committee as addendum information.

⁵ Condition numbered 5 in the published report to Planning Committee on 17th February 2016.

⁶ Conditions numbered 3 (dust, noise and vibration management plan) and 4 (demolition and construction waste management plan) in the published report to Planning Committee on 17th February 2016.

Brown Roof Feasibility

A progression point condition⁷ requires details for the provision of appropriate biodiversity planting on roofs within the development to be agreed, unless it is demonstrated to the satisfaction of the local planning authority that such a 'brown roof' is not feasible and/or practical.

Pursuant to the condition, the applicant submitted a letter from the project's senior contract manager stating that the provision of a 'brown roof' would add sufficient weight to the load of the building as to necessitate enhancements to the structural specifications of the proposed development, and so add an estimated £400,000 to the construction cost. At officers' request, the applicant provided further information as to the specification of 'brown roof' investigated and a breakdown of the specific components of the additional £400,000 cost. GLA officers were asked to comment on the submissions, following which it was accepted that the provision of a full 'brown roof' is not feasible in this instance.

Finally, as an alternative that would still have some biodiversity value, the possibility of a lightweight sedum roof was suggested to the applicant. In response the applicant states that even this would require structural redesign with associated additional costs and delays in the delivery of the school, and points out that the development would create new and enhanced habitat features on the site in other ways.

Tree Retention

It came to light in early April that a number of trees/existing planting to the west of the derelict pavilion building had recently been removed. None of the trees removed are the subject of a Tree Preservation Order but they were identified on the drawing L-I439-PRP-005 Rev. 07 (*trees to be retained and removed*).

The matter has been raised with the applicant who has apologised for the inadvertent removal of the trees. A revised version *trees to be retained and removed* drawing has been submitted along with a new drawing showing indicative proposals for replacement planting. As a result it will be necessary to amend conditions⁸ relating to the agreement of details of the proposed swale in relation to retained trees and to the agreement of new landscaping details.

Correction of Errors

Due to typographical issues, the text of a number of conditions⁹ in the published report to Planning Committee of 17th February was erroneously cut short. Furthermore, a condition¹⁰ requiring a noise management plan is duplicated whilst another condition¹¹, restricting the hours of use of the outdoor sport facilities, erroneously refers to an evening limit of 22:00 hours, at odds with the limit of 21:00 hours recommended by the Council's Environmental Health Officer¹². It is therefore considered necessary to amend the affected conditions to correct these errors.

⁷ Condition numbered 7 (biodiversity on roofs) in the published report to Planning Committee on 17th February 2016.

⁸ Conditions numbered 13 (alignment of the swale) and 14 (landscaping details) in the published report to Planning Committee on 17th February 2016.

⁹ Conditions numbered 10 (materials details), 12 (SUDS maintenance) and 13 (alignment of the swale) in the published report to Planning Committee on 17th February 2016.

¹⁰ Conditions numbered 18 and 21 in the published report to Planning Committee on 17th February 2016.

¹¹ Condition numbered 26 (hours of use) in the published report to Planning Committee on 17th February 2016.

¹² See page 114 of the published report to Planning Committee on 17th February 2016.

Additional Conditions

Policy DM 43 B of the Development Management Policies Local Plan (2013) gives effect to the strategic transport policies in the London Plan (2015) and the Harrow Core Strategy (2012) by requiring proposals for major development to satisfactorily mitigate transport impacts, including through the preparation and implementation of travel plans.

The transport assessment of the subject proposal, and the resulting travel plan measures, are predicated on the impacts associated with the school at full capacity of 1,260 pupils and the proposed staggered start and finish times as set out in the travel plan. The travel plan would be secured and enforceable via the section 106 Planning Obligation and the proposed staggered start and finish times would be secured by condition¹³. However, as a safeguard against any future school expansion to increase pupil numbers and, therefore, to potentially increase the highways and transport impacts beyond those assessed and mitigated as part of this planning application, it is considered necessary and reasonable to cap pupil numbers as a condition of planning permission. To provide the school with a small amount of flexibility to accommodate bulge years, it is recommended that a cap of 1,300 pupils should be imposed.

As noted in the relevant sections of the report to Planning Committee of 17th February 2016, the site is on land designated as open space in the Local Plan, parts are subject to fluvial and surface water flood risk, a number of trees are the subject of Tree Preservation Orders and parts of the site are of recognised local biodiversity value. Furthermore, the development the subject of this planning application incorporates measures within the curtilage of the proposed buildings for sustainable drainage and nature conservation, whilst other parts of the site are to be retained as playing fields for the school and controlled community access.

Part 7 (to Schedule 2) of The Town and Country Planning (General Permitted Development) (England) Order 2015 includes a range of permitted development rights for non-domestic premises. Class M of that part allows for the erection, extension and alteration of school (and other) buildings subject to certain limitations and conditions, whilst Class N allows for the provision and replacement of hard surfaces within the curtilage of school (and other) buildings again subject to certain limitations and restrictions. Having regard to the relevant sections of the NPPF and the relevant policies¹⁴ of the London Plan and Local Plan as they relate to the site constraints and proposal described above, it is considered necessary and reasonable to control what would otherwise be permitted development under Classes M and N of Part 7 (to Schedule 2) of the Order or any equivalent provisions in any replacement Order. An additional condition to this effect is, therefore, also recommended.

Summary of Changes to Recommended Conditions

In view of the above and on the expectation that agreement can be reached prior to the Committee's meeting on 27th May (this will be confirmed as addendum information) it is considered that the previously published conditions relating to the requirement for a Dust, Noise and Vibration Management Plan and a Demolition and Construction Waste Management Plan should be amended to reflect the receipt of acceptable details in these two regards. Minor amendments to other conditions can correct the identified errors in the

¹³ See the proposed new condition reported as addendum information to Planning Committee on 17th February 2016.

¹⁴ Refer to the relevant sections of the report to Planning Committee of 17th February 2016.

originally published list of conditions and can ensure that the recent inadvertent removal of trees from the site are taken into account and remediated. The applicant has demonstrated that a 'brown roof' is not feasible in this instance and it is therefore also recommended that this condition can now be dropped. Two new conditions are recommended for the reasons set out above.

A full list of the recommended conditions, re-ordered where necessary to reflect these changes/additions and the changes/additions published in the addendum to the 17th February meeting, together with an updated list of drawings and documents to be approved, is provided at the end of this report.

Equalities Impact

- see report to Planning Committee of 17th February 2016 (**Appendix A**); the additional information and matters set out in this report are not considered to alter the previous findings in terms of equalities impact

Human Rights Act

- see report to Planning Committee of 17th February 2016 (**Appendix A**); the additional information and matters set out in this report are not considered to alter the previous findings in terms of the Human Rights Act

S17 Crime & Disorder Act

- see report to Planning Committee of 17th February 2016 (**Appendix A**); the additional information and matters set out in this report are not considered to alter the previous findings in terms of the Crime and Disorder Act

Consultation Responses

In response to the additional consultation responses identified in this report:

- the alternative site [Stanmore Marsh] referred to was not considered as it is not available for development nor large enough to accommodate the school, sports hall and associated outdoor sports facilities and the whole site is of local nature conservation importance;
- council tax matters are not material planning considerations and so cannot be taken into account as part of this planning application;
- the loss of open space/provision of retained space for general public access is addressed in the report to Planning Committee of 17th February 2016.

CONCLUSION

In accordance with the Committee's wishes, officers have maintained a dialogue with the applicant as a result of which additional information/clarification has been provided about the transport and highways impacts of the development, and some minor changes to the school Travel Plan are proposed. Work on the Community Use Agreement has also continued. Both the Travel Plan and the Community Use Agreement will be given effect through the section 106 Planning Obligation.

In the meantime, the application has been referred to the Mayor of London who has confirmed that he does not wish to call-in the application for his own decision, nor to direct refusal. As reported verbally to the Planning Committee on 17th February, Sport England has formally withdrawn its holding objection.

The Planning Committee is now invited to approve certain amendments, two additions

and the removal of one duplication to the previously recommended list of conditions, for the reasons set out in this report, and to delegate authority to the Divisional Director of Regeneration, Enterprise and Planning to complete the section 106 Planning Obligation, and grant planning permission for the development, by the extended deadline of 31st August 2016.

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 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).

Development Phase Conditions

4 The approved Construction and Logistics 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 construction of the development.

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).

5 The approved dust, noise and vibration 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 construction of the development.

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).

6 The approved demolition and construction waste 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 construction of the development.

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).

Progression Point Conditions

7 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).

8 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).

9 Before the construction of 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 writing by the local planning authority.

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).

10 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).

11 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 local planning authority.

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).

12 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).

13 No public address system shall be installed on the site until details of the system have first been submitted to, and agreed in writing by, the local planning authority. The system shall be installed and operated in accordance with 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).

14 No cricket pitch on the site shall be prepared and laid out until details of its location, construction and layout have first been submitted to, and agreed in writing by, the local planning authority. The cricket pitches shall thereafter be located, constructed and laid out in accordance with the details so agreed.

REASON: To ensure that the development delivers outdoor sport facilities which are fit for purpose and to ensure sufficient benefit of the development to sport.

15 No work to prepare, construct or lay out outdoor sports facilities on the site shall be carried out until:

- (i) a detailed assessment of ground conditions has been submitted to, and agreed in writing by the local planning authority; and
- (ii) any improvements (including a timetable for implementation) arising out of the assessment under (i) above have been submitted to, and agreed in writing by, the local planning authority.

The works to prepare, construct and layout the outdoor sports facilities on the site shall be carried out in accordance with any improvements so agreed under (ii) above and shall thereafter be retained.

REASON: To ensure that the development delivers outdoor sport facilities which are fit for purpose and to ensure sufficient benefit of the development to sport.

16 No artificial grass pitch and no multi use games area shall be installed on the site until details of its location, construction and layout have first been submitted to, and agreed in writing by, the local planning authority. The artificial grass pitch and multi-use games area shall thereafter be located, constructed and laid out in accordance with the details so agreed.

REASON: To ensure that the development delivers outdoor sport facilities which are fit for purpose and to ensure sufficient benefit of the development to sport.

17 Notwithstanding the details shown on approved drawings numbered L-1439-PRP-005 Rev. [add as addendum information], L-1439-PRP-006 Rev. 07 and L-1439-PRP-007 Rev. 14, 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 constructed and thereafter retained in accordance with the revised drawing so agreed.

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).

18 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. [add as addendum information];
- 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. [add as addendum information];
- 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;
- 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; and
- i) detailed drawings and specifications of proposals for replacement tree and ground cover planting in the location identified on approved drawing L-1439-SKP-028.

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).

19 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).

20 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).

21 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.

22 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).

Pre-Use Conditions

23 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).

24 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).

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).

26 The development hereby approved shall not be first used until a plan detailing staggered student start and finish times has been submitted to, and agreed in writing by, the local planning authority. The development shall be operated in accordance with the 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 the transport impacts of the development are satisfactorily mitigated, in accordance with Policy 6.3 A of the London Plan (2015) and Policies DM 42 C and DM 44 C of the Harrow Development Management Policies Local Plan (2013), and in the interests of the amenities of the neighbouring occupiers in accordance with Policy DM 1 C & D of the Harrow Development Management Policies Local Plan (2013).

27 The development hereby approved shall not be first 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).

28 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).

29 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.

30 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).

On-Going Conditions

31 The outdoor sports facilities shall not be used before 07:00 hours and after 21:00 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).

32 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).

33 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).

34 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).

35 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).

36 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. D dated 29th April 2016.

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)

37 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).

38 The development hereby approved shall be used for education and community sports use only, and shall not be used for any other purpose, including any other use that would fall within Classes D1 or D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to those classes in any statutory instrument revoking and re-enacting that order with or without modification).

REASON: To ensure that the transport impacts of the development are satisfactorily mitigated, in accordance with Policy 6.3 A of the London Plan (2015) and Policies DM 42 C and DM 44 C of the Harrow Development Management Policies Local Plan (2013), and in the interests of the amenities of the neighbouring occupiers in accordance with Policy DM 1 C & D of the Harrow Development Management Policies Local Plan (2013).

39 Unless otherwise agreed in writing by the local planning authority, the number of pupils under the age of 18 on the school roll and present on the site at any time shall not exceed 1,300.

REASON: To ensure that the transport and highway impacts of the development are restricted to those assessed through the transport assessment of the approved development and managed through the approved travel plan, and to enable any future school expansion generating significant amounts of additional movement to be supported by further transport assessment and travel planning, in accordance with paragraphs 32 and 36 of the National Planning Policy Framework (2012), Policy 6.3 of the London Plan (2015) and Policy DM 43 of the Harrow Development Management Policies Local Plan (2013).

40 No development that would otherwise fall within Classes M and N to Part 7 (of Schedule 2) of The Town and Country Planning (General Permitted Development) Order 2015, or any equivalent Classes of any statutory instrument amending or replacing that Order with or without modification, shall be carried out on the site without the permission, in writing, of the local planning authority.

REASON: To ensure that the erection, extension or alteration of further school buildings and the provision of any further hardsurfacing on the site does not: result in the unnecessary erosion of designated open space; result in the loss of playing fields; prejudice the site's function as a flood storage area or reduce the effectiveness of the development's sustainable drainage system; or prejudice the health and survival of protected trees and biodiversity on the site. In accordance with the paragraphs 74, 100-104 and 118 of the National Planning Policy Framework (2012), Policies 5.12, 5.13, 7.18, 7.19 and 7.21 of the London Plan (2015), Policies CS 1 F and U of the Harrow Core Strategy (2012) and Policies DM 9, DM 10, DM 11, DM 18, DM 20, DM 21, DM 22 and DM 47 of the Harrow Development Management Policies Local Plan (2013).

Plan Nos:

Site Plans and Architectural Drawings:

000-DR/A-100 Rev. P02; 000-PE-01-03-DR-A-0104 Rev. P05; 000-PE-00-ZZ-DR-A-105 Rev. P01; 000-PE-01-GF-DR-A-0128 Rev. P03; 000-PE-01-01-DR-A-0129 Rev. P03; 000-PE-01-02-DR-A-0130 Rev. P03; 000-PE-01-ZZ-DR-A-0201 Rev. P03; 000-PE-01-ZZ-DR-A-0202 Rev. P03; 000-PE-01-ZZ-DR-A-0203 Rev. P03; 000-PE-02-01-DR-A-0106 Rev. P03; 000-PE-02-GF-DR-A-0100 Rev. P11; 000-PE-02-ZZ-DR-A-0111 Rev. P05; 14042/03 (Cycle Access Strategy)

Landscape Drawings:

L-1439-GAP-001 Rev. 02; L-1439-GAP-002 Rev. 02; L-1439-GAP-003 Rev. 02; L-1439-GAP-004 Rev. 02; L-1439-GAP-005 Rev. 02; L-1439-GAP-006 Rev. 02; L-1439-GAS-001

Rev. 03; L-1439-GAS-002 Rev. 02; L-1439-GAS-003 Rev. 02; L-1439-GAS-004 Rev. 0; L-1439-GAS-005 Rev. 01; L-1439-GAS-006 Rev. 01; L-1439-PPP-001 Rev. 04; L-1439-PPP-002 Rev. 06; L-1439-PRP-002 Rev. 09; L-1439-PRP-003 Rev. 10; L-1439-PRP-005 Rev. [add as addendum information]; L-1439-PRP-006 Rev. 07; L-1439-PRP-007 Rev. 14; L-1439-PRP-009 Rev. 01; L-1439-SKP-028 Rev. [add as addendum information]; CPW-14606-EX-100-01 Rev. T3; 003 Rev. A (Tree Constraints Plan – South); 002 Rev. A (Tree Constraints Plan – Northeast); 001 Rev. A (Tree Constraints Plan – Northwest)

Drainage Drawings and Documents:

1177-CUR-Z0-00-DR-C-0050 S0 Rev. 6; 1177-CUR-Z0-00-DR-C-0051 S0 Rev. 6; 1177-CUR-Z0-00-DR-C-0052 S0 Rev. 6; 1177-CUR-Z0-00-DR-C-0058 S0 Rev. 1; NO1177-E-010 Rev. P01; Document by Micro Drainage, MUGA & STP Storage (dated 25 September 2015); Document by Micro Drainage, Attenuation Design (dated 25 September 2015); Document titled 'Micro Drainage Calculation -2016-01-11 MUGA & STP'

Impact Mitigation Plans:

Biodiversity Management Plan dated October 2015; Car Park Management Plan dated January 2016; Construction and Logistics Plan dated February 2016; Control Measures for Noise, Dust, Waste and Vibration [add version details as addendum information]; Delivery and Servicing Plan dated January 2016; Site Waste Management Plan Vibration [add version details as addendum information]; Travel Plan dated April 2016

Reports:

Air Quality Assessment (Version 4) dated 18th January 2016; Design & Access Statement (not dated); Energy Statement Rev. D dated 29th April 2016; Environoise Report dated 30th March 2015; Environoise Technical Planning Note dated 25th September 2015; Executive Summary – Flood Egress/Access Strategy dated 15th February 2016; Executive Summary – Surface Water Strategy dated 15th February 2016; Flood Risk Assessment dated 28th September 2015 and Addendum A dated 13th October 2015 and SUDS Maintenance Plan (not dated); Letter from Environoise Consulting Limited dated 21st December 2015; Noise Impact Assessment (Ref: 20537R01PKmdw dated 30th March 2015); Services Utility Report Rev. A dated 15th October 2015; Transport Assessment dated October 2015

**Appendix A: Officers' Report and Addendum to
Planning Committee 17th February 2016**

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 known¹

Net Proposed Floorspace: 9,285 square metres

GLA CIL (provisional): Nil²

Harrow CIL (provisional): Nil³

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

¹ 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.

² 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.

³ 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 flooding⁴ 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

⁴ 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:

- *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 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 total⁵ shortfall of -117.38 hectares open space and predicted that this shortfall would as a result of population⁶ 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

⁵ 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).

⁶ 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 table⁷ 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 facilities provided (number/mix of sports pitches, their carrying capacity, changing

⁷ Table 15.1 of the Strategy.

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 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 projects⁸ 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 2014⁹.

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 project¹⁰ 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:

- the surplus of places up to 2021 is across all secondary year groups and has been

⁸ See Table 15 of Appendix B to the Cabinet Report.

⁹ See section 5.4 of Appendix B to the Cabinet Report.

¹⁰ See table 29 of Appendix B to the Cabinet Report.

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 report¹¹ 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 report¹² 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 Stanmore¹³ 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 secondary school level and so reduce the over-supply until a deficit in secondary school

¹¹ See Sections 5.6 & 5.8 of Appendix B to the Cabinet Report.

¹² See section 5.8/page 51 of Appendix B to the Cabinet Report.

¹³ i.e the former Peterborough and St. Margaret's School in Common Road, Stanmore.

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 Verges¹⁴.

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 boundary¹⁵. 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 that features in its other elevations, is the most visually stark elevation. However given

¹⁴ Refer to cross section C-C on drawing L-1439-GAS-004 Rev. 01.

¹⁵ Refer to cross section A-A on drawing L-1439-GAS-002 Rev. 01.

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 Verges¹⁶. 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 building¹⁷. 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 boundary¹⁸.

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 landscaping. Given the separation distance involved, it is not considered that the level of

¹⁶ Refer to cross section B-B on drawing L-1439-GAS-003 Rev. 01.

¹⁷ Refer to cross section A-A on drawing L-1439-GAS-002 Rev. 01.

¹⁸ Refer to landscape drawing L-1439-GAP-004 Rev. 01.

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 BRE¹⁹ 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 windows²⁰ 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 than 20% of baseline conditions is regarded as unlikely to be noticeable to occupants. It

¹⁹ British Research Establishment.

²⁰ It should also be noted that other tested windows at these properties were above the target for VSC.

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 M²¹ of the Building Regulations, the Equality Act 2010 and British Standard 8300²². 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 to be the appropriate response. A 1.8 metres high weldmesh fence would be used

²¹ Part M deals with access to, and use of, buildings.

²² Design of buildings and their approaches to meet the needs of disabled people (2009).

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 objectives²³. Encouragement is given to solutions which support reductions in greenhouse gas emissions and reduce congestion²⁴. 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 a 4-arm roundabout with Abercorn Road / St. Andrew's Drive to the west. To the east

²³ See NPPF paragraph 29.

²⁴ See NPPF paragraph 30.

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 expect 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 Honeyput 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 particular 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 / Honeypt 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 Honeypt 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 Honeypt 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 Marsh 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	This measure is supported

private school operated bus service to supplement the existing bus network.	
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 width 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 assessment²⁵.

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 scenario²⁶ 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.

²⁵ Proposed criteria were included in a draft version but these were not subject to a satisfactory validation process.

²⁶ 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 SPGs²⁷ 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 the development is consistent with the Mayor of London's 'air quality neutral' objective

²⁷ *Sustainable Design and Construction* supplementary planning guidance (2014) and *The Control of Dust and Emissions during Construction and Demolition* supplementary planning guidance (2014).

(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 heat²⁸ 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 policies on decentralised energy supply and to take account of landform, layout, building

²⁸ 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.

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 2²⁹ and 3³⁰. 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 risk³¹. 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 1³².

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 regard to measures proposed in Catchment Flood Management Plans. It is noted that

²⁹ Which equates to between a 1 in 100 and 1 in 1,000 annual probability of river flooding.

³⁰ Which equates to a 1 in 100 or greater annual probability of river flooding.

³¹ Modelled 1 in 100 and 1 in 30 year events.

³² See flooding sections of the National Planning Practice Guidance.

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 Plan³³ and Harrow's Core Strategy³⁴ 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.

The applicant's FRA outlines the proposed surface water strategy for the site. It states

³³ Policy 5.13

³⁴ Paragraph 4.32

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 group³⁵ 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

³⁵ Reported as comprising 4 goat willow, 1 hawthorn, 6 birch stems and 1 poplar.

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 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 selected³⁶ 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

³⁶ Those likely to be impacted by the proposed development.

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 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 wwgriskmanagement@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:

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

HARROW COUNCIL

ADDENDUM (EXTRACT – WHITCHURCH PLAYING FIELDS ONLY)

PLANNING COMMITTEE

DATE: 17th February 2016

1/03	<p><u>Page 63: Recommendation A</u> Amend head of term (a) as follows: Developer to enter into a section 278 Agreement to secure highways improvements to Wemborough Road/Whitchurch Lane/Marsh Lane/Honeypot Lane junction and (if necessary) agree interim arrangements for safe crossing at the junction</p> <p>Add head of term (e) as follows: contribution of £40,000 to fund publicly accessible sport and recreation infrastructure and improvements within the site.</p> <p><u>Page 68: Revisions to Application following submission</u> A revised Construction Logistics Plan (dated February 2016) has been submitted following dialogue between the applicant and the local Highway Authority (and is considered to be acceptable).</p> <p>Other documents submitted are: a first draft flood evacuation plan; a flood egress/access strategy; a highways and transport briefing note; and an executive summary of the proposed surface water strategy.</p> <p><u>Page 69: Notifications</u> No. of additional objections recorded up until end 15th February 2016: 59</p> <p>Additional objection issues (summarised): Not in keeping with Olympic Legacy of increased sports activity by all; community use of sports facilities promised at other schools but never materialised; development of William Ellis Playing Fields was a disaster; numbers should be reduced and intake should be from surrounding area; residents should have the right to address the committee given that it's recommended for grant; starting the day earlier will just prolong traffic jams; Kodak or Civic Centre sites should be considered; support letter from Abchurch Association did not represent the opinion of the wider community; disruption during construction; letters posted at the site have been removed – please investigate and revert back; request a meeting at the site; many parakites and other birds live in the trees and bushes; loss of much used dog walking area; asking people not to drive is ridiculous; majority of people who support the plan do not live in the area; suspect (like Anmer Lodge) no proper traffic flow plan has been done; will negate flood works carried out downstream; local community have not been consulted; question the legality; will affect insurability of surrounding property due to flooding; recently took 12 minutes to get from Belmont Lane to Marsh Lane on 186 bus; will</p>
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bring drugs, robbery, scenic damage, emotional distress and removal of sentimental moments; cars already not stopping on zebra crossings; loss of open space detrimental to health of community; texts from Floodline have increased in the past two months

No. of additional supports recorded up until end 15th February 2016: 367

Additional support issues:

Proposal should include a swimming pool; will create jobs; application taking too long – what is the delay?

Canons Park Residents' Association additional representations (summarised):

Contract with Avanti signed before planning permission achieved; the site on [principal should not be developed; proposals benefit a sporting academy rather than a school; sports facilities already provided nearby at The Hive; there is an over-supply of schools in the area; the site lies on a major nexus of traffic and will add to congestion, pollution and noise; this is an important flood plain; the large superblock is negative to visual amenity; the Aldenham bus depot site or Kodak site are more suitable; Harrow Council's EIA screening opinion is not satisfactory/flawed, dismissing the facts and situations that would point to inappropriate use of Whitchurch Playing Fields for a school.

GLA Assembly Member Navin Shah (summarised):

I support the application: Government's planning policy statement and shortage of secondary school places are compelling material planning considerations; Avanti House has a remarkable track record of educational attainment; will provide educational choice that Harrow's diverse community is aspiring and demanding; no doubt that the developer will work with Harrow planners to develop a complex of highest design merit; car parking, cycle provision, electric vehicle points and school travel plan are welcomed; a community use agreement is vital to ensure that the local community benefits.

Hindu Forum of Britain:

Please support the cause as spaces in schools are so difficult to get and children need a education.

Historic England (summarised):

Having considered the submitted geophysical survey report, it is concluded that the proposal is unlikely to have a significant effect on archaeological heritage assets. No further assessment or conditions are therefore necessary.

Page 73: Sport England

Additional conditions requested (see below).

Page 102: External lighting drawing

The Council's lighting engineer has advised that a detailed external lighting design is required (see condition 30).

Page 118: London Plan CO2 reduction target

The applicant has advised that it discussed its approach with the GLA's Energy Officer because Part L (of the building regulations) disincentives sustainable design for certain types of buildings. Therefore, as agreed with the GLA, overall carbon dioxide

reductions have been demonstrated in accordance with a methodology that the GLA has found to be acceptable (and has been used for school developments in other London boroughs).

Page 121: Flood evacuation

A first draft flood evacuation plan has been submitted setting-out outline proposals to deal with forecast and emergency flood situations. The submitted plan is a draft; proposed condition 20 allows for the approval if a full emergency plan prior to first use of the development.

A flood egress/access strategy has also been submitted. The document points out that the school campus would itself be within flood zone 1 therefore it is recommended that, in the event of a flood, staff and students remain on site until flood waters subside. If vehicular access is required (e.g. in an emergency) the most appropriate route would be via Wemborough Road where water depths would be up to 30cm and velocities would be 1-2 metres per second. The Council's drainage team is satisfied with the submitted strategy.

Page 131: Consultation responses

All material planning/relevant matters addressed in report. Other matters raised not material planning considerations/not relevant to the proposed development.

Page 141: Plan nos.

CPW-14606-EX-100-01 Rev. T3 (External lighting and security Philosophy layout Proposed external site plan); 14042/03 (Cycle Access Strategy); 1177-CUR-Z0-00-DR-C-0052 S0 Rev.6 (Drainage Strategy – sheet 3 of 3); 1177-CUR-Z0-00-DR-C-0051 S0 Rev.6 (Drainage Strategy – sheet 2 of 3); 1177-CUR-Z0-00-DR-C-0050 S0 Rev.6 (Drainage Strategy – sheet 1 of 3); L-1439-PRP-007 Rev. 14 (Landscape Masterplan - Area around building); L-1439-PPP-001 Rev.04 (Planting Strategy – Area around building); 000-PE-02-GF-DE-A-0100 Rev. P11 (Sports Block – Ground Floor GA); L-1439-PRP-006 Rev. 07 (Landscape Masterplan – Whole site); L-1439-PRP-005 Rev.07 (Trees to be retained and removed); L-1439-PRP-003 Rev.10 (Site Access and Circulation); L-1439-PRP-002 Rev. 09 (Site access and security); L-1439-PPP-002 Rev. 06 (Planting Schedule); L-1439-GAS-006 Rev. 01 (Site Section EE); L-1439-GAS-005 Rev. 01 (Site Section DD); L-1439-GAS-004 Rev. 01 (Site Section CC); L-1439-GAS-003 Rev. 02 (Site Section BB); L-1439-GAS-002 Rev. 02 (Site Section AA); L-1439-GAP-006 Rev. 02 (Landscape Masterplan Detailed Area 6); L-1439-GAP-005 Rev. 02 (Landscape Masterplan Detailed Area 5); L-1439-GAP-004 Rev. 02 (Landscape Masterplan Detailed Area 4); L-1439-GAP-003 Rev. 02 (Landscape Masterplan Detailed Area 3); L-1439-GAP-002 Rev. 02 (Landscape Masterplan Detailed Area 2); L-1439-GAP-001 Rev. 02 (Landscape Masterplan Detailed Area 1); NO0077-E-010 Rev. P01; L-1439-PRP-009 Rev. 01 (Sports Facilities); L-1439-GAS-001 Rev. 03 (Site Sections); 003 Rev. A (Tree Constraints Plan – South); 002 Rev. A (Tree Constraints Plan – Northeast); 001 Rev. A (Tree Constraints Plan – Northwest); 1177-CUR-Z0-00-DR-C-0058 S0 Rev. 1 (Existing and proposed impermeable areas); 000-PE-02-ZZ-DR-A-0111 Rev. P05 (Sports block – External elevations); 000-PE-02-01-DR-A-0106 Rev. P03 (Sports block – Proposed roof plan); 000-PE-01-ZZ-DR-A-0203 Rev.P03 (Classblock external elevations – Sheet 3 of 3); 000-PE-01-ZZ-DR-A-0202 Rev.P03 (Classblock external elevations – Sheet 2 of 3); 000-PE-01-ZZ-DR-A-0201 Rev.P03 (Classblock external elevations – Sheet 1 of 3); 000-PE-01-GF-DR-A-0128 Rev.P03 (Classblock groundfloor GA plan – complete); 000-PE-01-03-DR-A-0104 Rev.P04 (Classblock roof plan); 000-PE-01-02-DR-A-0130 Rev.P03 (Classblock

second floor GA plan – complete); 000-PE-01-01-DR-A-0129 Rev.P03 (Classblock first floor GA plan – complete); 000-PE-00-ZZ-DR-A-105 Rev.P01 (Site plan as proposed); 000-DR/A-100 Rev.P02 (Existing site plan); Delivery and Servicing Plan (dated January 2016); Construction Logistics Plan (dated February 2016); Car Park Management Plan (dated January 2016); Document titled 'SUDS Maintenance Plan'; Energy Statement Rev. C (dated 24/09/2015); Document titled 'Micro Drainage Calculation -2016-01-11 MUGA & STP'; Biodiversity Management Plan (dated October 2015); Noise Impact Assessment (Ref. 20537R01PKmdw – dated 30 March 2015); Travel Plan (dated October 2015); Document by Micro Drainage, MUGA & STP Storage (dated 25 September 2015); Document by Micro Drainage, Attenuation Design (dated 25 September 2015); Flood Egress/Access Strategy dated 17th February 2016.

Pages 131-139: Conditions

Amend **Condition 5** as follows: ~~No development shall take place, including any works of demolition, until a revised The approved 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, shall be adhered to throughout the construction of the development.~~

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).

Insert **New Condition** as follows: The development hereby approved shall not be first used until a plan detailing staggered student start and finish times has been submitted to, and agreed in writing by, the local planning authority. The development shall be operated in accordance with the 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 the transport impacts of the development are satisfactorily mitigated, in accordance with Policy 6.3 A of the London Plan (2015) and Policies DM 42 C and DM 44 C of the Harrow Development Management Policies Local Plan (2013), and in the interests of the amenities of the neighbouring occupiers in accordance with Policy DM 1 C & D of the Harrow Development Management Policies Local Plan (2013).

Insert **New Condition** as follows: The development hereby approved shall be used for education and community sports use only, and shall not be used for any other purpose, including any other use that would fall within Classes D1 or D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to those classes in any statutory instrument revoking and re-enacting that order with or without modification).

REASON: To ensure that the transport impacts of the development are satisfactorily mitigated, in accordance with Policy 6.3 A of the London Plan (2015) and Policies DM 42 C and DM 44 C of the Harrow Development Management Policies Local Plan (2013), and in the interests of the amenities of the neighbouring occupiers in accordance with Policy DM 1 C & D of the Harrow Development Management Policies Local Plan (2013).

Insert **New Condition** as follows: No public address system shall be installed on the site until details of the system have first been submitted to, and agreed in writing by, the local planning authority. The system shall be installed and operated in accordance

with 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).

Insert **New Condition** as follows: No cricket pitch on the site shall be prepared and laid out until details of its location, construction and layout have first been submitted to, and agreed in writing by, the local planning authority. The cricket pitches shall thereafter be located, constructed and laid out in accordance with the details so agreed.

REASON: To ensure that the development delivers outdoor sport facilities which are fit for purpose and to ensure sufficient benefit of the development to sport.

Insert **New Condition** as follows: No work to prepare, construct or lay out outdoor sports facilities on the site shall be carried out until:

(i) a detailed assessment of ground conditions has been submitted to, and agreed in writing by the local planning authority; and

(ii) any improvements (including a timetable for implementation) arising out of the assessment under (i) above have been submitted to, and agreed in writing by, the local planning authority.

The works to prepare, construct and layout the outdoor sports facilities on the site shall be carried out in accordance with any improvements so agreed under (ii) above and shall thereafter be retained.

REASON: To ensure that the development delivers outdoor sport facilities which are fit for purpose and to ensure sufficient benefit of the development to sport.

Insert **New Condition** as follows: No artificial grass pitch and no multi use games area shall be installed on the site until details of its location, construction and layout have first been submitted to, and agreed in writing by, the local planning authority. The artificial grass pitch and multi use games area shall thereafter be located, constructed and laid out in accordance with the details so agreed.

REASON: To ensure that the development delivers outdoor sport facilities which are fit for purpose and to ensure sufficient benefit of the development to sport.

NB: the list of conditions may be re-ordered and renumber the published list as appropriate

Avanti House Free School, Whitchurch Playing Fields

Planning Committee Members Highways and Transport Briefing Note

March 2016

Introduction

This note considers the Highways and Transport comments raised by Harrow Council Planning Committee Members at Planning Committee on 17 February 2016. The queries relate to the Avanti House Free School proposal, Whitchurch Playing Fields (Harrow Council planning ref: P/4910/15).

At Planning Committee, members were minded to grant planning permission subject to referral to the Greater London Authority (GLA), conditions, and completion of a Section 106 obligation to be brought to separate committee by July 2016. The remainder of this notes seek to clarify and address member's highways and transport comments.

Member's Highways and Transport Comments

Wemborough Road / Abercorn Road / St Andrews Drive Roundabout

Comments were made in relation to the existing and proposed performance of the above roundabout junction to the west of the application site. Cllr Kendler in particular raised concerns over peak hour queuing and wished to see additional mitigation measures provided at this junction.

It is worth noting that the junction capacity modelling undertaken reflects *average maximum queuing* over the AM and PM peak hourly periods, and it is accepted that over an hourly period there will be inevitable peaks and troughs in traffic flow and queuing.

The analysis undertaken within the Transport Assessment submission took a robust approach towards junction capacity testing, by superimposing all Avanti House School morning / afternoon car trips onto the *network peak* hour periods. In reality, due to proposals to stagger school start / finish times this would not be the case - by example, in the AM only around 40% of Avanti trips would take place between 0745-0845 when local roads are at their busiest.

Whilst accepted that the roundabout junction does operate close to capacity and with notable queuing (in particular on the Wemborough Road (E) and Abercorn Road approaches), investigation has been undertaken into physical mitigation measures such as conversion to a signalised junction.

Table 1 below compares predicted queuing at the junction with Avanti House School traffic under both roundabout and signalised layout conditions. The signal arrangement tested uses optimised signal timings and makes no allowance for controlled pedestrians crossing facilities.

Table 1 Wemborough Road / Abercorn Road / St Andrews Drive Roundabout / Signals Queue Comparison

Approach Arm	AM Peak Ave. Queue		PM Peak Ave. Queue	
	Roundabout	Signals	Roundabout	Signals
Wemborough Road (E)	6.8	14.2	21.3	16.1
St Andrews Drive	2.5	8.5	3.6	7.0
Wemborough Road (W)	3.1	7.8	3.0	6.4
Abercorn Road	10.9	14.0	3.6	12.5
TOTAL:	23.3	44.5	31.5	42.0

The results indicate that under signalised conditions, although there would be a slight improvement in queuing on the Wemborough Road (E) approach in the PM peak all remaining approach arms would experience significant queue increases across both peak periods. This reflects the traffic flow characteristics at this location where high volumes of right-turning traffic enter from each approach.

It should also be taken into account that the junction arrangement as existing has no discernible record of personal injury accidents, and it would be beneficial to retain such a record given the vicinity to local schools.

On the basis of the above and in consultation with Harrow Council Highway Officers it has been concluded that retaining the existing roundabout arrangement represents the best option to maximise junction capacity and safety at this location.

Avanti House Minibuses

Planning Committee Members also queried whether Avanti House could increase the number of school-operated minibuses to minimise the number of pupils being brought to school by car. For clarification, it is proposed that the school minibus service will accommodate c. 50 pupils and will run 3 services in the AM and PM to reflect the staggered school start / finish times.

A route and strategic pick-up / drop-off points have been identified within the submitted School Travel Plan confirming that this operation would be feasible. The school minibus service would in total transport c. 150 pupils to and from the school.

Public Bus Services

Through consultation with the GLA and Transport for London (TfL) it has been identified that the route 186 bus, which runs along Wemborough Road, experiences capacity concerns at peak times. TfL have confirmed that Mayoral funds are available to mitigate the public transport impacts of free school developments, and they will contribute £75,000 to operate an additional AM and PM peak service on route 186 (exact timings to be confirmed – for confirmation see appended email). The bus will be double-deck and accommodate 87 seated passengers (with additional standing capacity).

Coordinated Marshalling and Travel Planning Strategy with Whitchurch Schools

Owing to the staggered start / finish times of Avanti House, it is not envisaged that there would be simultaneous drop-off / pick-up activity with Whitchurch Schools. It is however noted that a consistent and coordinated approach should be taken by both schools when managing traffic through the public car park area.

It is therefore suggested and will be written into the Avanti House School Travel Plan that regular termly meetings should be undertaken between Avanti, Whitchurch and Stanburn Schools to ensure that any travel issues between the schools are raised and addressed, and that coordinated approaches are taken to traffic marshalling with car sharing between siblings at separate schools encouraged.

Committee members also questioned whether additional controls could be implemented within the Harrow Council public car park, in particular with regard to use by Avanti House School Sixth Form students. Whilst this is not a matter that can be addressed through the planning mechanism, Harrow Council Highways will in consultation with their car parking and property services departments, investigate the option of introducing controls that would discourage long-term parking. This is with a view to maximising space available for pupil drop-off / pick-up for both Avanti and Whitchurch Schools.

Avanti House School Travel Plan

The Avanti House School Travel Plan as submitted includes details on the routing and operation of the school minibus service but will be updated to reflect proposals for the additional TfL 186 bus services and further emphasise the importance of coordinated Travel Planning between Avanti, Whitchurch and Stanburn Schools.

Whilst noted that the targeted 'Car Occupants' modal split of 9% is ambitious, this is reflective of the above measures and the track-record of Avanti House in their occupation at Common Road and Beaulieu Drive. It is therefore considered that, subject to baseline travel surveys, this target is maintained, monitored and enforced through the TfL STARS Travel Planning mechanism and the school's Section 106 agreement.

Summary

In light of the above measures and additional detail provided it is considered that the impact of the Avanti House School proposals has been duly considered with suitable and robust mitigation measures developed to ensure the school has a minimal impact on the operation of the local highway and transport networks.

Appendix 1 – Email Confirmation of TfL Funding for Increased Service on Route 186

From: Pak-Lim Wong <PakLim.Wong@tfl.gov.uk>
Sent: Thursday, March 3, 2016 3:52 PM
To:
Subject: RE: Avanti House School - TfL Buses

Hi

Following our conversation earlier in the week, based on the trip estimated in the transport assessment for school; TfL is currently envisaged that an additional return bus journey, likely to be the 186 would be required to mitigate increase demand to bus service following the occupation of the school. As per previous advice, TfL not seeking a financial contribution from this school having understood this is a Free School.

The cost for the additional service, estimated at approx. £75K per year will be funded by the lump sum granted by the Government to TfL toward bus service improvements for Free Schools.

I hope this is of helpful.

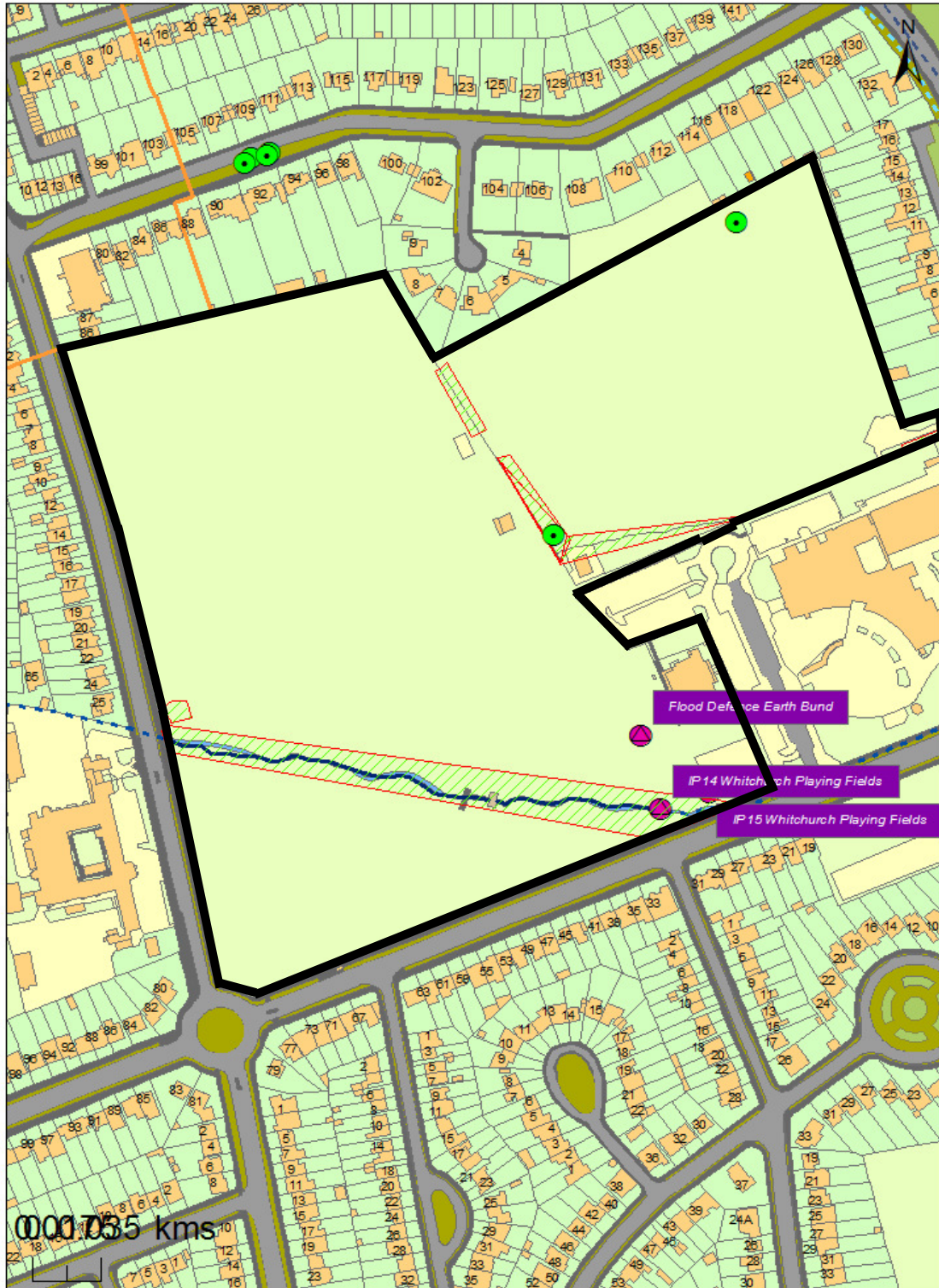
Kind regards

PakLim Wong
Planning Officer
Borough Planning, Transport for London
10th Floor, Windsor House, 50 Victoria Street, London SW1H 0TL
Tel: (020) 3054 1779 | Auto: 81779 |
Email: paklim.wong@tfl.gov.uk

For more information regarding the TfL Borough Planning team, including TfL's *Transport assessment best practice guidance* and pre-application advice please visit

<http://www.tfl.gov.uk/info-for/urban-planning-and-construction/planning-applications?intcmp=3484>

WHITCHURCH PLAYING FIELDS, WEMBOROUGH ROAD, STANMORE



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ITEM NO: 1/03

ADDRESS: THE FORMER MATRIX PUBLIC HOUSE, 219 ALEXANDRA AVENUE, HARROW

REFERENCE: P/0640/16

DESCRIPTION: REDEVELOPMENT TO PROVIDE A PART TWO, THREE AND FOUR STOREY BUILDING FOR 60 FLATS AND ONE DWELLING HOUSE; BASEMENT PARKING; CYCLE AND BIN STORE; HARD AND SOFT LANDSCAPING

WARD: ROXBOURNE

APPLICANT: MR GEERISH GUKHOOL

AGENT: MADDOX AND ASSOCIATES LTD

CASE OFFICER: MONGEZI NDLELA

EXPIRY DATE: 20/05/2016

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 twelve shared ownership flats.
- ii) Highways: Travel Plan
- iii) Maintenance of London Plan tree adjacent to the site on Alexandra Avenue
- iv) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- v) Planning Administration Fee: Payment of £1,500 administration fee for the monitoring of and compliance with this agreement.

REASON

The proposed development of the site would provide a high quality development comprising of a satisfactory level of residential accommodation, which would bring forward an allocated site for housing development thereby contributing to the Borough's housing stock. The housing development would be appropriate within 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 proposal would provide an on-site affordable housing contribution to a level that is the maximum reasonable amount for a viable scheme. Overall the number of units proposed would positively add to the Council's housing delivery targets.

The proposed redevelopment of the site would result in a modern, simple 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 building 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 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 by 25th August 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 Planning on the grounds that:

The proposed development, in the absence of a Planning Obligation to (i) secure an appropriate level of affordable housing within the development, (ii) fund the provision of maintenance relating to Tree Protection on the site and (iii) provide necessary commitments in relation to the Travel Plan, would fail to provide affordable housing and would fail to mitigate the impact of the development upon infrastructure and the wider area, contrary to the National Planning Policy Framework, Policies 3.8, 3.11, 3.12, 6.3, 7.5 and 8.2 of the London Plan (2015), Policies CS.1J of the Harrow Core Strategy (2012) and Policies DM22, DM24 and DM43 of the Development Management Policies Local Plan (2013), and the provisions of the adopted Supplementary Planning Document: Planning Obligations 2013.

Statutory Return Type: Largescale Major Development

Council Interest: No

Net additional Floorspace: 7163m²

GLA Community Infrastructure Levy: £250,705.00

Harrow Community Infrastructure Levy: £787,930.00

INFORMATION

This application is reported to the Committee as it is a proposal located on a site which is more than 0.1ha which falls outside of the thresholds set by category 1(d) of the Council's Scheme of Delegation for the determination of new development.

Site Description

- The application site formerly comprised a two-storey detached public house (use class A4) on a prominent corner junction of Alexandra Avenue and Eastcote Lane.
- The former public house has been demolished following fire damage.

- The northwest, west and south of the application site is characterised by two-storey residential development.
- The east of the application site is also characterised by two storey development, forming part of a parade of commercial premises at ground floor level with residential uses above.
- There is a petrol filling station with a Tesco Express retail unit located directly to the north of the site.
- Further north along Alexandra Avenue there are three storey flatted developments which were constructed around the 1920's – 30's. They are traditional brick built and hipped roof design. There is also a three storey medical centre, which has been constructed in a modern design.
- The application site has access to Rayners Lane and South Harrow district centres, which can be accessed by foot or by a short bus journey.

Proposal Details

- The proposal seeks to construct a building ranging from two to four storeys in height, comprising 60 flats and one three storey dwelling house.
- The building footprint would have a broadly 'C' shaped footprint, following the site boundary fronting Eastcote Lane, Alexandra Avenue and the petrol filling station to the north. The building would be set back from the borders with Eastcote Lane, Alexandra Avenue and the petrol filling station, and would extend to the border with the chamfered grass verge junction of Alexandra Avenue and Eastcote Lane.
- The building would be three storeys in height on the south west boundary with 180 Eastcote Lane, where the building would be three storeys in height with a flat roof.
- The building would increase to four storeys in height on the remaining Eastcote Lane and Alexandra Avenue frontages, and would wrap around onto the petrol filling station borders. The four storey section of the building would have a repeated gently sloping pitch roof.
- The height of the building would reduce to two storeys on the west boundary of the site where it would border the rear gardens of 19-25 Rowe Walk.
- A shared courtyard garden for future occupiers would be positioned within the 'C' shaped footprint, with projecting balconies positioned within the courtyard and in-set balconies along the outward facing elevations of the building.
- The building would have five entrances and three lift cores. Entrance A (accessed from Alexandra Avenue) would serve 30 flats. Entrance B (accessed from the junction of Alexandra Avenue and Eastcote Lane) would serve 15 flats. Entrance C (also accessed from the junction of Alexandra Avenue and Eastcote Lane) would serve 12 flats, which would all be positioned at first floor and above. Entrance D (accessed from Eastcote Lane) would serve three ground floor units. Entrance E would serve a three bedroom, three storey dwelling house.
- The proposed development would offer 12 units as affordable housing contributions, which are proposed to be located off entrance C. These units would all be intermediate (share ownership) housing.
- A basement car park would provide 50 car parking spaces, including 6 disabled spaces, along with 55 bicycle spaces which would be accessed from an access ramp providing vehicle access onto Alexandra Avenue. The existing access on Eastcote Lane would be closed. 113 bicycle parking spaces would be proposed in total throughout the scheme.
- Dwellings served by entrances D and E would have a refuse storage area at ground floor level, on the frontage with Eastcote Lane, whilst the refuse store to serve the remaining units would be located within the basement. A refuse lift would be

positioned in the Eastcote Lane frontage which would allow for refuse to be transferred to a holding area on the Eastcote Lane frontage for collection on collection days.

Relevant History

P/2559/11 - Construction of a four storey building to provide an 87 bedroom care home; landscaping and parking at rear.

Granted on 18/11/2011 (planning permission now expired)

Community and Stakeholder Engagement

The Council's Statement of Community Involvement (2012) states that *'ideally the results of pre-application consultation should be included in the planning application and form part of the planning application process'*. A Statement of Community Involvement has been submitted with the application.

150 letters were delivered to residents and local stakeholders within the immediate area of the proposed development, including occupiers of Alexandra Avenue, Rowe Walk, Eastcote Lane and Tithes Farm Avenue along with elected representatives. The letters were delivered by hand and provided an opportunity to discuss the proposal following which 6 responses were received. The applicant has attempted to address the issues raised by attendees through the supporting information within the application

Applicant Submission Documents

- Planning Statement
- Design and Access Statement
- Landscape Master plan and Design Report
- Daylight and Sunlight Report
- Transport Statement
- Construction Logistics Plan
- Delivery and Servicing Plan
- Travel Plan
- Energy and Sustainability Statement
- Tree Survey and Arboricultural Impact Assessment
- Ecology Report
- Statement of Community Involvement

Consultations

Transport for London (TfL):

The level of car parking is within the London Plan parking standards of less than 1 per dwelling but marginally higher than the average car ownership for the area, which is 0.76 spaces per dwelling. A reduction in car parking through the travel plan measures and targets is encouraged, with the possible reallocation of car parking spaces to cycle parking and/or car club bays.

TfL welcomes the submission of a residential travel plan. The travel plan should be secured and monitored through a section 106 agreement.

Harrow Drainage Team: No Objection, subject to safeguarding conditions.

Designing Out Crime Officers: No Objection, subject to safeguarding conditions.

Highway Authority: No Objection, appraised under section 6 of this report

Reason for Advertisement in Local Paper: Major Development

Expiry: 24th March 2016

Site Notice Erected: 26th February 2016

Expiry: 18th March 2016

Notification

Sent: 351

Expiry: 17th March 2016

Objections Received: 21

Neighbours Consulted:

Extensive consultation has been carried out, which covers a wide area surrounding the site, including properties on Alexandra Avenue, Eastcote Lane, Rowe Walk, Tithe Farm Avenue, Tithe Farm Close, Sandringham Crescent, Park Lane and Alexandra Close.

Summary of Responses:

- Objections (21)
- Support (0)

Objections (21):

- The proposal will add to existing traffic congestion and worsen the lack of on street parking in the area.
- Not enough parking proposed with no visitor parking proposed will result in overspill parking.
- The proposal should include 112 spaces plus visitor parking.
- Local taxi companies park in the area, further reducing on-street parking.
- Great increase in the number of conflicting vehicle movements, creating queues of traffic and resulting in accidents.
- The entrance to the basement would be too close to a busy, dangerous junction which is not suitable for a massive building.
- The entrance would be very close to the petrol filling station access.
- The crossover would be used more than previously used by the patrons of the public house.
- Impact on the road junction during the construction period while plant and machinery are on site.
- It will create additional rat running along Sandringham Avenue to avoid the traffic lights.
- The underground car park would attract antisocial behaviour.
- Children, users of disability scooters and mothers with pushchairs currently cross the road in front of the vehicle access as they do not want to walk to the crossing.
- The resulting traffic and pollution resulting is not conducive to children's' health and well-being.
- The excessive height and overall size conflicts with the suburban pattern in the area.
- The four storey height is too high and not sympathetic to the surroundings or the previous two storey pub building with pitched roof.
- Two or three storey houses would be more appropriate and assist the social rented sector.
- A four storey building would be an 'eyesore'.

- The proposal would be far more imposing than the previous pub building and visible from a distance.
- The building would be ambitious and overpowering in height.
- A four storey building under flight path for RAF Northolt Aerodrome is not safe.
- Overcrowding of the site.
- Loss of light to neighbouring properties.
- Disturbance during construction.
- The local schools, doctors' surgeries and shops are already stretched to capacity.
- The properties will not meet the standards under Housing Health and Safety Rating System (HHSRS).
- Mess and dirt created would cause antisocial behaviour.
- No more flats are needed in the area.
- The proposal brings more negatives than positives to the local community.
- The drains are already at peak capacity in the area.
- The location is not suitable for flats.
- Traffic impacts will be acute particularly during the school run hours.
- The proposal is out of keeping with the height of surrounding buildings.
- The proposal will result in considerable detriment to the value of surrounding homes

Support (0):

- 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 of Development
- Affordable Housing Provision
- Design, Character and Appearance of the Area
- Residential Amenity
- Traffic, Parking, Access, Servicing and Sustainable Transport
- Flood Risk and Development
- Trees and Development
- Sustainability and Climate Change Mitigation
- Accessibility
- Equalities Implications and the Human Rights Act
- Ecology and Biodiversity
- S17 Crime and Disorder Act
- Consultation Responses

Principle of the Development

Spatial Strategy

The adopted National Planning Policy Framework [NPPF] has brought forward a presumption in favour of “sustainable development”. The NPPF defines “sustainable development” as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF sets the three strands of sustainable development for planning to be; to play an economic, social and environmental role. The NPPF, following the deletion of the Planning Policy Statements and Guidance Notes, continues to encourage the effective use of land by reusing land that has been 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) directs growth¹⁵ to town centres and strategic, previously-developed sites and provides for that growth to be managed in accordance with the sub area policies.

Policy CS4¹⁶ H commits the Council to bring forward the *‘Redevelopment of identified, previously developed sites to collectively contribute at least 406 homes towards the Borough’s housing allocation, set out in CS1 H will be encouraged’*. To this end, the key diagram for South Harrow sub area identifies this location for future housing and the site is formally allocated as such in the Site Allocations Local Plan document.

Within the context of planned growth across London, the proposal therefore accords with Harrow’s vision for the development of the Borough as a whole and for the South Harrow sub area and the proposal would make a contribution to forecasted requirements for new housing in the Borough over the plan period.

Delivery of Site Allocation Uses

Turning to the details of the site’s allocation, it is included as Site H4 of Harrow’s Site Allocations Local Plan document and is within the Housing section of that document.

The commentary notes that the allocated site is earmarked to provide for a minimum of 29 homes (28 net). It is noted that in 2011 the Council resolved to grant planning permission for the construction of a three storey building (with accommodation in the roof space) to provide an 87 bedroom care home, with landscaping and car parking at the rear (P/2559/11).

The proposal is for 61 dwellings. Within the strategic policy context, the indicative status of the housing capacity figure included in the site allocation and taking into account the approach to the design and layout of the scheme, the provision of 61 dwellings is not considered excessive or inappropriate.

The principle of the development is therefore considered acceptable.

Affordable Housing Provision

Affordable Housing Policy and the Proposal’s Affordable Housing Offer

¹⁵ That portion of the Borough’s growth that would be accommodated beyond the Harrow & Wealdstone Intensification Area.

¹⁶ For the South Harrow sub area.

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

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

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

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

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

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

The proposed development would provide for 61 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.

The proposed development would contribute towards the housing stock and increase the choice of housing in the borough and would therefore find some support in policies 3.5 and 3.8 of The London Plan as detailed above. As mentioned previously, the site is allocated and as such is earmarked to bring forward a housing development.

The Council recognise that it is not always viable to provide housing to meet affordable housing targets within a scheme. 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 proposed development proposes 12 affordable units, all of which would be shared ownership in tenure, and accessed off Core C. This equates to 19.67% of the total units proposed.

The applicant has submitted a Financial Viability Appraisal to support the assertion that the 12 units are the maximum reasonable provision of affordable housing to the borough's stocks. The submitted information has been independently reviewed and tested to ensure that the provision of affordable housing is the maximum reasonable affordable housing that can be made as part of the proposed scheme. Indeed, it is noted that the results of the independent assessment of the viability appraisal indicate the proposal would show a deficit and the offer of 12 intermediate units is beyond what the scheme might viably support. The fact the scheme could not viably deliver a higher number of affordable housing units is principally based on a high benchmark land value, which can be related to an Alternative Use Value (as the land owner could viably demonstrate that an alternative scheme with no affordable housing i.e. a care home, would be supported by planning policy)

The 12 units proposed would all be provided as shared ownership units within a single access core and this would ensure that there would be no conflicts between housing types within the core as a result of the core design.

As noted above, the London Plan contains a target mix of 60 per cent affordable rent and 40 per cent intermediate products, over the life of the plan. The 12 units proposed would be 100% intermediate, shared ownership products. The scheme therefore does not meet the target mix.

The independent assessment of the Financial Viability Assessment included testing of the quantum of units that could be provided to maintain a similar development value for the applicant if the target 60:40 mix were achieved. The result of that testing indicated that of the scheme could not viably support affordable rented units alongside shared ownership units. Were a very small number of affordable rented units to be provided, these would be unlikely to attract the attention of Registered Providers, given the maintenance costs of taking over a small number of units. The proposed tenure is therefore considered to be the optimum level that could be delivered.

It is considered that the 12 shared ownership units proposed within the affordable housing offer, subject to appropriate mechanisms to secure the provision through a S.106 agreement, would be consistent with the objective of maximising affordable housing output from the site.

For these reasons, the proposed development would accord with the spatial development strategy for the borough set out in the Core Strategy, whereby providing a development within the borough that would be in a coherent, efficient and effective manner, according with National Planning Policy Framework 2012, policy 3.5A of The London Plan 2015 and policies CS1.A and CS1.B of the Harrow Core Strategy 2012.

The proposed development would therefore meet the strategic housing aim for the borough and accord with policy 3.13 of the London Plan (2015), Policy CS1.J of the Harrow Core Strategy, policies DM24 and DM50 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

Housing Supply, Density and Overall Housing Mix

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

London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026. These are set out in the *Principle of Development* section of this report (above). The proposal would contribute 61 homes to housing supply which would ensure that this strategic site makes an appropriate contribution to the Borough's housing need over the plan period to 2026 and to fulfilling the Core Strategy's target for the South Harrow sub area, as well as exceeding the housing capacity figure attributed to the site in the Site Allocations Local Plan document.

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

The application site area is 0.2985 hectares and it has a public transport accessibility level (PTAL) score of 2 indicating a poor level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to be suburban, with urban¹⁷ characteristics.

The proposal, taken as a whole, equates to a density of 204 units per hectare¹⁸ and of 556 habitable rooms per hectare¹⁹, with an average of 2.8 habitable rooms per unit.

These densities exceed the matrix ranges for urban setting sites with PTAL 2, which are 70-170 units per hectare and 200-450 habitable rooms per hectare. However, as noted above, the matrix is only the starting point for considering the density of development proposals and is heavily reliant of the PTAL of the site to assess the accessibility of the site.

Although the site has a low PTAL of 2, it is served by four bus routes, which provide access to South Harrow train station which offers Piccadilly Line services, and the proposal includes a relatively high provision of car parking. The provision of adequate parking at basement level and the high quality design of the proposal result in a scheme which is considered to be acceptable in appearance whilst not displaying the symptoms indicative of overdevelopment of the site. It is therefore considered that the density proposed is acceptable in this instance.

¹⁷ '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 two to four storeys, located within 800 metres walking distance of a district centre or along main arterial routes.

¹⁸ Calculated as: 61 dwellings multiplied by 1ha divided by 0.2985ha

¹⁹ Calculated as: 169 habitable rooms multiplied by 1ha divided by 0.2985ha

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

Unit Size	No. of Units (Total)	% of All Units	No. of Units (Market)	% of Units
1 Bed:	18	29.5%	15	30.6%
2 Beds:	38	62.3%	32	65.3%
3 Beds:	5	8.2%	3	6.1%
Totals:	61	100%	49	100%

The proposal would provide 60 flats and a single, three storey dwelling house. The table above demonstrates that there would be a satisfactory mix of housing types within the scheme. Whilst it is acknowledged that there would be a higher percentage of 2 bedroom units within the development, the submitted information demonstrates that there would be choice within this housing type as there would be both 2 bed, 3 person flats and 2 bed, 4 person flats, which would provide further housing mix within the development.

It is considered that the proposed development would provide a satisfactory density and mix of residential accommodation. The proposed unit mix would provide a satisfactory level of housing choice to both the Borough's market and affordable housing stock. It is therefore considered that the proposal would accord with the policies and guidance listed above.

Design, Character and Appearance of the Area

The National Planning Policy Framework (NPPF) was published by the Government on March 27th 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area, unless other material considerations indicate otherwise (S.38(6) of the Planning Act). The development plan for Harrow comprises The London Plan 2015 [LP] and the Local Development Framework [LDF].

The NPPF states (paragraph 64) that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. The NPPF continues to advocate the importance of good design though it is notable that the idea of 'design-led' development has not been carried through from previous national policy guidance to the National Planning Policy Framework.

The London Plan (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 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 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 site is positioned in a residential area consisting predominantly of two storey semi-detached houses with dual pitched roofs. Properties on the opposite side of Alexandra Avenue include ground floor commercial units with residential flats above. The closest examples of buildings exceeding two storeys are to the north, which consist of three storey mansion blocks and one, three/ four storey Health and Social Care Centre.

The proposed development would consist of a single building with a broadly ‘C’ shaped footprint, with a central shared garden area to the south west, bound by the rear gardens of properties facing onto Rowe Walk.

The proposed building would maintain a separation from the residential properties on Rowe Walk to the west and the filling station to the north, which would maintain a suitable degree of setting space around the building. The building would be set back between 3.45m and 4.75m where it borders Eastcote Lane and Alexandra Avenue and would extend flush to the site boundary with the chamfered grass verge junction of the footpaths. The footprint of the building is therefore similar to the care home scheme approved under planning permission reference P/2559/11.

The building would extend closer to the junction on Eastcote Lane and Alexandra Avenue than the previous care home proposal. However, the presence of the grass verge and public footpath on the corner sets the building back from the street in this elevation and ensures that the building would not appear excessively close to that edge in the streetscene or appear overbearing. The lack of set-back along that edge of the site is therefore considered acceptable in design terms.

The majority of the building would be four storeys in height (maximum height 13.25m), reducing in height to three and two storeys adjacent to the two storey neighbouring buildings on Eastcote Lane (9.53m maximum height) and Rowe Walk (6.73m maximum height). This stepping in height and siting the proposal away from the site boundaries adjacent to the properties on Rowe Walk would ensure a satisfactory visual relationship with those neighbouring buildings.

The previously approved planning permission (reference P/2559/11) at the site proposed a four storey building with a maximum height of 13.60m. The proposed building would therefore be lower than that (now expired) scheme, and the four storey height is therefore not considered excessive in this location. The four storey building proposed would be greater in height than surrounding buildings in the area. However, this height would be stepped down adjacent to neighbouring buildings to ensure it has a satisfactory relationship with those buildings, and would be positioned on a corner plot, which are considered more appropriate for buildings of a greater scale.

The main four storey section of the building would have a subtly pitched roof which would repeat a subtle ‘wave’ roof form around the building. This is considered to be an attractive feature which provides interest at roof level without resulting in excessive bulk and height. The three and four storey sections of the building would have flat roofs which provide visual ‘book ends’ to the building.

The design includes considered projections from the front elevation at different levels which are repeated across the front elevation of the building. These regular steps and projections provide articulation to the building and the use of different brick from a limited

palette would provide a building of a high standard of design. Whilst it is noted that the design of the building may not necessarily mimic that used in surrounding buildings, it is considered that due to the prominence of the site and its location at the junction of two roads, the site lends itself for a modern building as opposed to a design which would mimic the traditional built form of the surrounding area.

The proposal includes a single three storey dwelling house on the boundary with 180 and 182 Eastcote Lane which would be a different form of unit from the main flatted block. It is considered that this dwelling house would provide a transition from the proposed 4 storey flatted block into the existing lower level traditional residential dwellings to the west. It would be constructed from materials matching the main building, continuing the same architectural language in terms of the projections and fenestration, and would therefore not appear incongruous in context.

To provide amenity space for the future occupiers, it is proposed to provide balconies to all flats above ground floor level. Inset balconies are proposed on the external elevation of the building, with a mix of inset and projecting balconies positioned within the internal courtyard elevations. The majority of the inset balconies in the external elevation of the building would be triangular in shape to make the most of the available light and would provide additional subtle design interest to the elevations.

The balconies serving the units at first floor adjacent to the dwellings on Rowe Walk would be triangular protrusions at an angle to that flank elevation and would be orientated to limit views over neighbouring properties. These balconies are considered to be an acceptable design solution.

Fenestration and materials

The proposed fenestration within the development follows a clear and legible pattern within each of the elevations and would be constructed in aluminium. This is considered to be appropriate and ensures that the elevations do not appear contrived or fussy. Details have not been submitted to demonstrate the depth of the reveals within the elevation for the windows. Providing depth to these is important, as this ensures that there would be additional articulation within the elevations. It is therefore considered reasonable that a condition requiring details of the reveal depth of the proposed fenestration to ensure that this is achieved. A condition is recommended accordingly.

The materials palette consists of a simple palette of two contrasting high quality bricks for the external elevations and white render on the internal elevations, which will serve to reflect light within the courtyard area.

However, it is important that the colour and texture of the brick and render is appropriate for the scale of the building and the surrounding area. Accordingly, it is considered reasonable to attach a condition requiring further details on this detail. Furthermore, a condition has been attached to request details of the materials used on the remainder of the external surfaces of the proposed development.

Access

The vehicular entrance to the basement would be positioned within the Alexandra frontage. That opening serves to break up that elevation at ground floor level, and a reduction in the roof height at this part of the building provides additional legibility to the vehicle entrance. Each of the pedestrian entrance foyers are generous in scale and glazed to provide legibility and a welcoming entrance to each of the shared cores.

Parking and other traffic related matters are to be assessed under section 5 of this appraisal.

As a result of the above, subject to the conditions discussed above, it is considered that the proposed layout, bulk, scale and height of the proposed development, as well as the materiality and fenestration proposed would have an acceptable impact on the character.

Landscaping:

High quality hard surfacing ensures a suitable visual setting for the building and high quality useable spaces for future residents which support the use of the space. Soft landscaping is a vital element to the development as it will ensure that any hard surfacing is sufficiently broken up, and will enhance the appearance of the development.

As car parking is proposed at basement level, a high proportion of the surrounding site would be landscaped. The submission includes a landscape masterplan and a landscape design document which explains the landscaping in great detail.

The front garden areas would provide defensible space for the ground floor units which face onto Alexandra Road, Eastcote Road and the petrol filling station to the north. Those front garden areas each include an area of decking and an area of lawn. The boundary treatments along the Alexandra Avenue and Eastcote Lane would consist of a low level brick wall and rails with a 1.50m high prickly evergreen hedge forming the external elevation of the boundary. This would provide privacy and security for future occupiers and soften the appearance of the proposal in the streetscene.

The internal courtyard would be a mix of hard and soft landscaping. Small paving stones would provide areas for movement with raised planters and seating provided in brick and timber. The courtyard would provide a designated play space constructed in a safety surface along with areas of seating for a variety of groups. An area of lawn is included along with areas of raised planting, with hedges creating the boundary to the rear gardens of ground floor units.

It is considered that the proposed development would strike an appropriate balance between high quality, useable hard and soft landscaping within the site.

Harrow's Landscape Architect has requested that a number of conditions be attached to ensure that the scheme is acceptable in landscape terms. These include a finalised hard and soft landscape plan, finalised details of boundary treatments and management and maintenance programme for communal gardens. These have been attached accordingly.

Conclusion:

Subject to the conditions mentioned above, it is considered that the external appearance and design of the buildings together with the proposed landscaping scheme are consistent with the principles of good design as required by the National Planning Policy Framework (2012). The resultant development would be appropriate in its context and would comply with policies 7.4B and 7.6B of The London Plan (2015), Core Policy CS1(B) of the Harrow Core Strategy, policy DM1 of the Council's Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010), which require a high standard of design and layout in all development proposals.

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 *Achieving a High Standard of Development* sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers. Harrow has also produced a Residential Design Guide SPD.

In assessing the scale and layout of the proposed development, the most likely affected neighbouring residents would be at Nos.180 and 182 Eastcote Lane and Nos. 5 to 25 Rowe Walk (odds only). The footprint of the previous building on this site was sited close to the boundaries shared with these neighbouring dwellings, whereby there were single storey elements located abutting the site boundaries with Nos.180 and 182 Eastcote Lane and two storey elements sited between 1 to 3 metres from the boundary of the rear gardens of Nos. 9 to 21 Rowe Walk.

Nos.180 and 182 Eastcote Lane are a pair of maisonettes within a semi-detached two storey building. The building is orientated to address the corner of Eastcote Lane and Rowe Walk, with the rear elevation facing north. The brick wall which forms the boundary formally formed part of the public house and measures approximately one and a half storeys in height (approximately 4.50m). That wall extends for a significant depth along the shared boundary and has a significant impact on the outlook from the rear elevation of nos.180 and 182. Before the demolition of the pub, further built development was in place along that boundary and across the site which further impacted the outlook and light available to these neighbouring properties.

The three storey dwelling element of the proposal would be positioned on the shared boundary and would not dissect a 45 degree line taken from the rear corner of that neighbouring building. However, the four storey element of the proposal would dissect a 45 degree line taken from the corner of Nos.180 and 182. The section of the development which would dissect the 45 degree line would be positioned 9.10m from the closest corner of the neighbouring building and would extend only 2.20m into that area. The proposal therefore does not strictly comply with the 45 Degree Code stated in Harrow's Residential Design Guide.

Reference to the original plans for the construction of Nos.180 and 182 indicates that the two closest windows in the rear elevation at both ground and first floor level serve a non-habitable kitchen and a bathroom. The closest window serving a habitable bedroom is positioned over half way across the rear elevation of those dwellings and the four storey element of the proposal would not dissect a 45 degree line taken from the closest edge of that window. Therefore, it is considered that the proposal would have no harmful impact on the living conditions within either maisonette. The impact on light available within those flats has also been tested by a Daylight and Sunlight Assessment submitted in support of the application. The assessment is carried out in accordance with the British Research Institute [BRE] methodology and confirms that the impacts on daylight and sunlight to these properties would be within reasonable parameters.

The windows in the flank elevation of the maisonettes serve a cupboard and a secondary window to a bedroom and are therefore not considered to be harmfully

impacted.

Whilst it is noted that the dissection of the 45 degree line relationship is not preferable, the existing and pre-existing situation and use of impacted rooms must be noted, and it is considered that the reduction in the height of the existing boundary wall along with creation of an open central courtyard in an area which previously formed the public house would provide benefits in terms of outlook and light. On balance, it is considered that the proposal would not unduly harm the living conditions within 180 and 182 Eastcote Lane in terms of loss of light and outlook.

The windows located in the flank wall adjacent to 180 and 182 Eastcote Lane would be high level and serve corridors, whilst the west edge of the balconies within the southern block would include screening to prevent any overlooking of adjacent gardens. It is considered suitable to attach a condition to require the side facing windows to be obscure glazed and non openable below 1.70m above finished floor level and a condition to require additional details of the screening to ensure that harmful overlooking is avoided.

Turning to the assessment of the impact on the residential amenities of Nos.5 to 25 Rowe Walk (odds only), the proposed two storey element of northern wing (fronting the forecourt of the filling station) would maintain a distance of at least 4.10m from the boundary, and a minimum 16.90m separation distance to the rear elevation of those properties at ground and first floor. The building would step off the boundary by an additional 2.5m at third and fourth floor levels, resulting a minimum 19.4m separation distance at third and fourth floor from the rear elevations of Nos.19 to 25 (odds) Rowe Walk.

No windows are proposed in the flank elevation at ground and first floors, with projecting sections enabling windows to be installed to direct in a southward direction, thus avoiding overlooking from those windows.

Windows in the flank elevation at third and fourth floor level would be set off the shared boundary by a minimum of 19.4m, which is considered adequate to avoid harmful overlooking of the Nos.19 to 25 (odds) Rowe Walk.

It is noted that the proposal incorporates windows in the rear wall of the development facing the rear gardens of Nos.9 to 25 (odds) Rowe Walk. However, given the 39.30m minimum separation distance between the rear elevations and minimum distance of 26.40m to the rear boundary of those gardens, the proposal would not amount to any unreasonable level of overlooking.

The site levels at the subject site would be raised on the boundary with Nos.19 to 25 (odds) Rowe Walk to enable the inclusion of a basement level. The submitted plans include a 1.60m high fence (measured from the resulting site level at the site), which would result in a 2.35m boundary when measured from the rear of those gardens. It is considered that such a fence would be overbearing when viewed from the gardens, and that a fence measuring a maximum height of 2.0m when measured from Nos.19 to 25 (odds) Rowe Walk would be required, with soft landscaping positioned on the subject site to both increase the height of the boundary and provide a boundary to future occupiers of the proposal standing on that boundary, thus reducing overlooking of those properties. A suitably worded condition has been recommended to this end.

The proposal includes a shared courtyard garden, including a play area, adjacent to the

rear garden boundaries of properties on Rowe Walk. The previous use of the site as a public house included parking provision adjacent to the boundaries of No.15 to 25 (odds) Rowe Walk. It is considered that the communal courtyard garden and play area adjacent to the site boundaries of these neighbouring dwellings would have no adverse or harmful impact in terms of activity and disturbance over and above what may have existed previously.

The proposed building would be sufficiently separated from the properties located opposite on Eastcote Lane and Alexandra Avenue by the existing highway and therefore there would be no adverse impact on these properties.

The proposed building would be sited adjacent to the boundary with the filling station to the north. However, the proposal is unlikely to have any adverse impact on this site.

Residential Amenity of Future Occupiers

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

Implementation of the policy is amplified by provisions within the Mayor's Housing SPG (2016). The amplification is extremely comprehensive and overlaps significantly with matters that are dealt with separately elsewhere in this report.

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

Internal space

The submitted Planning Statement confirms that all of the proposed dwellings have been designed to meet the London Plan's minimum space standards. 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.

Amenity space and Children's Play Space

Policy DM2 of the Development Management Policies Local Plan document states that the appropriate form and amount of amenity space should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy.

For private amenity space, the SPG requires a minimum of 5m² per 1-2 person dwelling and an extra 1m² for each additional occupant, and for balconies the SPG specifies minimum dimensions of 1.5m x 1.5m. The majority of the proposed balconies would meet and exceed these minimum dimensions. However, balconies for some units do not meet the minimum standards, for example Flat 53 provides 4.70m² of amenity space, less than the 5m² requirement. Whilst this is a shortfall in provision, the scheme also includes approximately 241m² communal amenity space which is considered to overcome these concerns whilst level access onto the balconies, and into the gardens will be secured as part of the proposed access condition.

A communal outdoor space in the courtyard garden would supplement the private balconies and would provide a welcome additional component to the amenity afforded to future occupiers of the development. The SPG calls for adequate natural surveillance,

wheelchair access and management of such areas. The proposed communal amenity space would be overlooked by the blocks that they serve, which would provide natural surveillance. It is normal for the management of communal areas in new development to be taken on by a private management company or the relevant registered provider and there is no reason to expect that these arrangements will not be on an adequate footing in respect of the proposed development.

The SPG also states that communal areas should be designed to take advantage of direct sunlight. It is proposed to provide a communal amenity space within the central courtyard of the 'C-shaped' building. The orientation of the site prevents direct sunlight during morning hours, but would allow for direct sunlight in the afternoon, whilst the use of white render on the inner elevations would ensure that the light is reflected within the courtyard, ensuring that it remains a light and useable space.

Although surrounding residential areas are predominantly characterised by the traditional pattern of houses and private gardens, blocks of flats with communal gardens are not completely alien to this area. A Landscaping Strategy has been submitted and sets out a landscape plan for the hard and soft landscaping of the whole site including the amenity spaces, which would ensure highly useable and attractive spaces are created.

London Plan Policy 3.6 and policies DM19 of Harrow's DMP require major residential development to provide dedicated play space. Harrow's Planning Obligations and Affordable Housing SPD require a minimum 4m² of dedicated play space per child, resulting in a total play space requirement of 94.4m².

The landscape plan indicates that the communal amenity area proposed would include 116m² of available play space, 55m² of which would be dedicated formal play space.

Although the proposal does not provide the required area of dedicated play area, the remaining, non-child play dedicated amenity space has been designed to be versatile in use and includes areas of grass, seating and child friendly features, and would therefore be useable as additional play area. It is therefore considered that the proposal is acceptable in this regard.

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 proposed development sits in a 'C' shape within the site, fronting the public highways to the east and south, and the petrol filling garage to the north. The majority of ground floor windows facing onto Eastcote Lane and Alexandra Road are set back by a minimum of 3.45m from the site borders to ensure adequate defensible space is provided. The boundary treatment along Eastcote Lane and Alexandra Road would consist of fencing and a hedge, which would provide an adequate visual buffer to

prevent overlooking of the ground floor units and front garden area.

There are two instances where the set back from the footpath would be less than 3.45m. The ground floor living room in Flat 60 would be positioned a minimum of 1.50m from the footpath at the closest point due to its position on the splayed corner of the building. Bedroom 2 in Flat 31 would be positioned a minimum of 2.50m from the splayed corner boundary.

Whilst these distances have the potential to result in a loss of privacy, it is considered that a raised boundary treatment along these sections of the boundaries would provide adequate screening, whilst the splayed nature of the boundary at these pinch points would allow a boundary treatment of reduced height further from those windows, ensuring that the rooms impacted have adequate levels of light and outlook. A suitably worded condition has been attached to this end.

The northern section of the building would be positioned on the opposite side of the courtyard from the southern section and flats in both blocks would include windows and balconies facing internally into the courtyard. However the windows and balconies on the opposite sides of the courtyard would be separated by a distance 21.45m, which is considered adequate distance to overcome any detrimental loss of privacy from those windows and balconies.

The C-shaped block proposed results in windows perpendicular to one another and often in relatively close proximity to one another. However, the views into other windows within the block would be at relatively obscure angles, which would prevent any harmful levels of overlooking between the properties.

The proposal includes a number of projecting balconies within the internal elevations. Due to the projecting nature of those balconies, they would result in views into other flats within the perpendicular block. It is considered that this could be adequately mitigated through the inclusion of a condition requiring submission of details of suitable screens on the flanks of the projecting elements of the balconies. This has therefore been recommended.

The proposal includes some details of approximate heights and materials proposed for the boundary treatments. However, these details are not considered specific enough. Therefore, the provision of suitable boundary treatments along the western residential boundary and the north boundary with the petrol filling station have been secured by condition to ensure that sufficient privacy is afforded to neighbours and future occupiers.

Aspect

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

A number of the proposed flats facing onto the petrol filling site would be north facing, some of which would be single aspect. However, it is noted that the habitable rooms have been located nearest the glazing within the northern elevation to ensure that they

receive the maximum level of light. Where possible, secondary windows have been included in other elevations for additional light and outlook.

It is noted that the applicant has responded positively to requests to provide dual aspect flats wherever possible, and as such on balance it is considered that the proposal would provide an adequate level of light for future occupiers.

Internal noise

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

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.

Floor to ceiling heights

The SPG calls for a minimum floor to ceiling height of 2.5 metres in habitable rooms. The proposed plans indicate that all floors would have a floor to ceiling height of 2.6m, and therefore comply 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, there are a number of north facing units within the development. However, where possible dual aspect units have been incorporated. Furthermore, whilst it is acknowledged that there are some single aspect north facing units, the floor plans indicate that they are not overly deep, and habitable rooms have been positioned close to the windows to make the most of the light available. As such, it is considered that all rooms would receive a satisfactory level of daylight and sunlight whilst the outlook available to all rooms is considered acceptable.

Taking into account the positive assessment of the proposal across a range of other amenity considerations, including the provision of amenity space, privacy, internal layout and dual aspect, it is considered that the overall standard of amenity for future occupiers would be acceptable.

Conclusion

Overall and subject to conditions, the proposed development is considered on balance

to be acceptable in terms of the living conditions of neighbouring occupiers and future occupiers and would meet the policy objectives of the relevant Development Plan policies.

Traffic, Parking, Access, Servicing and Sustainable Transport

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

Policy DM1 and DM45 of the Development Management Plan require that 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 application proposes a basement car park providing 50 car parking spaces. A Transport Statement has been submitted in support of the application to demonstrate that the proposed development would not unacceptably harm the safety and free flow of the public highway. The previous use of the site was a Public House, which was served by two vehicle crossovers, one positioned on Eastcote Lane and one positioned on Alexandra Avenue. The development would consolidate these into one crossing point onto Alexandra Avenue.

The application site has a Public Transport Accessibility Level (PTAL) of 2, which is considered to be poor. It is noted that there are a number of bus routes and South Harrow Station within walking distance.

It is proposed to provide 50 car parking spaces on site to cater for the 61 residential properties. The proposed development therefore falls within the London Plan requirements for maximum car parking spaces for the development. As part of this figure, the proposed car parking area would provide for 6 disabled car parking spaces, which again would accord with the requirements as set out in the London Plan. Furthermore, the locations of the disabled car parking spaces are near to the lift cores to each of the cores, which are considered to be appropriate.

It is noted that a number of objections have been received in terms of the parking concerns, with comments received stating that there is already a poor parking situation within the area. However, and as mentioned previously, the proposed parking quantum would be compliant with the maximum standards as set out within the London Plan. The parking ratio of 0.8 (cars to dwellings) are more generous than would normally be accepted for this type of development due to the existing high on-street demand and low PTAL of the location.

The surrounding highways network is very busy. The predicted vehicle trip rate stated

within the Transport Assessment provided indicates a low impact on the network with a rate of only 16 trips in the peak hours each day. Harrows' Highways team have confirmed that this number of trips should not adversely impact on the operation of the junction of Eastcote Lane and Alexandra Avenue and that alterations to the timings of the signals at that junction are due to be carried out to further improve the situation. TFL have also confirmed that the proposed development is unlikely to have any material impact on the operation of the local public transport or the nearby strategic road network (SRN).

In terms of pedestrian and cycling safety, the junction of Eastcote Lane and Alexandra Avenue is signalised and has a pedestrian phase plus facilities for cyclists. The crossing of these roads is therefore deemed to be safe for all.

The submitted Transport Statement has been reviewed by the Highways Authority who consider that the proposed quantum of parking would be acceptable and would not unacceptably harm the safety or free flow of the public highway. Accordingly, it is considered that notwithstanding the objections received, the proposed development would have an acceptable impact on the local parking and highways conditions.

The London Plan requires that 1 in 5 spaces are 'active' electric car charging points and 1 in 5 spaces are 'passive' electric car charging points. The submitted Transport Statement confirms that the proposal would provide 20% electric car parking spaces and as such is policy compliant in this regard. However, 20% of the car parking spaces have not been illustrated as passive. It is therefore recommended that a condition is attached to ensure that the scheme includes the passive charging points.

The proposal includes storage for 115 cycle spaces, with 55 positioned at basement level, accessed via the vehicle ramp or the lifts, and 60 positioned at ground floor level within each entrance core. This quantum complies with the London Plan requirements and is therefore acceptable, subject to a condition regarding the bicycle storage internal layout.

Travel Plan

A Full Travel Plan has been provided as part of the proposed scheme, which aims to promote sustainable modes of transport and a shift away from the reliance on the private vehicle.

Harrow's Highways team have reviewed the submission and following minor amendments to this document have confirmed that it fulfils the criteria for a Full travel plan submission. Subject to appropriate mechanisms to secure its provision through a S.106 agreement, the Travel Plan is considered acceptable.

Construction Plan

There is potential for a detrimental impact on neighbourhoods unless the construction process is thought through. A Construction Method Statement will therefore be required which will need to address issues such as storage of materials, hours of working and deliveries to the site, access to the site construction, length of construction period and any plant installed on site, e.g. tower cranes, site offices, concrete crushers etc. This statement will need to contain not only information as to the proposed construction methods but also a risk assessment of the likely impact and actions that will be taken to mitigate the impact. Significantly, the Council's Highways Engineer and Tree Protection Officer have highlighted concerns about the large tree fronting the site on Alexandra

Avenue. The issues surrounding that tree are expanded upon further in Section 7 of this report. The Council have advised the applicant on the requirement to submit a draft Method Statement/Tree Protection which will include S106 Obligations to maintain the tree. Following the assessment of a satisfactory draft Method Statement/Tree Protection plan, the Construction Plan will be considered acceptable subject to conditions.

Refuse storage

Policy DM1 and DM45 of the Development Management Plan require that the design and layout of all developments should consider the functionality of the development including provision, servicing, and arrangements for storage and collection waste and recycling.

A large communal refuse store is proposed at basement level, with separate bin stores provided at ground floor level for the dwellings accessed for Entrance Core D and E. Subject to a condition requiring details of its appearance, it is considered that the ground floor stored would be acceptable.

The refuse bins stored within the basement would be transferred to ground floor level by a management company on collection day. The bins would be transferred to ground level via a refuse lift and would be stored in the designated Bin Collection Bay on the Eastcote Lane frontage, where they would be collected by Council staff. The pick-up location has been discussed with the Council's Waste and Recycling and Highways teams and it is considered to be a satisfactory close to the public highway and satisfactorily set back from the junction and adjacent bus stop. Subject to a condition relating to the boundary treatment of the bin storage area, the waste and recycling provisions for the development are considered to be satisfactory and accord with the Development Management Plan policies.

Flood Risk and Development

The site is not located within a flood zone. However, part of the site is within a Critical Drainage Area and given the potential for development on the site to result in higher levels of water discharge into the surrounding drains, the proposal 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 has 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, it is considered that the development would accord with National Planning Policy, The London Plan policy 5.12.B/C/D, and policy DM10 of the DMP.

Trees and Development

There is one large tree (a London Plan with an 'A' grade) located adjacent to the site boundary and a number of other trees located outside site boundary. The applicants have submitted an Arboricultural Report, and agreed to a number of measures to ensure the quality of the tree is not unacceptably diminished by construction activity or post-development pressures. These measures have been reviewed by the Council's Arboricultural Officer. Though the development would be likely to have negative impact on the quality of the tree, the suite of measures that could be secured by condition and legal agreement would minimise impacts on the tree. It is recommended that a draft method statement/tree protection plan is provided to include the location of protective

barriers and any ground protection. Furthermore, the statement should include the following details:

- Site construction access;
- Detail where materials and spoil are to be stored and how and how often it is taken off-site;
- Detail of construction methods to permit exclusion zone to be constructed within 1m of the building façade to show this space is sufficient given piling equipment / piled foundations are likely to be used.

Furthermore, the maintenance strategy will be addressed via a legal agreement. This legal agreement will ensure that Tree Protection measures are maintained through the post development period, protect the amenities of future occupiers whilst safeguarding the tree from post-development pressures.

The remaining trees outside the site boundary are out of site control nonetheless these trees must be retained and fully protected during any proposed development. It is considered that the proposed new building would not unacceptably harm the various trees outside the site boundary. A condition requiring details of tree protection measures has therefore been recommended.

Subject to the submission and satisfactory assessment of details relating to the draft Method Statement/Tree Protection and a planning condition to protect construction impacts, the proposal would accord with policy 7.21 of The London Plan and policy DM22 of the DMP.

Sustainability and Climate Change

Paragraphs 96-98 of the NPPF relate to decentralised energy, renewable and low carbon energy. Chapter 5 of the London Plan contains a set of policies that require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. Specifically, policy 5.2 sets out an energy hierarchy for assessing applications, as set out below:

- 1) *Be lean: use less energy*
- 2) *Be clean: supply energy efficiently*
- 3) *Be green: use renewable energy*

Policy 5.3 seeks to ensure that future developments meet the highest standards of sustainable design and construction, whilst policies 5.9-5.15 support climate change adaptation measures.

The applicant has submitted an Energy Statement, which details the likely energy demands of the proposed development and proposed a strategy to increase energy efficiency. The Energy Statement goes on to investigate measures to reduce the carbon emissions by 35% below Building Regulations 2013 standards. The methodology for the proposed Energy Strategy accords with the hierarchy set out within the London Plan and demonstrates how the minimum savings in carbon emissions against Building Control targets would be achieved on site. The Energy Statement provides a number of options that could be utilized on site to meet the 35% carbon reduction. It is concluded that a mixture of both fabric first and the use of Photovoltaic Panels would be used to ensure that this reduction would be met by the development. Officers consider that the findings of the Energy Strategy are fair and would accord with development plan policies.

Subject to a condition requiring that the recommendations within this document being

incorporated within the development, it is considered that this would achieve the intent of the policies listed above.

It is therefore considered that subject to a condition requiring the recommendations within the Energy Statement report to be implemented within the development, the proposal would accord with the policies listed above. Conditions to this effect have been recommended.

Ecology and Biodiversity

The application site is located within a predominantly urbanised area with no recognised biodiversity or ecological value. The Ecological Assessment provides evidence to ensure that there would be no loss existing biodiversity within the development site and area. Furthermore, this document also provides measures to improve the biodiversity within the site. The Council Biodiversity Officer has reviewed the submitted Assessment and noted some ecological enhancements measures which align with the Policy DM21 of the Development Management Policies DPD. These include:

- Wildlife landscaping. New planting of native and/or wildlife friendly plant species.
- Bird nesting boxes integrated into the fabric of the building i.e. 3No. house sparrow terraces
- 2No. Bat boxes integrated into the fabric of the building

As such, subject to the inclusion of mitigation and wildlife enhancements being conditioned, recommendations proposed are considered satisfactory.

Equalities Statement

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

It is considered that the proposal would have no impact with regard to section 149 of the Equalities Act 2010.

S17 Crime & Disorder Act

Policy 7.3 of The London Plan (2015) seeks to ensure that developments should address security issues and provide safe and secure environments. Policy DM1 of the Development Management Policies Local Plan 2013 seeks to ensure that the assessment of design and layout of new development proposals will have regard to the arrangements for safe access and movement to and within the site.

The development proposes a well-designed scheme and it is considered that this would provide increased levels of security for the site. A condition has been recommended to ensure that further detail is submitted to demonstrate how the proposed development is

able to meet the Secure by Design Principles.

Consultation Responses

- The proposal will add to existing traffic congestion and worsen the lack of on street parking in the area.

Addressed under section 5 of the above appraisal

- Not enough parking proposed with no visitor parking proposed will result in overspill parking.

Addressed under section 5 of the above appraisal

- The proposal should include 112 spaces plus visitor parking.

Addressed under section 5 of the above appraisal

- Local taxi companies park in the area, further reducing on-street parking.

Addressed under section 5 of the above appraisal

- Great increase in the number of conflicting vehicle movements, creating queues of traffic and resulting in accidents.

Addressed under section 5 of the above appraisal

- The entrance to the basement would be too close to a busy, dangerous junction which is not suitable for a massive building.

Addressed under section 5 of the above appraisal

- The entrance would be very close to the petrol filling station access.

Addressed under section 5 of the above appraisal

- The crossover would be used more than previously used by the patrons of the public house.

Addressed under section 5 of the above appraisal

- Impact on the road junction during the construction period while plant and machinery are on site.

Addressed under section 5 of the above appraisal

- It will create additional rat running along Sandringham Avenue to avoid the traffic lights.

Addressed under section 5 of the above appraisal

- The underground car park would attract antisocial behaviour.

There is no evidence to suggest the underground car parking results in anti-social behaviour

- Children, users of disability scooters and mothers with pushchairs currently cross the road in front of the vehicle access as they do not want to walk to the crossing.

This is not a material planning consideration

- The resulting traffic and pollution resulting is not conducive to children's' health and well-being.

There is no evidence to suggest the proposals would have a direct impact on the health

and well-being of children in the area.

- The excessive height and overall size conflicts with the suburban pattern in the area.
Addressed under section 3 of the above appraisal
- The four storey height is too high and not sympathetic to the surroundings or the previous two storey pub building with pitched roof.
Addressed under section 3 of the above appraisal
- Two or three storey houses would be more appropriate and assist the social rented sector.
Addressed under section 2 of the above appraisal. In addition, the application must be assessed as submitted and tested against the Development Plan in this way. Other hypothetical development proposals cannot be considered.
- A four storey building would be an 'eyesore'.
Addressed under section 3 of the above appraisal
- The proposal would be far more imposing than the previous pub building and visible from a distance.
Addressed under section 3 of the above appraisal
- The building would be ambitious and overpowering in height.
Addressed under section 3 of the above appraisal
- A four storey building under flight path for RAF Northolt Aerodrome is not safe.
The application site is a sufficient distance away from RAF Northolt Aerodrome and is therefore not considered unsafe.
- Overcrowding of the site.
Addressed under sections 3 and 4 of the above appraisal
- Loss of light to neighbouring properties.
Addressed under section 4 of the above appraisal
- Disturbance during construction.
Addressed under section 5 of the above appraisal
- The local schools, doctors' surgeries and shops are already stretched to capacity.
The development would provide a financial contribution in the form of Community Infrastructure Levy [CIL] which could be used for educational and health facilities and would mitigate the impact of development on the infrastructure of the surrounding area
- The properties will not meet the standards under Housing Health and Safety Rating System (HHSRS).
This is not a material planning consideration
- Mess and dirt created would cause antisocial behaviour.
Addressed under section 5 of the above appraisal
- No more flats are needed in the area.

Addressed under section 1 of the above appraisal

- The proposal brings more negatives than positives to the local community.

Addressed under sections 1, 2, 5 and 11 of the above appraisal

- The drains are already at peak capacity in the area.

Addressed under section 6 of the above appraisal

- The location is not suitable for flats.

Addressed under sections 1 and 3 of the above appraisal

- Traffic impacts will be acute particularly during the school run hours.

Addressed under section 5 of the above appraisal

- The proposal is out of keeping with the height of surrounding buildings.

Addressed under section 3 of the above appraisal

- The proposal will result in considerable detriment to the value of surrounding homes

This is not a material planning consideration

CONCLUSION

The principle of providing a residential development on the application site has been firmly established by identifying the site as an Allocated Site within the Borough. The proposed housing development would bring forward housing provision of a satisfactory mix to provide housing choice to the borough and of an adequate level to ensure suitable accommodation for future occupiers.

It is considered that the proposed buildings would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The proposal would provide appropriate living conditions for the future occupiers of the development. In addition to this, the details submitted in relation to landscaping, boundary treatment, levels, the environmental enhancement scheme and cycle parking are considered to be acceptable.

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

CONDITIONS

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans: CIL Liability Form, CIL Form 2, Design & Access Statement, Landscape Design Report, Daylight Sunlight Assessment, Transport Statement, Construction Logistics Plan, Delivery and Servicing Plan, Travel Plan, Energy and Sustainability Statement, Tree Survey and Arboricultural Impact Assessment, Ecology

Report, Statement of Community Involvement; IF 15-05-001, IF 15-05-002 Rev A, IF 15-05-003, IF 15-05-100 Rev A, IF 15-05-101 Rev A, IF 15-05-102, IF 15-05-103, IF 15-05-104, IF 15-05-105, IF 15-05-200 Rev A, IF 15-05-201 Rev B, IF 15-05-202 Rev B, IF 15-05-203, IF 15-05-204 Rev A, IF 15-05-300,
REASON: For the avoidance of doubt and in the interests of proper planning.

3 Notwithstanding the details shown on the approved drawings, the development hereby approved shall not progress beyond 150mm above ground 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, including brickwork and spandrel detail
- b) rainwater goods
- c) windows/ doors
- d) boundary fencing including all pedestrian/ access gates
- e) ground surfacing
- f) external materials of the proposed bin and cycle storage

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

4 Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013.

5 The refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013.

6 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not progress beyond 150mm above ground level until there has been submitted to and approved in writing by the Local Planning Authority:

- i) detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations;
- ii) sections and elevations of the parapet detail and roofline of the proposed building
- iii) detailed sections and elevations of the proposed ground floor entrance canopies.

The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policy 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM

ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

7 The development hereby permitted shall be constructed to the specifications of: “Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings” of the Building Regulations 2013 and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting ‘Accessible and Adaptable Dwellings’ standards in accordance with policies 3.5 and 3.8 of The London Plan 2015, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

8 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.

9 The development hereby approved shall not commence beyond 150mm above ground level, until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include green roofs, storage tanks, investigation of (and, if feasible, proposals for) rainwater harvesting and measures to prevent water pollution. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that opportunities drainage measures that contribute to biodiversity and the efficient use of mains water are exploited, in accordance with London Policies 5.11, 5.13 & 5.15 of the London Plan (2015) and policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

10 The development hereby approved shall not commence beyond 150mm above ground level until a foul water drainage strategy, detailing any on and/or off site works that may be needed to dispose of foul water from the development and to safeguard the development from foul water flooding, has been submitted to and agreed in writing by

the local planning authority. The development shall not be occupied until the drainage strategy, including any on and/or off site works so agreed, has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, in accordance with Policy 5.14 of the London Plan (2015) and Harrow Core Strategy Policy CS1, and to ensure that the development would be resistant and resilient to foul water flooding in accordance with policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

11 The development hereby approved shall not progress beyond 150mm above ground level until a scheme for the hard and soft landscaping of the development, to include:

- a) details of the planting;
- b) hard surfacing materials;
- c) raised planters and external seating;
- d) revised boundary treatment details adjacent to boundaries of Rowe Walk;

has been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme.

The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer. The hard and soft landscaping details shall demonstrate how they would contribute to privacy between the approved private terraces and the public pedestrian footpath, and communal areas. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy 7.4B of The London Plan (2015), policy CS.1B of the Harrow Core Strategy (2012) and policy DM22 of The Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

12 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

13 No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, have been submitted to, and agreed in writing by the local planning authority. The development shall be carried out in

accordance with the details so agreed.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with Policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

14 Prior to the occupation of the development hereby permitted, additional details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be 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 building 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: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area, thereby according with policy 7.4.B of The London Plan (2015) and policy DM1 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO OCCUPATION as the approval of details beyond this point would be likely to be unenforceable.

15 Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the development shall be installed in accordance with details to be submitted to and agreed in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant design guides published on the Secured by Design website: <http://www.securedbydesign.com/guides/index.aspx>.

The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy DM2 of the Harrow Development Management Plan (2013), and Section 17 of the Crime & Disorder Act 1998

16 The development hereby permitted shall be constructed and operated in accordance with the details contained with the approved Energy Statement.

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).

17 Prior to the commencement of development on site, a final method statement / tree protection plan for the existing trees on site and those within the immediate vicinity of the site, shall be submitted to and approved in writing by the Local Planning Authority. Details must include, but not limited to:

- An exclusion zone of 1m from the façade of the building adjacent to the London Plan and location of protective barriers and any ground protection;
- site construction access;
- Detail where materials and spoil are to be stored and how, and how often it's taken off-site

- Details of construction methods adjacent to the London Plane and how protective fencing will be managed and maintained in this location

The construction of the development shall be carried out in strict accordance with the approved details, and be retained throughout the entire construction phase.

REASON: To protect retained trees on the site to maintain their longevity in accordance with Policy DM22 of the Harrow Development Management Policies Local Plan (2013).

18 The window(s) in the flank wall(s) adjacent to nos.180 and 182 Eastcote Lane shall be:

- a) be of purpose-made obscure glass,
- b) be permanently fixed closed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents at nos. 180 and 182 Eastcote Lane, thereby according with policy DM1 of the Harrow Development Management Policies (2013).

19 Notwithstanding the approved plans, prior to construction of the development beyond 150mm above ground level, details of privacy screens to be installed to all balconies within the internal elevations 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 and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings, in accordance with Policy 7.6 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013). Details are required **PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL** to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

20 Notwithstanding the approved plans, prior to construction of the development beyond 150mm above ground level, details of electrical car charging points to be installed in at least 20% of the car parking area on site (with capacity for an additional 20% passive spaces) 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 and shall be retained as such thereafter.

REASON: To ensure that the development achieves suitable levels of electrical car charging points consistent with Policy 6.13 of the London Plan. Details are required **PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL** to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

21 Prior to the commencement of the development hereby permitted, details relating to the long term maintenance and management of the on site drainage shall be submitted to and approved in writing by the Local Planning Authority. Details thereby approved shall be retained thereafter. Such a management/maintenance document shall fall with a 'Owners Manual' to provide greater long term functionality and should include (but not limited to):

- Location of all SuDS techniques on site
- Summary of how they work and how they can be damaged
- Maintenance requirements (a maintenance plan) and a maintenance record

This will be determined by the type of SuDS but should include Inspection frequency; debris removal; vegetation management; sediment management; structural rehabilitation

/ repair; infiltration surface reconditioning

- Explanation of the consequences of not carrying out the specified maintenance
- Identification of areas where certain activities which might impact on the SuDS are prohibited
- An action plan for dealing with accidental spillages
- Advice on what to do if alterations are to be made to a development if service companies undertake excavations or other works which might affect the SuDS

The manual should also include brief details of the design concepts and criteria for the SuDS scheme and how the owner or operator must ensure that any works undertaken on a development do not compromise this.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance the recommendations of Core Strategy (2012) policy CS1, the NPPF and policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013). Details are required prior to commencement of development to ensure a satisfactory form of development.

22 Prior to commencement of development, details of wildlife landscaping and bird nesting boxes integrated into the fabric of the building shall be submitted to and approved in writing by the Local Planning Authority. Outcomes and recommendations within the submitted information thereby approved shall be implemented and retained thereafter.

REASON: In the interests of protecting biodiversity within the site in accordance with policy DM21 of the Harrow DMP (2013). Details are required prior to commencement of development beyond damp proof course to ensure a satisfactory form of development.

INFORMATIVES

1 INFORMATIVE:

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2012)

The London Plan (2015):

2.13 Opportunity Areas and Intensification Areas

3.1 Ensuring Equal Life Chances for All

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

3.6 Children and Young People's Play and Informal Recreation Facilities

3.7 Large Residential Developments

3.8 Housing Choice

3.9 Mixed and Balanced Communities

3.11 Affordable Housing Targets

3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

3.13 Affordable Housing Thresholds

5.2 Minimising Carbon Dioxide Emissions

5.3 Sustainable Design and Construction

5.6 Decentralised Energy in Development Proposals

5.7 Renewable Energy
5.9 Overheating and Cooling
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.3 Assessing Effects of Development on Transport Capacity
6.9 Cycling
6.10 Walking
6.12 Road Network Capacity
6.13 Parking
7.1 Building London's Neighbourhoods and Communities
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local Character
7.5 Public Realm
7.6 Architecture

Local Development Framework

Harrow Core Strategy 2012

CS1 Overarching Policy

CS3 Harrow on the Hill and Sudbury Hill

Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

DM2 Achieving Lifetime Neighbourhoods

DM12 Sustainable Design and Layout

DM15 Prevention and Remediation of Contaminated Land

DM20 Protection of Biodiversity and Access to Nature

DM22 Trees and Landscaping

DM45 Waste Management

Supplementary Planning Documents

Supplementary Planning Document: Sustainable Building Design 2009

Supplementary Planning Document: Access For All 2006

Supplementary Planning Document: Accessible Homes 2010

Supplementary Planning Document: Residential Design Guide 2010

2 INFORMATIVE:

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

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

3 INFORMATIVE: - Mayor CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £250,705 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 £250,705 for the

application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 7163m²

You are advised to visit the planningportal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

4 INFORMATIVE: - 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: £787,930

5 CONSIDERATE CONTRACTOR CODE OF PRACTICE:

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

6 PARTY WALL ACT:

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building

work which involves:

1. work on an existing wall shared with another property;
 2. building on the boundary with a neighbouring property;
 3. excavating near a neighbouring building,
- and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

"The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7 COMPLIANCE WITH PLANNING CONDITIONS

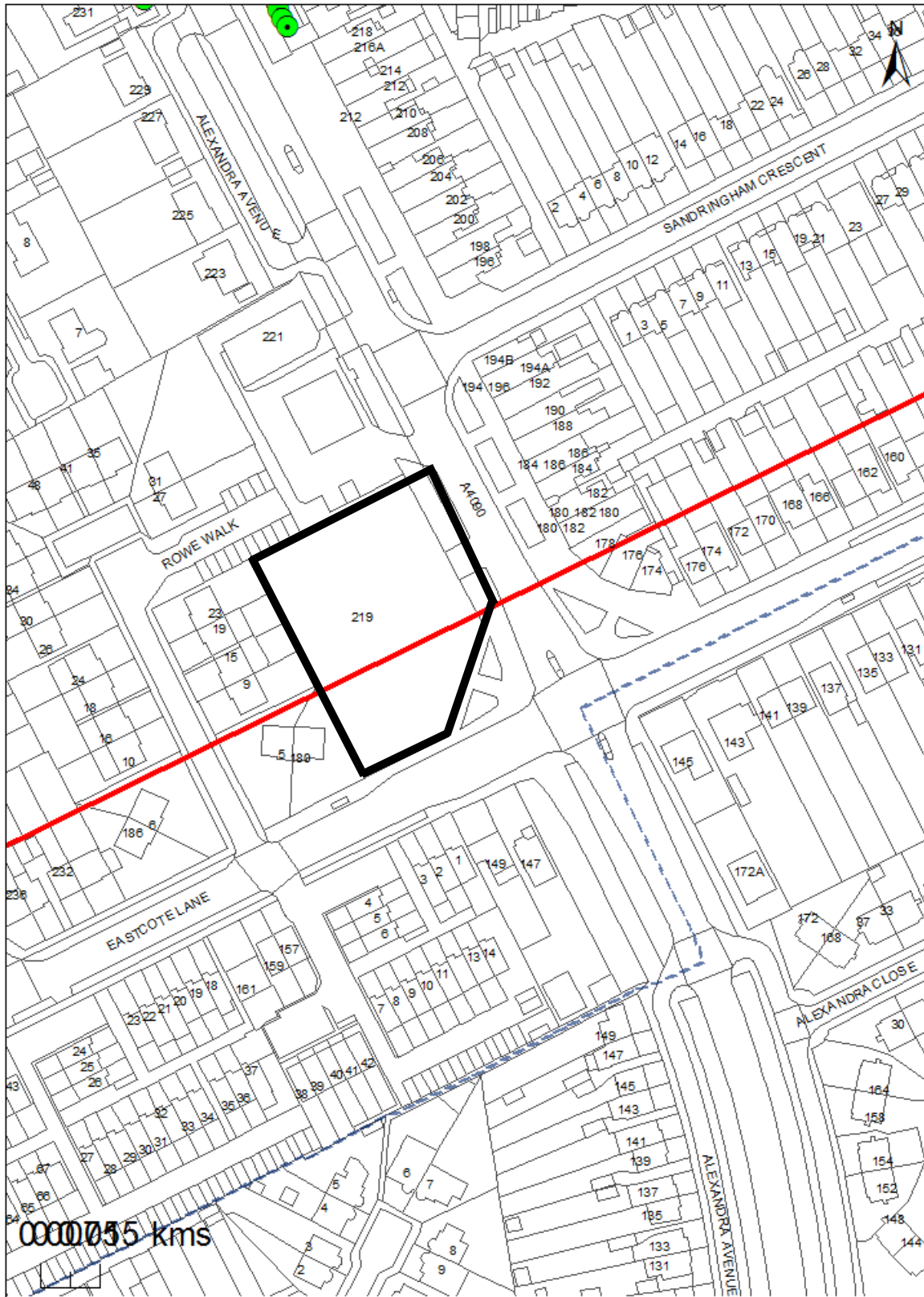
IMPORTANT: Compliance With Planning Conditions Requiring Submission and

Approval
of Details Before Development Commences

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

Plan Nos: CIL Liability Form, CIL Form 2, Design & Access Statement, Landscape Design Report, Daylight Sunlight Assessment, Transport Statement, Construction Logistics Plan, Delivery and Servicing Plan, Travel Plan, Energy and Sustainability Statement, Tree Survey and Arboricultural Impact Assessment, Ecology Report, Statement of Community Involvement; IF 15-05-001, IF 15-05-002 Rev A, IF 15-05-003, IF 15-05-100 Rev A, IF 15-05-101 Rev A, IF 15-05-102, IF 15-05-103, IF 15-05-104, IF 15-05-105, IF 15-05-200 Rev A, IF 15-05-201 Rev B, IF 15-05-202 Rev B, IF 15-05-203, IF 15-05-204 Rev A, IF 15-05-300

THE FORMER MATRIX PUBLIC HOUSE, 219 ALEXANDRA AVENUE, HARROW



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ITEM NO: 1/04
ADDRESS: CEDARS MANOR SCHOOL, WHITTLESEA ROAD, HARROW
REFERENCE: P/2032/16
DESCRIPTION: VARIATION OF CONDITION 2 (APPROVED PLANS), 6 (SEWAGE DISPOSAL), 7 (SURFACE WATER DISPOSAL) AND 8 (SURFACE WATER ATTENUATION/STORAGE) ATTACHED TO PLANNING PERMISSION P/0170/16 DATED 01/04/2016 TO ADD PLAN NO.100 'DRAINAGE PHASING' TO PLANS LIST OF CONDITION 2, VARIATION TO WORDING OF CONDITIONS 6 AND 7 TO ALLOW THE SUBMISSION OF DETAILS PRIOR TO OCCUPATION AND VARIATION TO WORDING OF CONDITION 8 TO ALLOW THE SUBMISSION OF DETAILS WITHIN 4 MONTHS OF OCCUPATION
WARD: HARROW WEALD
APPLICANT: EDUCATION FUNDING AGENCY (EFA)
AGENT: HKS ARCHITECTS FOR AND ON BEHALF OF KIER CONSTRUCTION
CASE OFFICER: CONOR GUILFOYLE
EXPIRY DATE: 03/08/2016

RECOMMENDATION

Under Regulation 3 of the Town and Country Planning General Regulations 1992, subject to no material planning considerations arising by the end of the statutory consultation period on 03/06/2016 which would warrant a decision otherwise, **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 at Cedars Manor School, Whittlesea Road, Harrow, HA3 6LS.

INFORMATION

The application is reported to the Planning Committee because the Council is the Landowner and the proposal is a major development and therefore falls outside of category 1(d) 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 Cedars Manor School, Whittlesea Road, Harrow, HA3 6LS.

The grant of planning permission for this development falling within Regulation 3 shall enure only for the benefit of LB Harrow.

Statutory Return Type: Major Development

Council Interest: None

Gross Floorspace: 3296 sqm

Net reduction in Floorspace: 2693 sqm

GLA Community Infrastructure Levy (CIL) Contribution: 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*".

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.

The re-development of the site is now being considered as part of the Government's Priority Schools Building Programme (PSBP). The PSBP was launched in July 2011 and is procured by the Education Funding Agency on behalf of the Department for Education. The PSBP aims to raise standards in education, through a combination of investment in buildings and ICT, so that young people can fulfil their potential and so that staff can use their skills to best effect.

Cedars Manor School is an existing three form of entry (FE) primary school catering for

544 pupils. The proposal is to provide a new 3 FE school building on the existing site for pupils aged 4-11 with a capacity of 630 pupils including 6 special educational needs (SEN) / hearing impaired (HI) pupils. The proposal also includes a nursery with provision for 26 spaces, resulting in a total capacity in the new school for 656 pupils.

Site Description

- The application site is an irregular shaped parcel of land which fronts and bounds Whittlesea Road to the north. Its north-west, west, south, south-east, east, and north-eastern boundaries are formed by the rear gardens of properties on Whittlesea Road (NW and NW to south), Boxtree Lane (SE) and Stafford Road (east).
- At the north, the main vehicular pedestrian access is gained off Whittlesea road on the north-west corner of the site. This leads to a car parking area with 46 formally marked out parking bays (corrected from 62 as originally stated in the planning application and supporting documentation), none of which are dedicated for use by disabled drivers. No on-site cycle parking provision current exists.
- An existing children's centre lies adjacent to the access, sited centrally along the north frontage of the site, fronting Whittlesea Road.
- The existing Cedars Manor School adjoins the east side of the children's centre along its frontage on Whittlesea Road. Its single storey scale expands rearwards (north-south) along a main staggered linear 'spine' off which easterly projections expand across the northern 'half' of the site, and westerly projections expand across the southern 'half' of the site. Due to its sprawling layout, the existing school buildings cover most of the site.
- Playground (centre-west, south-east) and playing field (east) surrounds most of the remaining site area.
- To the east, there is a gated access off Stafford Road to the playing fields
- At the south, a passage runs between houses to the site which provides the main pedestrian access to the site, off Whittlesea Road.

Proposal Details

- The application proposes to;
- Vary Condition 2 (Approved Plans) attached to planning permission P/0170/16 dated 01/04/2016 to add plan no.100 'drainage phasing' to the approved plans list.
- Vary the wording of Conditions 6 and 7 to allow the submission of drainage (sewage and surface water) details prior to the occupation of the new school building, instead of prior to the commencement of the construction of the buildings approved under planning permission P/0170/16.
- Vary the wording of Condition 8 to allow the submission of required drainage details (surface water attenuation and storage works) within 4 months of occupation of the new school building, instead of prior to the occupation of the buildings approved under planning permission P/0170/16.

Relevant History

P/0170/16 - Demolition of existing school building and re-development to provide a single and three storey building; car parking [amendment to originally submitted plans to extend the car park by a further 17 metres to the south to accommodate an increase in proposed - Granted 01/04/2016

Pre-Application Discussion (Ref.)

- None

Applicant Submission Documents

- None

Consultations

Drainage – No objection

Advertisement

Press advert: 12/05/16: Major Development - Expiry: 02/06/16

Site Notice: 13/05/16: Major Development - Expiry: 03/06/16

Notifications

Sent: 100

Replies: 2

Expiry: 27-05-16

Addresses Consulted

100 properties on Boxtree Lane, Stafford Road, Whittlesea Road and Chicheley Road

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 alterations since 2011)(2015) [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

MAIN CONSIDERATIONS

Principle of the Development

Development and Flood Risk

Equalities Impacts

Consultation Responses

Principle of the Development

The principle to redevelop this site, to provide a replacement 3 FE primary school for pupils aged 4-11 with a capacity of 630 pupils including 6 special educational needs (SEN) / hearing impaired (HI) pupils, and a nursery with provision for 26 spaces, resulting in a total capacity in the new school for 656 pupils, has already been established under planning application ref. P/0170/16 when it was approved on 01/04/2016.

There has been no material change to the development plan nationally, regionally or locally since the decision relating to P/0170/16.

Accordingly, it is considered that for the purposes of this variation of condition application, aspects relating to the considerations listed below which formed part of the material considerations under the substantive planning application do not need to be duplicated under this current application;

- Character and Appearance of the Area
- Residential Amenity
- Traffic and Parking
- Accessibility
- Sustainability
- Biodiversity, Trees and Wildlife
- S17 Crime & Disorder Act

Development and Flood Risk

Background

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 fluvial flooding. It lies within a Critical Drainage Area. As such, there are no restrictions in planning policy for constructing of a building on the site, subject to surface water management controls. The proposed details submitted in this respect under application ref. P/0170/16, including the submitted Flood Risk Assessment for that application, were referred to the Council's Drainage Engineers during the course of that application. They were satisfied with the proposals, subject to further details which had broadly been agreed. There were still some outstanding details by the time that application was considered by the planning committee. However, given the broadly agreed drainage strategy which was proposed and reviewed by drainage officers, they were confident that the outstanding details were capable of being secured by planning condition(s).

Accordingly, the committee report for planning application/permission ref. P/0170/16 considered that, subject to the outstanding drainage details being secured by condition before the development is commenced (as per the wording of conditions 6, 7 and 8 of the planning permission), the development was 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).

Proposed changes

However, since the grant of planning permission P/0170/16, the applicant has stated that the wording of the conditions, which require the drainage works to be agreed and carried

out at pre-commencement (of building construction), and pre-occupation (of the approved buildings) stage, would not be possible. This is because there would be a phased relocation of pupils and staff from the existing to the new building(s), with the new buildings constructed and occupied, and existing buildings demolished and vacated, in different phases.

Works to install the drainage systems cannot take place until the demolition of the existing school buildings (phase 2 of the demolition works), and that demolition work cannot take place until the new school building has been construction and occupied. Accordingly, the conditions need to be revised to reflect the conflict between the existing conditions and the construction phasing. Furthermore, the applicant has stated that, as the Education Funding Agency is under a tight timescale to deliver the build programme, the current impasse is jeopardising the ability to keep the project to budget, and deliver urgently needed teaching accommodation for staff and pupils on-time.

In order to overcome the above problem, since the grant of planning permission ref. P/0170/16, the applicant has carried out discussions with the Council's drainage engineers and provided further information on their construction programme, the phasing details of the construction project, and the technical approach proposed. As a result, the following approach was informally agreed between them;

Prior to the construction of the new building, the first phase of demolition works would remove a significant part of the existing building and associated hard-standing. The applicant has put forward the case that this would 'offset' the area of new building and associated hard-standing, in terms of preventing increased surface water runoff and flood risk arising from increased hard surface coverage on the site, for the duration of the time it would take to install the new foul and surface water drainage systems. Therefore, the applicant has put forward the case that this would not significantly increase the flood risk to the site and the surrounding area in the short term, before the development is complete. Temporary drainage connections would be provided to the new building until the complete drainage solution can be installed. The existing storm water drain (under the new building to be constructed) would be diverted around all new structures to avoid any on-site flooding before construction works commence, and the amendments to condition 2, with an additional plan showing these revised details, reflect this.

The above approach was agreed with the Council's drainage officers prior to the submission of this application. During formal consultation on this application, they confirmed that they raise no objection to the proposals. Accordingly, with the support of the Council's drainage officers, it is proposed to vary conditions 6, 7 and 8, in order to move the 'goalposts' in terms of implementation timescales for drainage infrastructure.

Given the above considerations, no objection is raised to the proposed changes to the conditions to enable drainage infrastructure to be installed in a manner compatible with the construction and occupation programme for the new school. However, the proposed wording of conditions 6, 7 and 8 is not sufficiently precise or enforceable, and would need to be changed to the satisfaction of the local planning authority. The same applies to the proposed reasons for the conditions, where the reasons should remain the same. The suggested proposed wording for conditions 6, 7 and 8, as amended by officers, is outlined in the 'Conditions' section of this report below.

Officer's suggested amendments to the wording of the conditions proposed by the applicant would not change the critical elements of those conditions as proposed by the

applicant, with the timescales and implementation requirements the same as proposed by the applicant.

Accordingly, subject to amendments to the wording of the proposed variations to conditions 6, 7, and 8, 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).

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.

Consultation Responses

At the time of writing this report, the application was still within its statutory consultation period.

Under statutory obligations, a decision cannot be made to grant or refuse planning permission during this period. This is in order to avoid prejudicing the ability of consultees to comment, and/or raise new material planning considerations which may need to be taken into consideration if not already done so during the formation of a recommendation and subsequent decision on whether to grant or refuse planning permission.

As such, the above recommendation to grant planning permission is based on the proviso that no new material planning considerations arise by the end of the statutory consultation period on 03/06/2016 which would warrant a decision otherwise.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, subject to no material planning considerations arising by the end of the statutory consultation period on 03/06/2016 which would warrant a decision otherwise, this application is recommended for grant.

CONDITIONS

1 The development hereby permitted shall be commenced before the expiration of three years from 01/04/2016, the date of the planning permission for application no. P/0170/16.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out in accordance with the approved plans:

100, Cedars Manor Primary School Travel Plan 2015, dated December 2015, 5273/004/R03 Outline Transport Feasibility Assessment, 14464cv-01 Topographical Survey, 14464cv-02 Topographical Survey, 101 REV A Drainage Layout & Schedule, TR04 Vehicle Tracking, TR05 Vehicle Tracking, TR06 Vehicle Tracking, TR07 Vehicle Tracking, RAB:902B Flood Risk Assessment, CDR-A-J-00-X03 Design and Access Statement, CDR-A-J-00-X04 REV.01 Planning Statement, CDR-A-J-00-X08 REV.01 Statement of Community Use dated 12/01/16, CDR-A-L-00-X01 REV.2 GA AXONOMETRIC, CDR-A-L-00-X03 REV.2 3D VIEWS - SHEET 01, CDR-A-L-20-201 REV.3 GA PLANS - SECOND FLOOR, CDR-A-L-20-301 REV.2 GA PLANS - ROOF PLAN, CDR-A-L-20-X01 REV.2 PROPOSED NORTH & SOUTH ELEVATIONS, CDR-A-L-20-X02 REV.2 PROPOSED EAST & WEST ELEVATIONS, CDR-A-L-20-X03 REV.3 PROPOSED GA SECTIONS SHEET 1, CDR-A-L-20-X04 REV.3 PROPOSED GA SECTIONS SHEET 2, CDR-A-L-20-X06 REV.1 PROPOSED NORTH & SOUTH ELEVATIONS – COLOURED, CDR-A-L-20-X07 REV.1 PROPOSED EAST & WEST ELEVATIONS – COLOURED, CDR-A-L-90-001 REV.1 SITE LOCATION PLAN, CDR-A-L-90-002 REV.2 PROPOSED BLOCK PLAN, CDR-A-L-90-X01 REV.1 EXISTING SITE INFORMATION - SITE PHOTOS, CDR-A-L-90-X02 REV.1 PROPOSED SITE SECTIONS, DR-A-L-92-X01 REV.2 PROPOSED SITE DEMOLITION PLAN, CDR-A-S-41-X01 REV.2 DATED 06/01/16 - EXTERNAL FINISHES SCHEDULE, SCOTCH PARTNERS' NOISE EMISSION ASSESSMENT, REV.0, DATED 5TH JANUARY 2016, CONSTRUCTION METHOD STATEMENT DATED 04/01/16, PHASE I GEO-ENVIRONMENTAL ASSESSMENT REPORT DATED 10TH JULY 2014, PHASE II GROUND INVESTIGATION REPORT DATED 11TH SEPTEMBER 2014, D2375 L.001 REV.B LANDSCAPE COLOUR MASTERPLAN

3 [continuation of condition 2 approved plans list] D2375 L.002 REV.B BB103 AREAS COMPARISON PLAN, D2375 L.003 REV.B LANDSCAPE ACCESS PLAN, D2375 L.004 REV.B BB103 LANDSCAPE SECURITY ZONE PLAN, D2375 L.005 REV.B INDICATIVE LEGACY EQUIPMENT RELOCATION PLAN, D2375 L.006 REV.A PHOTOGRAPHIC RECORD OF LEGACY EQUIPMENT, D2375 L.100 REV.B COMBINED HARD AND SOFT LANDSCAPE GENERAL ARRANGEMENT PLAN, D2375 L.201 REV.B LANDSCAPE BOUNDARY PLAN, D2375 L.400 REV.A LANDSCAPE SITE SECTIONS, D2375 L.600 REV.B LANDSCAPE LEVELS PLAN, RECORDS OF CORRESPONDENCE FROM EFA TO SCHOOL, DS/444715 SURFACE WATER DRAINAGE DESIGN PHILOSOPHY DATED 11/01/16, PART L COMPLIANCE REPORT REV.1 DATED 01/12/15, RT-MME-117448-02 PRE-DEVELOPMENT ARBORICULTURAL SURVEY DATED AUGUST 2014, RT-MME-117449-02 PRELIMINARY ECOLOGICAL ASSESSMENT DATED AUGUST 2014, RT-MME-117449-02-02 DAYTIME BAT SURVEY DATED AUGUST 2014, RT-MME-119254-03 NOCTURNAL AND DAWN BAT SURVEYS DATED JUNE 2015, RT-MME-119254-04 NOCTURNAL EMERGENCE AND DAWN RE-ENTRY BAT SURVEYS DATED SEPTEMBER 2015, RT-MME-119254-04 REVA NOCTURNAL EMERGENCE AND DAWN RE-ENTRY BAT SURVEYS DATED OCTOBER 2015 AND REVISED MARCH 2016, SB-MME-120335 BAT SURVEY AND LICENCE APPLICATION DATED JULY 2015, CDR-A-J-00-X07 REV.01 Statement of Community Involvement dated 12/01/16, CDR-A-L-20-001 REV 3 GA PLANS - GROUND FLOOR, CDR-A-L-20-101 REV 3 GA PLANS - FIRST FLOOR

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

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 works above damp proof course level of the building(s)

hereby permitted is carried out.

a: the external surfaces of the buildings

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). To ensure that measures are agreed and in place to safeguard the character and appearance of the locality during the construction phase of the development so that the development is completed in accordance with approved details, this condition is a PRE-COMMENCEMENT condition.

5 No site works or development shall commence until details of the levels of the existing and proposed 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). 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, this condition is a PRE-COMMENCEMENT condition.

6 The building(s) 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 adequate drainage facilities are provided in accordance with sewers for adoption in accordance with the NPPF, London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policies DM 9 and 10 of the Harrow Development Management Policies Local Plan (2013).

7 The building(s) hereby approved shall not be occupied until works for the disposal of surface water have been provided on site, in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the NPPF, London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policies DM 9 and 10 of the Harrow Development Management Policies Local Plan (2013).

8 Within four months of occupation of the building(s) hereby permitted, surface water attenuation and storage works shall be provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with sewers for adoption in accordance with the NPPF, London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policies DM 9 and 10 of the Harrow Development Management Policies Local Plan (2013).

9 The development hereby permitted shall not be occupied until there has been submitted to and approved by the local planning authority, a scheme for an air quality assessment and an air quality neutral assessment, including an assessment of dust and other airborne risks from construction.

If the development hereby permitted does not meet the air quality neutral requirement, details of the impacts on the air quality neutral assessment shall be calculated and provided to the Local Planning Authority so their efficacy can be quantified and proportionate mitigation measures shall be submitted to and approved in writing by the Local Planning Authority, and implemented. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the proposal does not result in adverse air pollution impacts, in accordance with Policy 5.3 of The London Plan (2015) and the Mayor of London's 2014 Supplementary Planning Guidance: Sustainable Design and Construction.

10 The development hereby permitted shall not be occupied until there has been submitted to and approved by the local planning authority, and implemented, a scheme of hard and soft landscape works for the site.

Soft landscape works shall include: planting plans (at a scale not less than 1:100), cultivation works to be undertaken, and schedule of plants/trees/shrubs, noting species, plant/tree/shrub sizes, proposed numbers/densities and implementation programme.

Hard landscape works shall include: details of materials used, hard standing treatment, details of boundary treatment and proposed fencing, formally marked-out car parking layout for 48 car parking spaces (including 2 disabled spaces), location and specification of external lighting detached from the school building, including any lighting columns or bollards.

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).

11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out and implemented in full 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).

12 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, (including a tree protection plan), have been submitted to, and agreed in writing by, the local planning authority. The details shall include:

identification of root protection areas;

the method of any excavation proposed within the root protection areas;

the type, height and location of protective fencing; and

measures for the prevention of soil compaction within the root protection areas.

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). To protect the existing trees which represent an important amenity feature, this condition is a PRE-COMMENCEMENT condition.

13 Prior to the occupation of the buildings hereby approved, details of cycle storage (94 long stay spaces and 66 short term spaces) on the site, including location, some of which can be partly substituted by scooter parking for children, shall be submitted to and approved in writing by The Local Planning Authority. The cycle storage thus approved shall be carried out and implemented in full on site for the sole use of the school and nursery in accordance with the approved details and shall be retained for the duration of this educational use on the site.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy 6.9B of The London Plan 2015 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

14 If the development hereby permitted commences during the bird breeding season (March to August) inclusive, trees and buildings in the vicinity of the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be located, time must be allowed for birds to fledge and the nest should not be disturbed during building works.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

15 The development hereby permitted shall not commence above damp proof course level, until details of bird and bat boxes to cater for National/Regional (London) or UK Biodiversity Action Plan (BAP) species, to be erected on the development or within the site, have been submitted to and approved in writing by the Local Planning Authority. The details approved shall be implemented on site and thereafter retained.

REASON: To enhance the ecology and biodiversity of the area in accordance with policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

16 The use of the development shall not commence until a community use agreement and management strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include access by non-educational establishments, details of activities/events and the numbers of persons attending including a mechanism to record usage, details of pricing policy, hours of use, management responsibilities, and a mechanism for review. The development shall not be used at any time other than in strict compliance with the approved community use agreement and management strategy and it shall be kept updated to reflect changing usage of the building/external spaces and shall be made available at anytime for inspection upon request for the local planning authority.

REASON: To secure well managed and safe community access to the facilities provided in accordance with policy DM 46 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the community use would not give rise to adverse detrimental impacts on the residential amenities of the surrounding neighbouring occupiers in accordance with policy 7.6B of the London Plan (2015) and policy DM 1 of the Harrow Development Management Polices Local Plan (2013).

17 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 undue noise nuisance to neighbouring residents, in accordance with policy 7.6B of the London Plan (2015) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

18 The Cedars Manor School Travel Plan shall be updated and submitted to and approved in writing by the Local Planning Authority in accordance with the approved details annually and prior to occupation. 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 31st May each year. 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 policies 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

19 The use of the development hereby permitted shall not commence until a 2 metre high close boarded timber fence has been erected along the entire western site boundary. The fence shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the amenity of neighbouring occupiers, in accordance with policy DM1 of the Councils Development Management Policies Local Plan 2013.

20 Demolition of buildings on site shall proceed in line with recommendations issued in the Cedars Manor School, Harrow Nocturnal Emergence and Dawn Re-entry Bat Surveys report produced by Middlemarch for Kier and revised in March 2016.

REASON: To ensure that the local conservation status of bat species using the site is maintained in line with the Habitat and Species Regulations 2010 (as amended) and in accordance with policies DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013).

INFORMATIVES

1 INFORMATIVE:

The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2012)

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

5.6- - Decentralised Energy in development proposals

5.7 – Renewable Energy

5.8 – Innovative Energy technologies

5.9 – Overheating and Cooling

5.10 – Urban Greening

5.11 – Green roofs and development site environs

- 5.12 – Flood risk management
- 5.13 – Sustainable Drainage
- 5.18 – Construction, excavation and demolition waste
- 6.3 – Assessing effects of development on transport capacity
- 6.9 – Cycling
- 6.10 – Walking
- 6.13 – Parking
- 6.11 – Smoothing traffic flow and tackling congestion
- 7.1 – Building London’s neighbourhoods and communities
- 7.2 – An inclusive environment
- 7.3 – Designing out crime
- 7.4 – Local character
- 7.5 - Public Realm
- 7.6 – Architecture
- 7.8 – Heritage Assets
- 7.13 – Safety, security and resilience to emergency
- 7.15 – Reducing noise and enhancing soundscapes
- 7.18 – Protecting Local Open space and Addressing Local Deficiency
- 7.19 – Biodiversity and Access to Nature
- 7.21 – Trees and Woodlands

Harrow Core Strategy (2012)

- CS1: Overarching Principles
- CS1 B – Local Character
- CS 1 Q/R – Transport
- CS 1 T – Sustainability
- CS 1 U – Sustainable Flood Risk Management

Harrow Development Management Policies Local Plan (2013):

- Policy DM 1 – Achieving a High Standard of Development
- Policy DM 2 – Achieving Lifetime Neighbourhoods
- Policy DM 7 – Heritage Assets
- 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 Technology
- Policy DM 18 – Protection of Open Space
- Policy DM 19 – Provision of New Open Space
- 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 23 – Streetside Greenness and Forecourt Greenery
- Policy DM 42 – Parking Standards
- Policy DM 43 – Transport Assessments and Travel Plans
- Policy DM 44 - Servicing
- Policy DM 45 – Waste Management
- 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)
- Harrow Surface Water Management Plan (2012)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

3 INFORMATIVE:

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 INFORMATIVE:

GRANT WITH PRE-APP

5 INFORMATIVE:

The drainage details requested by condition above should address the following;

- a) A copy of a letter from Thames Water with permission for connections to the public sewers is required.
- b) 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.
- c) Full details of drainage layout including details of the outlet and cross section of proposed storage are required.
- d) Full details of any flow restrictions (hydrobrake) that are proposed for this scheme need to be submitted together with the relevant graphs.
- e) Full details of SuDS with its Maintenance Plan should also be provided.

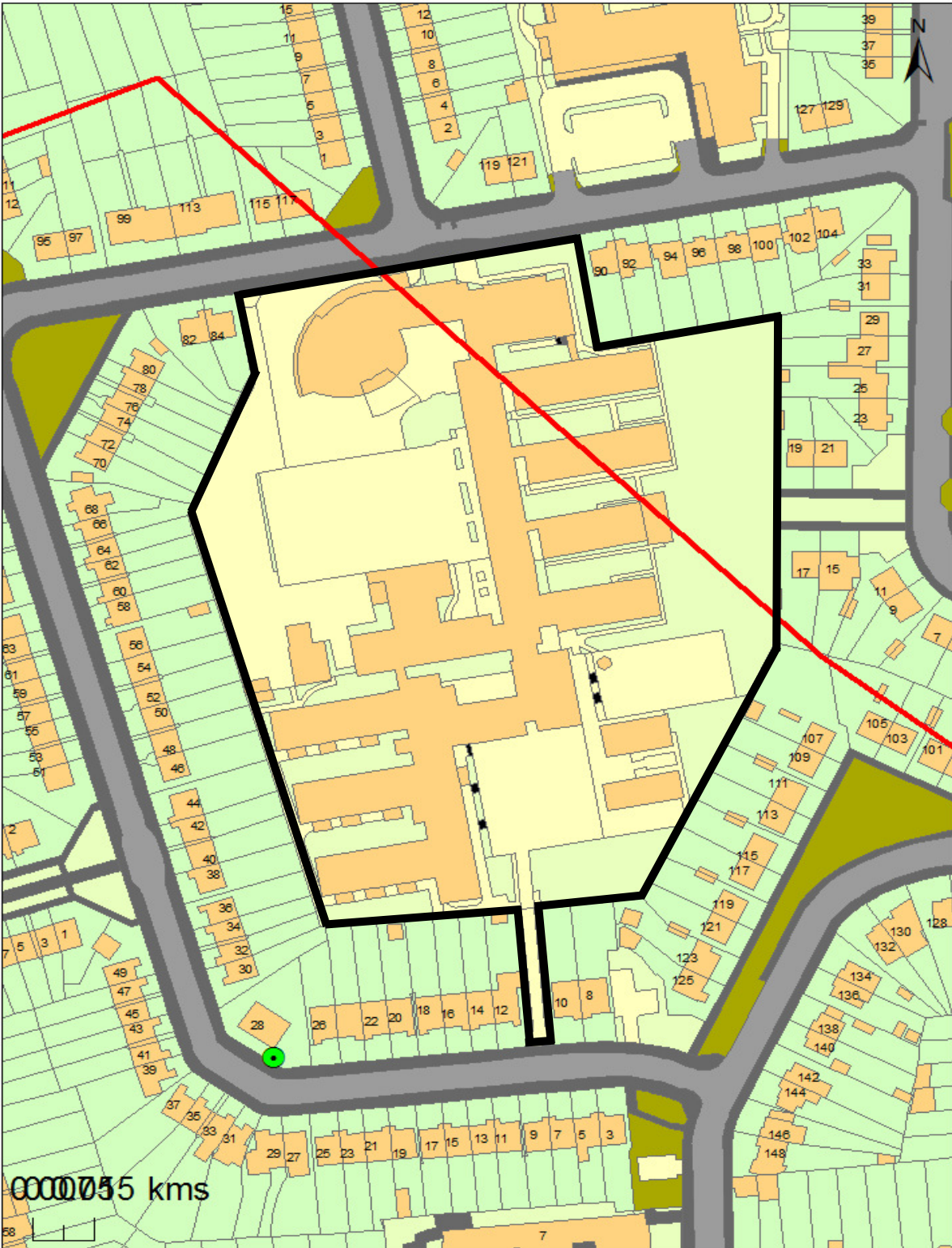
6 INFORMATIVE:

It is essential that early engagement is made with the Council's Highway Network Management regarding construction traffic during the construction of the works hereby approved. It would appear that temporary traffic restrictions are required and these need to be agreed and factored into the development timescale. (contact Highways Network

Plan Nos:

100, Cedars Manor Primary School Travel Plan 2015, dated December 2015, 5273/004/R03 Outline Transport Feasibility Assessment, 14464cv-01 Topographical Survey, 14464cv-02 Topographical Survey, 101 REV A Drainage Layout & Schedule, TR04 Vehicle Tracking, TR05 Vehicle Tracking, TR06 Vehicle Tracking, TR07 Vehicle Tracking, RAB:902B Flood Risk Assessment, CDR-A-J-00-X03 Design and Access Statement, CDR-A-J-00-X04 REV.01 Planning Statement, CDR-A-J-00-X08 REV.01 Statement of Community Use dated 12/01/16, CDR-A-L-00-X01 REV.2 GA AXONOMETRIC, CDR-A-L-00-X03 REV.2 3D VIEWS - SHEET 01, CDR-A-L-20-201 REV.3 GA PLANS - SECOND FLOOR, CDR-A-L-20-301 REV.2 GA PLANS - ROOF PLAN, CDR-A-L-20-X01 REV.2 PROPOSED NORTH & SOUTH ELEVATIONS, CDR-A-L-20-X02 REV.2 PROPOSED EAST & WEST ELEVATIONS, CDR-A-L-20-X03 REV.3 PROPOSED GA SECTIONS SHEET 1, CDR-A-L-20-X04 REV.3 PROPOSED GA SECTIONS SHEET 2, CDR-A-L-20-X06 REV.1 PROPOSED NORTH & SOUTH ELEVATIONS – COLOURED, CDR-A-L-20-X07 REV.1 PROPOSED EAST & WEST ELEVATIONS – COLOURED, CDR-A-L-90-001 REV.1 SITE LOCATION PLAN, CDR-A-L-90-002 REV.2 PROPOSED BLOCK PLAN, CDR-A-L-90-X01 REV.1 EXISTING SITE INFORMATION - SITE PHOTOS, CDR-A-L-90-X02 REV.1 PROPOSED SITE SECTIONS, DR-A-L-92-X01 REV.2 PROPOSED SITE DEMOLITION PLAN, CDR-A-S-41-X01 REV.2 DATED 06/01/16 - EXTERNAL FINISHES SCHEDULE, SCOTCH PARTNERS' NOISE EMISSION ASSESSMENT, REV.0, DATED 5TH JANUARY 2016, CONSTRUCTION METHOD STATEMENT DATED 04/01/16, PHASE I GEO-ENVIRONMENTAL ASSESSMENT REPORT DATED 10TH JULY 2014, PHASE II GROUND INVESTIGATION REPORT DATED 11TH SEPTEMBER 2014, D2375 L.001 REV.B LANDSCAPE COLOUR MASTERPLAN, D2375 L.002 REV.B BB103 AREAS COMPARISON PLAN, D2375 L.003 REV.B LANDSCAPE ACCESS PLAN, D2375 L.004 REV.B BB103 LANDSCAPE SECURITY ZONE PLAN, D2375 L.005 REV.B INDICATIVE LEGACY EQUIPMENT RELOCATION PLAN, D2375 L.006 REV.A PHOTOGRAPHIC RECORD OF LEGACY EQUIPMENT, D2375 L.100 REV.B COMBINED HARD AND SOFT LANDSCAPE GENERAL ARRANGEMENT PLAN, D2375 L.201 REV.B LANDSCAPE BOUNDARY PLAN, D2375 L.400 REV.A LANDSCAPE SITE SECTIONS, D2375 L.600 REV.B LANDSCAPE LEVELS PLAN, RECORDS OF CORRESPONDENCE FROM EFA TO SCHOOL, DS/444715 SURFACE WATER DRAINAGE DESIGN PHILOSOPHY DATED 11/01/16, PART L COMPLIANCE REPORT REV.1 DATED 01/12/15, RT-MME-117448-02 PRE-DEVELOPMENT ARBORICULTURAL SURVEY DATED AUGUST 2014, RT-MME-117449-02 PRELIMINARY ECOLOGICAL ASSESSMENT DATED AUGUST 2014, RT-MME-117449-02-02 DAYTIME BAT SURVEY DATED AUGUST 2014, RT-MME-119254-03 NOCTURNAL AND DAWN BAT SURVEYS DATED JUNE 2015, RT-MME-119254-04 NOCTURNAL EMERGENCE AND DAWN RE-ENTRY BAT SURVEYS DATED SEPTEMBER 2015, RT-MME-119254-04REVA NOCTURNAL EMERGENCE AND DAWN RE-ENTRY BAT SURVEYS DATED OCTOBER 2015 AND REVISED MARCH 2016, SB-MME-120335 BAT SURVEY AND LICENCE APPLICATION DATED JULY 2015, CDR-A-J-00-X07 REV.01 Statement of Community Involvement dated 12/01/16, CDR-A-L-20-001 REV 3 GA PLANS - GROUND FLOOR, CDR-A-L-20-101 REV 3 GA PLANS - FIRST FLOOR

CEDARS MANOR SCHOOL, WHITTLESEA ROAD, HARROW



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ITEM NO: 1/05

ADDRESS: SONIA COURT, GAYTON ROAD CAR PARK, FORMER LIBRARY SITE, GAYTON ROAD, HARROW

REFERENCE: P/0291/16

DESCRIPTION: REDEVELOPMENT COMPRISING THE DEMOLITION OF THE EXISTING BUILDINGS ON SITE AND THE ERECTION OF 355 FLATS BETWEEN FIVE BUILDINGS IN CONFIGURATIONS OF 5, 6, 8, 9 AND 11 STOREYS WITH 477SQ. METRES COMMERCIAL AND COMMUNITY USE SPACES AT GROUND FLOOR (FLEXIBLE USES COMPRISING CLASSES A2, A3, B1 AND D1 USE CLASSES); BASEMENT AND SURFACE SERVICING AND PARKING (TOTAL SPACES 171); PRINCIPAL VEHICLE ACCESS FROM GAYTON ROAD TO THE EAST OF THE SITE WITH SECONDARY SITE ACCESS, EMERGENCY ACCESS AND MINOR ACCESS TO THE WEST OF THE MAIN SITE ACCESS; NEW PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS

WARD: GREENHILL

APPLICANT: FAIRVIEW HOMES

ARCHITECTS: MACCREANOR LAVINGTON

CASE OFFICER: NICOLA RANKIN

EXPIRY DATE: 27TH APRIL 2016

RECOMMENDATION A

GRANT planning permission for the development described in the application and submitted plans subject to:

- Conditions set out at the end of this report;
- Referral to the GLA under Stage 2 of The Town and Country Planning (Mayor of London) Order 2008; and
- The completion of a Section 106 agreement with the heads of terms set out below by 30th September 2016 (or such extended period as may be agreed in writing by the Divisional Director of Planning). Delegated Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 agreement and to agree any minor amendments to the conditions or the legal agreement.

Affordable Housing and Wheelchair Homes

- A minimum of 72 homes to be provided as affordable rented homes in accordance with a schedule of accommodation to be approved in writing by the Council prior to the commencement of development.
- 10% of affordable homes to be constructed as wheelchair homes.

Building Ownership

- A long lease (999 years) shall be granted to the Council for Block A containing 53 PRS units and community/commercial space and Block D1 and D2 containing 73 affordable rented units.

Private Rented Sector [PRS] Units

- The PRS units shall be retained as such for a minimum period of 15 years.

Design Review

- The developer undertakes to use all reasonable endeavours to retain Maccreanor Lavington Architects as the lead design architect during construction of the entire scheme including the workspace fit-out or The developer to pay a bond of £100,000 to the Council to reimburse the cost to the Council of procuring appropriate professional services for the assessment of any submitted details/amendments affecting to the architecture and/or the external appearance of the finished development. Any part of the bond remaining unspent after ten years to be refunded.

Public Art

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

Decentralised Energy Networks

- The developer to use all reasonable endeavours to ensure that the on-site energy centre is laid out with sufficient space to allow expansion and technical feasibility of CHP scheme to serve a broader area including consideration of proposals within the Harrow Energy Masterplan.
- In the event of any future district decentralised energy network becoming available, the developer to use all reasonable endeavours to agree terms pursuant to a connection between the site-wide CHP system and the decentralised energy network.
- The developer to safeguard a route to be agreed with the Council to enable a connection to any future district decentralised energy network.

Transport and Highways

- The developer to enter into a section 278 agreement to carry out the removal of a pedestrian refuge, modification of vehicle access points to Gayton Road and all work to the public footpath along Gayton Road.
- A revised Travel Plan to be submitted to the Council prior to the first occupation of the building.
- A travel plan bond of £20,000 will be required to secure the implementation of all measures specified in the revised TP.
- The developer to ensure the effective implementation, monitoring and management of the travel plan for the site.
- The developer to make practical space available on the site (or on any adjacent land that comes within the control of the developer) or otherwise on the public highway within the vicinity of the site to accommodate a minimum of two parking space for a car club vehicle. The developer to make reasonable endeavours throughout the life of the development to secure a car-club operator to provide a vehicle for that space.

Open Space

- The pocket park in the north east corner of the site to be designated and retained in perpetuity as public open space (civic space).

Employment and Training

- The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan. The developer to implement the agreed Plan.
- The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.
- In the event that that the developer is unable to provide an employment and training plan to the satisfaction of the Council's Economic Development Department, a financial contribution of £252,000 to be paid by the developer to fund local employment and training programmes.

Gayton Road Workspace

- Prior to the commencement of the development of Block C, the flexible/community commercial space will be handed over to the Council and shall be fitted out in accordance with the agreed specification.

Legal Costs, Administration and Monitoring

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

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 30th September 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 Planning on the grounds that:

The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2012), policies 3.11, 3.13, 5.2, 6.3, 7.4, 7.5, 7.6, and 7.19 of The London Plan (2015), Core Strategy (2012) policy CS1 and policies DM 1, DM 2 DM 42, DM 43 and DM 50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations (2013).

BACKGROUND AND EXECUTIVE SUMMARY

The existing site comprises existing brownfield land, divided across three land parcels. These include the Gayton Road car park to the east of the site, Sonia Court, a three storey building comprising 9 residential apartments located within the central section of the site and the former Harrow library facility, which is now demolished, to the west of the application site. The site is part owned by the Council including the Gayton Road car park

and the former library site and part owned by Fairview New Homes who own the central part of the site which contains Sonia Court. The application site has been subject to previous planning applications. Most notably application P/4126/07 was granted on 1st October 2009 for the redevelopment of the site to provide 383 flats in five blocks ranging between 4 & 10 storeys in height and 200 car parking spaces. The AAP envisaged that the site would form part of a wider package of publically owned land that may be used as a strategic enterprise to deliver the Heart of Harrow objectives.

In 2012 the Council adopted its Core Strategy for the Borough and further Local Plan documents followed in 2013, including an Area Action Plan (AAP) for Harrow and Wealdstone. The Development Plan designates Harrow & Wealdstone as an opportunity area for housing and employment growth and provides the contemporary policy framework for the consideration of the proposals. The Harrow and Wealdstone Opportunity Area covers 177 hectares and identifies a minimum of 2,800 new homes and an indicative employment capacity of 3,000. The site is identified within the AAP as 'Site 22' and is allocated for 350 homes together with community and various commercial uses. In addition, the London Housing Strategy was formally adopted in October 2014 which outlines the resources required to deliver more than 42,000 new homes a year as well as new jobs and infrastructure improvements. The Mayor of London's Housing Zones were subsequently published in March 2015 and included the Heart of Harrow Housing Zone which incorporates Harrow and Wealdstone Town Centres.

In order to enable the comprehensive redevelopment of the site, allow for the Heart of Harrow objectives to be realised and the optimum level of housing delivered on the site, in September 2015, the Council resolved that, subject to funding arrangements and planning permission being secured, the Council would transfer the freehold of the two sites within its ownership on the land, in exchange for new private housing units for sale or rent and purchase the affordable housing element of the scheme. The council would then secure a long lease within blocks A1, A2 (PRS housing), D1 and D2 (Affordable Housing) which would be constructed by Fairview Homes. The Council would manage both the 53 private rented units and 72 affordable units and would also control and manage the uses within community/commercial space. Blocks B and C which would consist of 230 private sale units plus associated parking would be retained and sold by Fairview.

The subject application proposes the comprehensive redevelopment of the site to provide 355 homes, ground floor community and commercial uses. There would be five main buildings: Building A would be located on the western side of the site and would be between 5 and 8 storeys. It would contain 477m² of community/retail space at ground floor. A total of 53 private rented units would be provided. Building B and C would be situated central section of the site and would be between 8 and 11 storeys. A total of 230 private units would be provided. Building D1 would be located to the east of the site adjacent to Cymbeline Court and would be five storeys in height. Building D2 would be located to the rear of building D1, adjacent to the railway and would be nine storeys. Buildings D1 and D2 would provide 72 affordable units. Basement and surface level parking would provide 171 parking spaces.

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

- broadly accord with the Local Plan site allocation for the redevelopment of this site and

would make a positive contribution to local economic development and regeneration objectives;

- make an acceptable contribution to affordable housing, having regard to the independently-appraised viability of the proposal (to be kept under review), and an appropriate contribution to housing supply overall;
- achieve a high standard of residential quality for future occupiers and, having regard to the high density nature of the proposal and the town centre location, have an acceptable impact on the amenity of neighbouring occupiers;
- make appropriate arrangements for access and servicing of the development;
- provide an appropriately restrained amount of car parking, having regard to the high public transport accessibility of the location;
- comply with the development plan policy framework for tall buildings and, crucially, would be of a high standard of architecture and design;
- not adversely affect any locally protected views, having regard to the conclusions of the Townscape and Visual Impact Assessment, and would not adversely affect local townscape character;
- contribute to the creation of a lifetime neighbourhood;
- preserve the setting of adjacent heritage assets
- make appropriate arrangements to enhance the landscape and biodiversity value of the site and adjacent public realm
- contribute to climate change adaptation and mitigation and enable safeguards to be built-in having regard in particular to air quality, noise and land contamination during construction; and
- provide new community and commercial space which would make a contribution to the creation of new jobs

The appraisal below demonstrates that the scheme under consideration would be in accordance with the visions and aspirations set out in the adopted development plan. The proposal would be in line with the Housing Zone designation in a highly sustainable location, unlocking the potential of the site through the provision of a high density scheme with a good proportion of on-site affordable housing provision and new Private rented Units which is a key priority identified within the London Plan (2015).

It is proposed to secure mitigation, controls and additional details, where necessary, through appropriate conditions of planning permission and a Planning Obligation under section 106 of the Town and Country Planning Act 1990 (as amended). In accordance with the NPPF, including its presumption in favour of sustainable development and subject to the completion of a satisfactory Planning Obligation, referral to the Mayor of London, it is recommended that the application be granted.

INFORMATION

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

Statutory Return Type: Major Development

Council Interest: The Council own part of the site (former library Gayton Road library site and surface level car park).

Gross Floorspace: 892sqm

Net additional Floorspace: Residential: 30,026sqm / Non Residential: 477sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £1,067,640
Harrow Community Infrastructure Levy (CIL) Contribution (provisional): £3,350,560

Site Description

- The application site is 1.31 ha and is located on the southern side of Gayton Road towards the eastern edge of Harrow town centre.
- The site is allocated for re-development in the local plan (AAP site 22).
- The site comprises three distinct elements. To the east is a hard surface public car park, in the centre of the site is a three storey residential building accommodating 9 flats, built in the 1960s; and to the west is the former library site which is vacant, surrounding by hoardings and currently used for storage of building materials.
- There is existing vehicular access to the car park, Sonia Court and former library site from Gayton Road approximately 2 metres from the north to the south.
- Proposed site levels vary over 1.5 metres across the site from 69.75 to 71.25m AOD. The site slopes down a front Gayton Road to the south-eastern corner.
- The site has an irregular configuration and is bounded by Gayton Road to the north, Cymbeline Court, a four storey residential building and the side/rear elevations of No. 20/21, two storey dwellinghouses located in Ashburnham Avenue to the north east, railway lines to the south and a five storey former officer block which has been converted to residential use to the west (Baldwin House).
- The immediate surrounding area along Gayton Road is defined by three and four storey apartment blocks, mainly built in the 1960s.
- Beyond the railway to the south are two storey terraced and semi-detached dwellings situated in Kenton Avenue and Kenton Road. Further to the west along Gayton Road at the junction with Lyon Road is a three storey pub called 'The Junction'.
- Further to the north, St John's Road is characterised by three and four storey apartment blocks.
- Taller buildings are located beyond Gayton Road to the north, including Platinum house which is eight storeys. Adjacent to Platinum house is another allocated site (AAP Site 21 Lyon Road) which has planning permission and is currently under construction for a 310 unit mixed housings scheme. The majority of the site will have seven to nine storeys with a 13 storey tower located towards the junctions with St Johns Road and Lyon Road as well as 33, 000 sqft of commercial space.
- Further to the west beyond Baldwin House is Station Road railway bridge where there is an eight storey residential building and a four storey office block on opposite sides of the road. The buildings along Station Road are predominantly three storey in character. AAP site 17 (17-51 College Road) is also located to the west of Station Road. The site recently gained planning permission for a twenty storey building on part of the site (LPA ref: P/0737/15).
- The western part of the site including Sonia Court and the former library falls within Harrow town centre (a Metropolitan Centre). The whole site falls within the Harrow and Wealdstone Opportunity Area as designated in the Local and London Plan.
- The site is not within a conservation area and none of the existing buildings are listed. However, across the railway line immediately to the south west are Harrow College, Harrow School, Lowlands Recreation Ground, Roxborough Park and the Grove Conservation Areas. There are other locally listed and statutorily listed buildings situated to the north west of the application site along Station Road.
- Beyond Lowlands Road to south is the Harrow-on-the-Hill Area of Special Character which includes various Conservation Areas and listed buildings including St. Mary's Church (grade I) and includes The Grove open space (Metropolitan Open Land).
- Proximity to Harrow-on-the-Hill Station (Metropolitan line and Chiltern Railways) and

Harrow bus station (various local bus routes) give the site a public transport accessibility level (PTAL) rating of 6a (very high public transport accessibility).

Proposal Details

Headline Proposals

- Full planning application for comprehensive redevelopment following demolition of the existing residential building Sonia Court.
- The redevelopment would provide 355 homes between five buildings, in configurations of 5, 6, 8, 9 and 11 storeys with commercial and community uses at ground floor and landscaped courtyard areas. The scheme would provide a mix of 1, 2 and 3 bedroom flats. In total 171 parking spaces are provided at surface and basement level, with access from Gayton Road.
- The overall mix of units across the development will include 91 x 1 bedroom, 184 x 2 bedroom and 80 x three bedroom units.
- Above ground development would comprise five separate blocks:
 - Building A would be located on the western side of the site and would be between 5 and 8 storeys. It would contain 477m² of community/retail space at ground floor. A total of 53 private rented sector [PRS] units would be provided.
 - Building B and C would be situated in the central section of the site and would be between 8 and 11 storeys. A total of 230 private units would be provided.
 - Building D1 would be located to the east of the site adjacent to Cymbeline Court and would be five storeys in height. Building D2 would be located to the rear of building D1, adjacent to the railway and would be nine storeys. Buildings D1 and D2 would provide 72 Affordable Rented units.
- Below ground development would comprise a basement with a total area of 5554.2m². The basement would be accessed from a ramp at the southern end of the site from a new internal access road, which in turn would be accessed off Gayton Road. The basement will include car parking and cycle parking spaces, refuse and recycling stores and a Combined Heat and Power System (CHP) plant room.

Layout and Heights of Proposed Buildings

Concept:

- The proposal would introduce a series of mansion blocks lining Gayton Road (buildings A, B and C) whilst building D1/D2 will be set back from the street.
- The proposal has a linear building typology with semi private courtyard spaces between the buildings.
- The front sections of the buildings would have an east-west orientation and would be attached to north-south orientated projections.
- The proposal would provide a set of villa like apartment buildings along Gayton Road and a series of taller elements adjacent to the railway line that are linked in a north/south orientation forming four parallel 'fingers' with the building widths extending from west to east. The easternmost 'finger' is divided into two separate buildings.
- The urban form proposed is intended to mediate between the edge of town centre location with more consolidated urban fabric and the looser suburban streets to the east composed of four/five storey residential.
- The applicants Design and Access Statement outlines that the intention of the proposal is to provide a clear frontage to Gayton Road, parallel to the kerb line with an appropriate degree of formality and civic potential in the treatment of the elevations in order to provide a more "street like" appearance which is considered to be important for a growing town centre.

- The proposal will provide a sequence of courtyards and new street all accessed from Gayton Road.
- The new street at the eastern edge of the site would provide access to four of the main entrances and resident's basement and surface car park and other key surface areas located in the basement.
- The courtyards will be active throughout the day, offering pedestrian access to the secondary cores containing informal play spaces and space for social interaction.
- The community/café space would be located close to the kerb edge within the ground floor of building A on the western side of the site closest to the town centre. The community/café will have large display windows towards the road and on the gable end facing west. Buildings B, C and D would have apartments at ground floor level.
- The central mansion blocks would be set back from the road frontage and would have a 1 metre wide green buffer zone.
- The four villa elements will use a composition with a base, middle and a top and the front elevations of buildings A B and C would be defined with double height entrance porches.

Building A:

- Building A would have a maximum width of 31.6 metres across the front, narrowing to 16 metres across the rear 'finger' projection.
- The building would span a distance of approximately 54 metres from north to south elevations.
- It would be set off the front northern boundary of the site by approximately 1.6 metres to 2.64 metres. The rear elevation of the building would be set off the southern boundary of the site between 4.2 and 5.2 metres.
- The ground floor would contain 477.5m² of community and retail space. Access to this space would be gained from the northern elevation fronting Gayton Road. A shared community courtyard area would be provided to the south and west of the community/retail space. A raised semi private courtyard space would also be located on the southern side of block A.
- The main residential lift core would be sited to the rear of the community retails space with access to the residential units from the south (adjacent to the external community space courtyard) and the east.
- Building A would be separated from Building B by 8.8 metres at the front which would narrow to 5 metres for a short distance of approximately 8.6 metres between the blocks.
- The rear courtyard space to the eastern side would provide a minimum separation of 21.5 metres between blocks A and B.

Building B:

- Building B would have a maximum width of 31.6 metres across the front, narrowing to approximately 16 metres across the rear 'finger' projection.
- The building would span a distance of approximately 65 metres from the north to the south elevations.
- It would be set of the front northern boundary off the site by between 2.6 to 3 metres. The rear elevation would be set off the southern boundary of the site by between 2.2 to 2.8 metres.
- The ground floor would be separated by an undercroft providing pedestrian and emergency access through the site.
- There would be three main access points to the building including the main double height entrance porch on the front elevation, on the rear southern elevation of the front

building block and towards the rear of the building from the western elevation.

- Building B would be separated from Building C by 8.8 metres at the front which would narrow to 5.8 metres for a short distance of approximately 7 metres between the blocks.
- The rear courtyard space to the eastern side would provide a minimum separation of 21.5 metres between blocks B and C.

Building C:

- Building C would have a maximum width of 31.6 metres across the front, narrowing to between approximately 16 to 19.5 metres across the rear 'finger' projection.
- The building would span a maximum distance of approximately 78.5 metres from the north to the southern elevation.
- It would be set off the front northern boundary of the site by 2.8 metres. The rear elevation of the building would be set off the southern boundary by approximately 2.4 metres.
- There would be two residential accesses on the east elevation; three on the western side of the building with the main entrance from the double height porch on the front elevation.
- The rear eastern elevation of building C would be separated from Building D2 by a distance of 21.5 metres and from building D1 by a distance of 18.4 metres towards the front of the eastern elevation.

Building D:

- Building D would consist of two separate blocks consisting of block D1 sited towards the front of the site and block D2 sited towards the rear southern boundary.
- Building D1 would have a width of 25.3 metres across the front and a maximum width of 15 metres across the rear.
- Building D1 would be set back from the front northern boundary of the site between a distance of 19.7 and 23.5 metres. It would be set off the eastern boundary of the application site between 2.5 and 16 metres.
- Buildings D1 and D2 would be separated by a distance of between 9 to 14.9 metres.
- Building D2 would have a rectangular form with a width of 16 metres and a depth of 31.4 metres. It would be set off the rear southern boundary of the site between a distance of 3.43 metres and 2.54 metres and from the eastern boundary of the site between 26 and 28.5 metres.
- Buildings D1 and D2 would each have one main residential entrance on the west elevation and one secondary residential entrance on the east elevation.

Table 1: Proposed Building Heights

Building	No. of Storeys	Proposed Roof Height (metres AOD)	Site Level at front of building along Gayton Road (metres AOD)	Proposed Roof Height (metres above proposed site level along Gayton Road)	Adjacent site level (metres AOD)	Proposed roof height above adjacent site level (metres AOD)
A	8	96.375	69.55	+26.825	69.750	+26.625
	5	86.325		+16.775		+16.575
B	8	96.375	70.10	+26.275	70.150	+26.225
	6	89.250		+19.15	71.250	+18
	11	105.150		+35.05	71.250	+33.9
C	8	96.375	70.27	+26.105	70.550	+25.825
	6	89.250		+18.98	68.350	+20.9
	11	105.150		+34.88	67.575	+37.575
D1	5	85.5	70.44	+15.06	68.300	+17.2
D2	9	96.4	70.44	+25.96	68.500	+27.9

Proposed Residential Use

- of the 355 proposed homes, 230 (64.79%) would be private ownership housing, 53 (14.93%) would be private rented housing and 72 (20.28%) would be affordable.
- of the 355 proposed homes, 91 (25.63%), would be one-bedroom flats, 184 (51.83%) would be two-bedroom flats and 80 (22.54%) would be three-bedroom flats.
- of the 72 affordable homes, all would be for affordable rent; the affordable homes would be provided as one, two and three bedroom flats and would be located in blocks D1 and D2 to the east of the application site.
- further, detailed breakdown of the proposal's housing offer is provided in the *Housing and Residential Quality* section of this report
- each block would be served by a primary residential entrance and secondary entrance points as set out above to a lobby, stair and dual lift core; lifts would serve every floor and provide direct access to the basement.

Proposed Non-Residential Uses

- the proposal would make provision for 477m² of commercial uses on the ground floor of building A situated on the western side of the site.
- The application seeks a flexible consent for commercial/community uses to include A1 (retail), A2 (financial and professional services), A3 (restaurants and cafes), B1 (business) and D1 (non-residential institutions).
- The main access to the community/commercial space would be provided from Gayton Road with a secondary access to the rear southern elevation.
- A small courtyard area would be provided to the rear of the community/commercial space.
- Two disabled parking spaces would be allocated to these spaces, adjacent to the eastern boundary of the site.

Parking, Access and Servicing

- The four existing access points serving the site will be rationalised, providing a single main access point from Gayton Road and three supplementary minor access points which will be used for emergency and servicing access.
- The main site access will be located on the eastern side of the development, broadly

in the location of the existing eastern access which serves the entrance to the Gayton Road Car Park. This access will serve the car parking associated with the new homes, by providing access to the basement and surface level car park at the eastern end of the site, and will also be used by the refuse vehicle for collections.

- A secondary site access is proposed to the west of the central area which would be used by servicing vehicles associated with the new apartments as well as the proposed commercial/community space. No Parking will be accessible from this access, although a turning head is proposed to allow delivery vehicles to turn within the site so they can enter and leave in forward gear. In addition, sufficient space has been retained adjacent to the turning head to allow a larger surface vehicle to turn around and then park, wait while it is loaded / unloaded and a box van or delivery vehicle to still be able to use the turning head.
- An emergency access is proposed between the secondary site access and the main site access, a crossover arrangement is also proposed in order to facilitate a loop to be created on the site between this access location and the secondary site access. This access is not intended to be for general use and is proposed to be managed through the use of collapsible bollards or a similar mechanism. This access is intended to be used only in an emergency situation where one of the main accesses may be come blocked, in order to enable an emergency vehicle such as a fire tender to still be able to gain access to the central area of the site.
- A minor access is proposed on the western side of the site which is intended to provide minor access to the commercial and community floor space. Within this area, a turning head will be provided to enable vehicles to enter and leave in forward gear. Two disabled parking bays will be provided for use by the community/commercial floorspace.
- The three mansion blocks facing Gayton Road are proposed to have gates between them which will be open during the day and closed at night.
- The main access to the east and the community/commercial access to the west would be open throughout the day and night.
- Pedestrian movement throughout the site will be possible via the provision of paths an underpass below block B and the courtyard spaces running north to south.

Public Realm and Landscaping

- The application proposes a sequence of semi-private courtyards and a new street which will be accessed from Gayton Road running north to south between the buildings. The proposed courtyards will provide access to informal play opportunities and open space for social interaction.
- The proposed courtyards would be comprised of areas of green spaces and areas of shared surface. Vehicle access would be limited to deliveries, drop-offs and emergency access.
- A number of trees along Gayton Road and within the application site would need to be removed in order to facilitate the development. The proposal includes provision for extensive new planting across the application site.
- The arrangement of the blocks would create a series of distinct external spaces each of differing character. The sequence of landscape spaces from west to east consist of a 'working yard', two podium 'courtyards' and access mews and a surface car park in a 'hollow'. A further green space (Pocket Park) will be provided in front of block D1 towards Gayton Road which will be open to the public at all times.
- A new green space will be provided at the end of the main street between block D and C, separating the building entrance of block D2 from the basement car parking access.
- Along the frontage of Gayton Road, a new concrete paved pavement is proposed to

unify existing and new surfaces to the back of the new footway.

- The frontage of the two primary elevations to Gayton Road would be defined by a clipped hedge such as beech in front of shrub planting. A series of new trees will also feature on the frontage. It is proposed to retain the existing Horse Chestnut tree on the far west corner of the site along with two new fastigate trees, planted close to the new buildings in order to mark the entrances to both the mews and courtyards through the gaps between the buildings.
- A tree with the capacity to become large is proposed to be planted by the Pocket Park.
- The proposed working yard space would be located nearest to Harrow Town Centre adjacent to the commercial/community space on the ground floor. This space will enable capacity for deliveries and cycle parking whilst also providing seating in a southerly oriented outdoor space for the ground floor. The working yard space will include an upper level grassed landscaped private area which will be accessible from the adjacent flats and via a light weight stair access. The area includes a meadow strip which is proposed to be planted with native plants. Creepers and shrubs are proposed at lower and upper level to screen the boundary and the car park vent.
- Two central courtyard podium decks are proposed which will have a singularity of surface and character. Terraces and balconies will be screened and animated through the use of creepers and foliage. A series of planters of brick or concrete construction and at varying heights, contain trees (6-10m), together with smaller trees and shrubs (up to 5m) and planting.
- The mews access road into the site, and to both car parking areas, is proposed to be treated as a tree lined street, terminating in views of the railway embankment vegetation, with Harrow on the Hill beyond. Three large planters are proposed at the end of the mews to help articulate the space.
- The south eastern corner of the car park is proposed to be softened by large trees forming canopies over the bays and edged with hedges and small trees against the buildings. A wilder screen of vegetation is proposed along the eastern boundary which is intended to extend the ecological quality of the railway embankment.
- A new green public open space is proposed in the north eastern corner of the site off Gayton Road. A number of small parkland trees are proposed within this space. The proposed pocket park will be equipped with a play area and seating.
- At the rear of the podium courtyard and the mews, a low wall and band of shrub planting will define the edge of the publically accessible site. Beyond this space small trees and native shrubs will be planted to the edge of the boundary. There will also be an access path to allow for maintenance.
- The primary ground material throughout is proposed as concrete permeable paving.
- Concrete slabs with concrete conservation kerbs are proposed to finish to the defined footways along Gayton Road and along the access mews.
- Furniture within the courtyard and open spaces would constitute benches in stone blocks. Proposed lighting across the development would include aluminium bollard luminaires along paths in courtyards and green spaces. Columns lights are proposed along access roads and public footpaths and building mounted lights at entrances.
- Doorstop plays areas will be provided within the courtyards and will include stone and timber equipment set in a rubber crumb safety surface.
- A pocket park play facility for older children, accessible from both on site and from Gayton Road is proposed in the open space to the north east of the site.

Materials/External Appearance

- The main building material will be brick. Each building will have a primary and secondary brick blend. Each brick blend will have a level of variation within it. Around

windows and at the base of each building, recessed by 35mm, a darker and more homogenous secondary brick blend would provide a contrast. The bricks will have a soft and tactile finish.

- Of the four buildings (Plot D being comprised of two buildings), it is proposed that two buildings will be in a red brick and two in a buff brick, alternating across the site to give variety.
- Cornices will sit on top of each building block and will be sized according to the varying heights.
- Concrete banding is proposed around all the buildings between first and second floor. Concrete parapets are also proposed around the tops of the link elements of the buildings.
- Two types of balcony are proposed which will consist of inset corner balconies predominantly along Gayton Road and projecting steel balconies elsewhere. Balconies facing towards the new internal street will be partially screened by semi-closed balustrades to prevent visual noise. Metalwork for proposed balconies is proposed to be coloured matched or complementary to the other building metal work and windows frames.

Revisions to Application and additional information following Submission:

- Revised ecology report detailing green/brown roof system to be provided on the upper elements of the blocks
- Crime Impact Statement submitted.
- Revised landscape Strategy
- Minor amendments to elevations of Block D1 and D2 including new windows/balcony provision
- Addition of rooftop terraces to blocks A, B and C.
- Provision of new dedicated cycle entrance to the basement
- Additional cycle parking spaces provided for the community/commercial space
- Additional motorcycle parking space provided in the basement
- Addition of entrances gates to terraces at ground floor level to enable access to individual units from the street.
- Revised energy strategy detailing additional capacity for expansion of the CHP and identification of routes for potential pipework to connect the energy to any future district heat network.
- Submission of a Construction Management Plan

Environmental Impact Assessment (EIA)

The development falls within the thresholds set out in Schedule 2 of the Town and Country Planning (EIA) Regulations 2011 (as amended) whereby an Environmental Impact Assessment may be required to accompany the planning application for the purposes of assessing the likely significant environmental effects of the development.

Schedule 2 paragraph 10(b) of the Regulations states that proposals for urban development projects of either more than 5 hectares in area, more than 150 dwellings or for proposals that include more than 1 hectare of urban development which is not dwellinghouse development may require an Environment Impact Assessment (EIA).

In this case, the development does not include more than 1 hectare of urban development which is not dwelling house development and the overall area of the development does not exceed 5 hectares. However, the proposed development exceeds the 150 unit threshold.

The indicative thresholds outlined within the Environmental Impact Regulations (2011) indicate that development for sites which have not previously been intensively developed are more likely to require EIA if they are greater than 5 hectares in area, would provide in excess of 10,000 square metres of new commercial floorspace or 1,000 dwellings.

The current planning application has been the subject of a screening opinion in accordance with part 3, paragraph 5 of the Town and Country (Environmental Impact Assessment) Regulations 2011 (as amended). It was concluded that the characteristics of the proposal, the location of the development and the characteristics of the potential impact would be of a nature that did not warrant the submission of an Environmental Impact Assessment as it would not have a significant environmental effects. A copy of the screening opinion can be viewed online as part of the electronic case file for the application under ref: P/5712/15.

Relevant History

P/4126/07

Redevelopment to provide 383 flats in 5 blocks ranging between 4 & 10 storey's in height, 200 public car parking spaces & 81 residents parking spaces in the basement, 383 covered cycle parking bays, 13 motorcycle spaces, landscaping, amenity & playspace (resident permit restricted)

GRANTED - 17th April 2008

P/2632/12

Extension of time to planning permission P/4126/07 dated 2/10/12 for redevelopment to provide 383 flats in 5 blocks ranging between 4 & 10 storeys in height, 200 public car parking spaces & 81 residents parking spaces in the basement, 383 covered cycle parking bays, 13 motorcycle spaces, landscaping, amenity & playspace (resident permit restricted)

WITHDRAWN - 15th September 2015

Pre-Application Discussion:

In June 2015 the Council and Fairview Homes commenced pre-application discussions regarding the development of the site, for a mixed use residential and commercial scheme. A Planning Performance Agreement (PPA) was entered into in August 2015 in order to establish a framework to guide the working relationship including key objectives for the site and areas of mutual interest between the parties.

Officers have engaged with the applicant extensively through the pre and post submission stages in relation to the various planning considerations associated with a major planning application of this nature. In particular, discussions have focussed on consistency with the Harrow development plan concerning matters of layout, impact upon views, appearance, urban design and landscaping, housing mix, transport and other infrastructure related matters as well as community engagement.

Application Submission Documents

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

- Air Quality Report
- Land Contamination Assessment
- Daylight and Sunlight Assessment

- Design and Access Statement
- Planning Statement
- Ecology Report
- Energy Statement
- Sustainability Statement
- Affordable Housing Statement
- Flood Risk Assessment
- Heritage Impact Assessment
- Archaeological Assessment
- Noise Report
- Statement of Community Involvement
- Townscape and Visual Impact Assessment
- Transport Assessment
- Travel Plan
- Arboricultural Report
- Waste Management Statement

Pre-Application Consultation

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

- Introductory letters and follow up phone calls sent to local elected representatives (September 2015)
- Introductory letters and follow up phone calls were made to Head Teachers of local schools and local community groups (September 2015)
- Meeting with Harrow on the Hill Golf Club (September 2015)
- Meeting with the Campaign for a Better Harrow Environment (October 2015)
- Letters sent to Key Stakeholders including ward Councillors, members of the Planning Committee, the principal of Harrow College and Harrow High school, the owners of Harrow Hill Gold Club and the manager of The Junction pub (October 2015)
- Meeting with Director of Estates for Harrow School (October 2015)
- 7000 leaflets advertising the public exhibition distributed within the local area (October 2015)
- Door to door canvassing with local residents on Gayton Road and neighbouring roads (October 2015)
- Delivery of letters to residents on Gayton Road and surrounding roads, informing them of the applicants efforts to contact them and offering full contact details (October 2015)
- A large banner advertising the public exhibition was erected on the site boundary (October 2015)
- Launch of consultation website www.FairviewGaytonRoad.org.uk (October 2015)
- Public exhibition held over two days at the Best Western Cumberland Hotel, St Johns Road, Harrow (23rd and 26th October)
- Meeting with Greenhill Ward Councillor (October 2015)
- Presentation to Major Development Panel (November 2015).

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

Advertisements & Site Notices

Major Development, Character of Conservation Areas, Setting of a Listed Buildings, and

Departure from the Development Plan - Harrow Times and Harrow Observer 11th February 2016 (Expiry: 3rd March 2016)

10 site notices were posted around the site (Expiry: 3rd March 2016)

APPLICATION CONSULTATION

First Consultation

Sent: 726 (3rd February 2016)

Objections Received: 16 plus 1 petition with 47 signatures)

Supports Received: 17

Expiry: 24th February 2016

Second Consultation (as result of the minor changes received detailed in the 'Revisions to Application ...' section above)

Sent: 117 (5th May 2016)

Expiry: 19th May 2016

Objections Received: None

Supports Received: None

1 Petition including 47 signatures with the following comments:

"We the undersigned object to the above application. The buildings are too high and densely packed so that they do not blend in with the existing buildings along Gayton Road, Ashburnham Avenue and Ashburnham Gardens. They would deny much sunlight and daylight to neighbouring properties. It is obvious that building only flats without providing all the other things people need, such as more GP surgeries, is short sighted and could lead to big problems. Loss of the public car park will cause drivers to try to park on the private land or drive around adding to traffic congestion".

Summary of Neighbour Representations

Character and Appearance

- The narrative on the visual assessment part of the application relating to Kenton Avenue (View 20) is significantly inaccurate and should be corrected before any planning application is considered for approval – the statements (1) that “the overall character of the view would remain similar to present”, and (2) there would be an overall beneficial change to the “visual amenity” are manifestly untrue.
- The residents of Kenton Avenue will be significantly impacted by the views of the site from our upper storey front and rear windows.
- The site should be redeveloped but the height of the buildings should be limited to 6 storeys to reduce the visual impact on the surrounding residents. An 11 storey building will dominate the visual aspect of our street.
- The proposed development will be an eyesore on our open views (Kenton Road).
- The height of this massive development in Gayton Road has risen from 4 -10 storeys in the previous proposal to 5-11 storeys.
- The development is overwhelmingly large in an area with a dense population where many new flats have recently been built.
- The proposal does not make a positive contribution to the character of the area.
- The proposed tower blocks are inherently bad and will completely alter the character of Gayton Road.
- There is no architectural merit in the proposals.
- The avenue-like appearance of Gayton Road should be protected.

- That the proposed development should extend beyond the established building line ought to be as anathema as building on green belt land.
- The high rise buildings are not in keeping with the current architecture.
- The massing of the new proposal is worse than the previous planning application.
- I believe the proposed development is a direct contravention of Harrow's own policy for a better Harrow. It does not respect local context and street pattern, in particular, the scale and proportions of the surrounding buildings would be entirely out of character with the area, to the detriment of the local environment.
- The physical scale between the proposed flats and the existing properties either side also has no regard for scale, density, height, massing, layout and materials as well as safeguarding the amenities of the neighbouring residents.
- The proposed three blocks of flats along Gayton Road, at 8 storeys high project in front of the building line of existing properties in the road and are very close to the boundary line of the site. This will turn Gayton Road into a corridor rather than tree lined road that it is now.
- Given the sloping nature of the site from Gayton Road south eastwards and the drop in level towards Ashburnham Avenue, Ashburnham Gardens and the railway line, any high rise development is accentuated.
- Since the borough owns the freehold for most of the land, the Council should have been able to negotiate a development rather more imaginative and of higher quality than the recently approved proposals in central Harrow. But no; we are presented with yet another set of high rise, high density block of flats with no attempt to integrate with the existing residential area.

Views and Townscape

- The height of the proposed development would mean that the view of the Hill would disappear for many people for miles around. This development and others like it, so close to this significant feature, should not go above four floors, in line with the surrounding buildings.
- A development higher than four storeys should be further away from the hill by one or two kilometres, to ensure the beauty of the view for future generations.
- The proposal will very much restrict the iconic view of Harrow on the Hill from Gayton Road and Ashburnham Avenue.

Compliance with Development Plan

- The proposal does not comply with Harrow's Area Action Plan in a number of respects, including overall maximum height and layout of flats.
- The development will only offer half the jobs required by the AAP.
- The proposal makes no attempt to "create a transitional boundary between the town centre and neighbouring residential area". The maximum height is 11 storeys, not 6 to 10 storeys along the railway.
- The proposal fails to create a new view of the Hill along Gayton Road.
- The proposal fails to provide the "terraced housing" described in the AAP.
- The AAP sets out that "any proposed development of the site should be a mixed development with the tallest buildings of 6 to 10 storeys high along the railway line...the Council expects buildings to be of a scale consistent with local surroundings"... "proposals for taller buildings that project above the prevailing height of the surrounding area must be justified in community benefit as well as urban design terms" should be of high standards of architectural quality and design, be sensitive to and engaging with the street environment, avoid a canyon effect". – How can this proposed development be seen to meet any of this criteria. The surrounding area is

largely two storey houses and low rise blocks of flats of 3 and 4 storeys.

- Harrow's Area Action Plan states that this site should be mixed use, including houses and flats, community/civic space and offices. The present design is entirely for flats and the only other use is a community café.
- The estimated number of jobs, 15, is only half that proposed by the AAP.

Traffic and parking

- Parking spaces for the general public will be decreased, deterring shoppers and others from visiting Harrow.
- The development is also likely to require more parking than what will be required.
- The loss of the car park and the lack of parking spaces proposed is of particular practical concern.
- The scale of the development will lead to unacceptable level of traffic congestion and parking issues as well as road safety challenges.
- There traffic problems in the surrounding roads will be made worse by the loss of a large number of public parking spaces.
- I support the proposed development, but I am concerned that the number of parking spaces proposed is so low in relation to the number of flats proposed.
- Where will the vehicles now using the Gayton Road car park go when the car park disappears?

Residential Amenity

- Currently we get sunlight all day but with the proposed development there will be no sunlight as soon as the sun hits the buildings at midday.
- Sunlight and daylight report states that our bedroom window will be affected (occupiers 20 Ashburnham Avenue).
- The proposal will result in an excessive loss of light and solar heat gain.
- The building line of the existing properties is not respected exacerbating the loss of sunlight.
- Greenhill Mansions and Murray Court will be uncomfortably wedged between the Gayton Road development and the tall blocks under construction in Lyon Road and will result in excessive loss of light and solar heat gains.
- The proposals will lead to noise, disturbance and environmental pollution.
- The plans do not address visual amenity.
- The plans do not address loss of light or overshadowing.
- The projecting balconies of the 6, 7 and 8 storey blocks of flats on the eastern side of the site will be overlooking not only the gardens but looking into the bedrooms of some of the two storey houses in Ashburnham Avenue.
- A third of the new flats are single aspect which should not be acceptable in a new build, given how long the AAP and the London Plan have directed against this.

Quality of Accommodation

- One third of the flats will be single aspect.

Biodiversity, Trees and Landscaping

- The existing willow trees by the car park should be preserved.
- There are several exceptional trees including Weeping Willows and Horse Chestnuts which will need to be felled to make way for the proposed development.
- The plans do not address the loss of trees and landscaping.

Crime

- Tower blocks can be a health and crime hazard.

Affordable Housing

- The proportion of affordable units offered is 20%, half of the 40% required by the Council.

Infrastructure

- The ever growing development in Central Harrow will put a strain on hospitals, doctors' surgeries, schools roads, public transport and crucial services such as water supply.
- The development will put extra pressure on sewers which are already overflowing to water courses and onto pavements at times of heavy rain. Climatic changes are predicting increases in such events.
- The local infrastructure is already overstretched.
- There is insufficient consideration to social infrastructure matters including schooling and medical care. Amenities in this ward are already under strain. In particular, schools appear to be unable to cope with the rising yearly demand placed on them currently.
- The Travel Plan recommends the residents of the site to attend Northwick Surgery but this surgery already has a full complement of patients and is planning to move further away. There should be a new GP practice on the site.

Other

- There are already a number of other developments proposed for central Harrow including 318 at the College Road site and 238 at the Lyon Square site.
- Pre-existing underdeveloped or part developed buildings in Harrow should be utilised first, i.e. used for residential rather than commercial use. (If the residential need is greater than the commercial at the present time).
- The Government is striving not to overload the country's population – why isn't the Council doing this in Harrow.
- There remains a need for affordable housing, there is a need for aspirational stock and this is being overlooked.
- There are already an excessive number of developments under construction proposed for central Harrow. In addition to the 355 flats proposed in Gayton Road, over 700 are intended in the adjacent College Road and Lyon Road development.
- The London Borough of Harrow owns most of the site and it should not be sold to a developer on a very poor financial arrangement.

Letters received in support:

- I support the proposals for Gayton Road.

Summary of Responses from Amenity Groups

The Campaign for a Better Harrow Environment:

We write to object to the Fairview Homes application for planning permission for development of the above site, site 22 in the Area Action Plan (AAP).

The grounds for objection are:

1) Failure to comply with the AAP

The proposal fails to comply with the AAP. It is not a truly mixed development and will

offer only half the jobs required by the AAP. It fails to meet the AAP's first objective of making a positive contribution to the area in terms of quality and character and makes no attempt to "create a transitional boundary between the town centre and neighbouring residential area. The maximum height is 11 storeys not "6 to 10 storeys along the railway" and it fails to create a new view (or any view) of the Hill from Gayton Road. Furthermore the proposal fails to provide the "terraced housing" described in the AAP and, despite longstanding guidelines, one third of the flats are single aspect.

2) Massing

Fairview's previous proposal was criticised by Cllr Keith Ferry and others on the grounds of **massing**. The new proposal appears worse.

3) A Public Car Park is Necessary in Gayton Road

Removal of all 292 public car parking spaces is likely to result in extra congestion and pollution as people arriving from Kenton or Wembley directions seek a parking space in the town centre. We support the Council's declared policy to reduce car use and promote use of more sustainable forms of transport. It does not seem consistent with that policy to provide nearly half the new flats with a parking space.

4) Daylight and Sunlight

Daylight and sunlight are important for human health. The report by CHP Surveyors presents calculations of loss of daylight and sunlight for surrounding residential buildings in Greenhill mansions, Cymbeline Court, Ashburnham Avenue and others. **The effect is worse for neighbours than Fairview's previous proposal.** This is because the relevant BRE guideline is discarded. The author quotes it in Appendix A: "If any part of a new building measured in a vertical section perpendicular to a main window wall of an existing building, from the centre of a lowest window, subtends an angle of more than 25 degrees to the horizontal (the light) may be affected".

The author argues in Appendix A that this guideline is for low density developments and is not appropriate for "dense urban environments". We do not believe that Gayton Road and Ashburnham Avenue can fairly be so described. There should be a more graduated interface between the proposed blocks and surrounding buildings. This would reduce the blocking of neighbours' daylight and sunlight.

5) Flood Risk

Thames Water wrote to the Council on 17th Feb. 2016 "Thames Water has identified an **inability of the existing waste water infrastructure to accommodate the needs of this application**". Assuming that the infrastructure can be improved there is a second major problem. When a severe rainstorm occurs we understand that surface water will be directed into holding tanks for release into the sewer later on when it is safe to do so. A construction professional advised that if the tanks are under-specified (too small) or if there is a malfunction all the surface water will have to go somewhere else. At this site this could mean on to railway land and/or Ashburnham Avenue because of the slope of the ground.

It is known that extreme weather events will become more common in future. Recently Storm Desmond caused 20% of a year's rain to fall in 24 hours in Keswick. Widespread flooding occurred in the Borough of Harrow in 2013, 2014 and 2015 according to data in the Council's recent flood risk consultation document.

The new buildings will be expected to last for a few decades so the development's

flood protection needs to be designed with a large safety factor. Protection of the new flats and the railway and neighbouring property is essential. **We look to the Council to ensure that the measures provided are adequate for the life of the buildings.**

6) Travel Plan

The Plan is typical of these documents. It would require enforcement to work and this is not likely to happen. It is good that a car club is proposed. Car clubs could be useful in reducing traffic congestion but “up to two” car parking spaces for the club’s cars means 0, 1 or 2 spaces. This is inadequate. More spaces should be provided and the club should be open to existing residents.

7) GP Practices

Three practices have closed in Kenton recently. The Northwick Surgery has had a full complement of patients for many years but it is recommended in the Travel Plan to accommodate new residents at Gayton Road. Further, it is seeking to amalgamate with two other practices and move to new premises on Sainsbury’s land at Kenton. This makes good commercial sense for Sainsbury’s but the practice will not be so accessible for many of those currently on its books. **It is not good enough to keep adding residential accommodation in the Heart of Harrow without providing the other facilities needed.**

8) Contaminated Land

In item 14 on Fairview’s application form it is claimed that the land **is not suspected to be contaminated**. However, one would expect anyone in the business of development of brownfield sites to be well aware that land which has been used as a car park for half a century will be contaminated with polycyclic aromatic hydrocarbons (PAH), lead etc and that asbestos is likely to be present on the site of the former library.

The report by CGL on the geotechnical and geo-environmental aspects of the site is professionally presented. It gives results of multiple measurements on soil samples revealing levels of lead (17 to 1700 mg per kg) which would be a risk to human health on residential land without home-grown produce, i.e. to the residents on the proposed development.

Asbestos and zinc (which is a risk to vegetation and plants) and various other chemicals were also found at levels exceeding the assessment criteria. These problems can all be dealt with, given the will and the funding, by following CGL’s recommendations. **Again we look to the Council to make sure that this is done properly.**

Stringent planning conditions, properly enforced, might alleviate our concerns about flood risk and pollution. However the real problem is the excessive size, position and design of the proposed blocks and the loss of daylight and sunlight. The application should be refused.

Summary of Responses from Statutory and Other External Bodies

National Planning Casework Unit: We have no comments on the application.

Greater London Authority:

The proposed high density residential-led mixed use redevelopment of this edge of town centre site, within the Harrow and Wealdstone Opportunity Area is strongly supported.

However, issues with respect to housing, urban design, sustainable development and

transport require resolution prior to the Mayor's decision making stage.

London Plan Opportunity Areas, housing, urban design, inclusive access; sustainable development and transport are relevant to this application. The application complies with some of these policies but not with others for the following reasons:

- **Opportunity Areas:** The proposed high density residential-led mixed use re-development of this Opportunity Area site is strongly supported in accordance with London Plan Policy 2.13.
- **Housing:** The proposal to provide 355 new homes at this site is strongly supported in accordance with London Plan Policy 3.3. The proposed provision of affordable housing should, nevertheless, be independently verified in accordance with London Plan policy 3.12. As part of this locally led viability review, GLA officers encourage the Council to explore the potential for this scheme to accommodate a greater provision of three bedroom affordable rented units.
- **Urban design:** The scheme is generally of a high design quality and GLA officers are satisfied that the scale of the proposed development accords with the principal objectives of London plan policy 7.7. However, the applicant is strongly encouraged to introduce ground floor front doors for units facing courtyard amenity spaces as well as for ground floor dwellings in blocks D1 and D2.
- **Inclusive access:** The approach to access and inclusion is broadly supported in accordance with London Plan Policy 7.2.
- **Sustainable development:** The proposed energy strategy and climate change adaptation measures are broadly supported in strategic planning terms. Following the conclusion of discussions on the energy strategy, the Council is encouraged to secure associated energy and climate change adaptation details by way of planning condition in accordance with London Plan polices 5.2, 5.10, 5.11, 5.13, 7.19 and 7.21.
- **Transport:** Whilst the scheme is broadly acceptable in strategic transport terms, matters raised with respect to: site access and servicing, cycle parking; impact on public transport; cycling and walking; and construction and travel planning should be addressed to ensure accordance with London Plan policies 6.3, 6.9, 6.10, 6.13 and 6.14.

Recommendation: That Harrow Council be advised that whilst the scheme is broadly supported in strategic planning terms, the application does not yet comply with the London Plan for the reasons set out above. The resolution of these issues could, nevertheless, lead to the application becoming compliant with the London Plan.

Further additional comments received from the GLA:

Energy: I can confirm that the addendum addresses our substantive points on energy, and that the energy strategy is accept i.e. in strategic planning terms. Notwithstanding this, we do encourage you to commit to a provision of PV in order to go beyond the minimum 35% carbon dioxide savings (where wider viability constraints allow).

Housing: I note that, having spent some time negotiating on the housing schedule, the Council is of the view that the current residential mix offers the best response to local

need (which indicates strongest demand for 2-bed homes). Having considered the position I am satisfied that the proposed mix is acceptable in strategic planning terms, subject to verification of the affordable housing offer as the maximum reasonable amount.

Transport for London:

Site access and servicing:

At TfL's request a stage 1 safety audit was undertaken, this has acceptably demonstrated the suitability of the proposed rationalisation of site access. Moreover, the supplied auto-tracking indicates that all relevant vehicles could turn on site and exit in a forward gear. This is supported, and TFL has concluded that there is no need to move the neighbouring Gayton Road bus stop to facilitate the proposed development at this time.

The servicing for the site is proposed to be undertaken off street, and by HGV if required. Based on the submitted framework Delivery and Servicing Plan TFL is satisfied that this is acceptable. A final version of this plan should be secured by way of planning condition in accordance with the London Plan Policy 6.14.

Parking

It is noted that the applicant has reduced the level of car parking following concerns raised by TFL during pre-application discussions. This represents a reduction from the initially proposed 60% ratio/ 216 spaces (to include 35 disabled spaces) to 48% / 171 spaces. This is supported and is consistent with other schemes in the area. Disabled parking provision is London Plan compliant and the applicant has committed to providing electric vehicle charging points to London Plan standards. It is noted that the area is already part of a controlled parking zone. The applicant's intention to provide car club spaces on site is also welcomed.

Cycle parking

TFL is satisfied that cycle parking provision is acceptable, having regard to recently revised London Plan standards. However, the applicant should confirm where a secure convenient and covered long term cycle space for the commercial and the community space is to be located.

TFL supports the provision of easy to use Sheffield stands in various locations at surface level for visitors. Residential provision will comprise of a mix of Sheffield stands and two tier racks to be provided in communal stores and within the basement. The applicant is nevertheless, asked to confirm that there is a separate convenient dedicated access for cyclists to the basement parking as currently it would appear that all cyclists are expected to share a two way ramp with vehicles.

Impact on public transport

TFL notes that overall traffic generation is likely to be lower than with the existing land uses, particularly the car park. The estimated modal split and trip levels for public transport are supported. The impact of additional bus passengers is not anticipated to create a capacity issue.

Cycling and Walking

TFL has advised the applicant of the intended future cycling infrastructure in the area, which centres principally on a new quietways route. In view of the Quietway plans, TFL welcomes the detail with which the applicant has assessed crossings/junctions in terms of cycle safety.

Construction and travel planning

The applicant appears not to have supplied a Construction Management Plan in framework form; such a plan is particularly necessary for managing any temporary impact on highway and bus services. TFL expects the Council to secure a Construction Management Plan and a Construction Logistics Plan by way of a planning condition. TFL welcomes that the applicant has submitted a framework travel plan, which has passed its 'ATTrBuTE' assessment exercise. TFL expects the travel plan to be submitted for approval by the Council in consultation with TFL prior to occupation.

Harrow-on-the-Hill Station:

In response to local and strategic objectives to enhance Harrow-on the-Hill station, the Harrow and Wealdstone Area action Plan (HWAAP) identifies a range of important upgrades (for example the need for step free access and visitor cycle parking). In support of these aspirations TFL is drawing up a station upgrade scheme (currently estimated to cost in the region of 20 million). Noting that such mitigation will be secured via the Harrow Community Infrastructure Levy (rather than from section 106), TFL strongly encourages the Council to prioritise this particular public transport infrastructure improvement within its apportionment of CIL.

London Underground:

Though we have no objection in principle to the above planning application, there are a number of potential constraints on the re-development of a site situated close to railway infrastructure. Due to the risk of embankments slippage caused by excavation and additional load being added to the embankment it will need to be demonstrated to the satisfaction of LUL engineers that:

- Our right of support is not compromised
- The development will not have any detrimental effect on our structures either in the short or the long term
- The design must be such that loading imposed on our structures is not increased or removed.
- We offer no right of support to the development of the land.

Therefore we request that the grant of planning permission be subject to conditions to secure the following:

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to an approved in writing by the local planning authority which:

- Provide details on all structures
- Accommodate the location of the existing London Underground structures
- Demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- Demonstrate that there will at no time be any potential security risk to our railway, property or structures.
- Accommodate ground movement arising from the construction thereof
- Mitigate the effects of noise and vibration arising from the adjoining operations within the structures.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with table 6.1 of The London Plan (2015) and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

We also ask that the following informative is added:

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.

Environment Agency:

Thank you for consulting us with this application. Having reviewed it, we have no comments to make.

Crime Prevention Design Officer:

I have looked at the crime impact statement for this development and it is appropriate.

Thames Water:

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998).

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

No piling shall take place until a piling method statement (detailing 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 the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

There are public sewers crossing or close to your development. 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 an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "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 he will undertake to minimise groundwater discharges into the public sewer.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, 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.

Following initial investigation, Thames Water believes that the sewer network downstream of this development may be approaching capacity. Thames Water request that an impact study be undertaken to ascertain, with a greater degree of certainty, whether the proposed development will lead to overloading of existing infrastructure, and, if required, recommend network upgrades. Please liaise with Thames Water Development Control Department (telephone 0800 0093921) with regard to arranging an impact study.

Second Consultation Response Thames Water (Received 4th April 2016).

Thames Water requests that the applicant should incorporate within their proposal, protection to the property by installing for example a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

There are public sewers crossing or close to your development. 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 an extension to a building or underpinning work would be over the line of or would come within 3 metres of a public sewer.

Comments regarding piling and groundwater discharges for public sewers, trade effluent consents and fat traps as above.

Historic England Archaeology:

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

The archaeological desk based assessment submitted with the application indicates that the site was likely to have been used for arable or pasture purposes, until it was developed in the late 19th century. The lack of prehistoric and Saxon remains in the vicinity, and that it was situated between to medieval tenements, would suggest that remains predating this would be unlikely to be situated on the site. The present proposals are not considered to have an effect on any significant archaeological remains.

No further assessment or conditions are therefore necessary.

Ministry of Defence Safeguarding:

The application site is approximately 5.86km to the north east of the main runway at RAF Northolt and occupies statutory aerodrome height and birdstrike safeguarding zones surrounding the aerodrome. Building A is to be situated in the most western part of the application site and will also occupy a technical safeguarding zone which serves to ensure air traffic approaches and the line of sight of navigational aids and transmitters/receivers are not impeded. Building A is within the area protecting the operation of a Precision Approach Radar (PAR) that surveys the eastern approach to the main runway at RAF Northolt.

We have reviewed the application again and I can confirm that the Ministry of Defence has no safeguarding objections to this scheme.

Whilst we have no safeguarding objections to this scheme, the MOD recognises that cranes may be used during the construction of tall buildings at this site and these may affect the performance of the PAR and air traffic safety. If planning permission is granted then it will be necessary for the developer to liaise with the MOD prior to the erection of any cranes or temporary tall structures.

The MOD requests that a condition such as the one below be included in any planning permission granted to ensure that the MOD is notified of when and where cranes will be erected.

Submission of a Construction Management Strategy

Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the details of cranes and other tall construction equipment (including the details of obstacle lighting). The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

Reason: To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems.

In summary, I can confirm that the MOD has no safeguarding objections to this application subject to a conditional requirement for the use of cranes being included in any planning permission granted.

Summary of Responses from Internal Consultees

Biodiversity Officer:

The ecological appraisal produced by Aspect Ecology (January 2016) has produced a number of recommendations highly pertinent to this case which should be adopted in full. These include:

- Section 6.3: General construction safeguards which will reduce potentially adverse effects associated with construction activities on habitats and any animals which might be present;
- Para 6.4.2: Eradication programme for Japanese knotweed (an invasive species listed under Schedule 9 of the Wildlife & Countryside Act 1981 (as amended)). This includes the production of an eradication programme and method statement at the earliest opportunity;
- Section 6.5: (paras 6.5.1 to 6.5.4) details mitigation for bats, hedgehog, nesting birds and reptiles.
- Section 6.6: looks at ecological enhancements. This should go further: the possibility of installing green roofs and walls should be explored. Additionally, suggested trees and other landscaping (D & A Statement) seems a little light on wildlife attracting species. I would recommend the use of trees and shrubs which produce nectar-rich flowers, berries or seeds of which 50% should be native species.

The report mentions the installation of bird and bat boxes. I would strongly recommend the following:

- In addition to swifts, bird boxes for house sparrows (also a biodiversity action plan species) should be included. All bird boxes should be integrated into buildings. I

suggest a minimum of 3 no. swift nesting boxes are placed at least 4 or 5 metres up. I suggest a minimum of 3 no. house sparrow terraces are erected at a minimum height of 3 metres. The boxes should be placed facing east through north to west but must not face south as full sun will 'fry' birds' eggs and fledglings if the boxes are used at all. There should be clear flight access and egress to the boxes.

Regarding bat boxes, I suggest 3 no. are erected, these should be affixed at least 3m from the ground. They can face any direction other than north (as this is too cold for bats). They are most likely to be used if placed in groups of three (see image below) – the placing of boxes at different angles (other than north) allows bats to move around and maintain optimum conditions as microclimates change as the day progresses. Bat boxes can be erected in suitable trees (illustration*) although appropriate positions on buildings are good (away from windows and lighting). There should be clear flight access and egress to the boxes.

Suitable quality bird and bat boxes are marketed by Habibat, NHBS (Schwegler) and Bird Brick Houses – these have a much longer lifespan and are more likely to be used.

External lighting should be as 'bat-friendly' as possible using warm LED type down-lighting, with any UV-light component of the light emitted filtered out. The placing of bat boxes next to external lighting should be avoided. The positions and type of external lighting its luminescence and spectral emittance, together with a lux isoline diagram should be forthcoming.

Additional comments received in relation to proposed green/brown roof:

Given the proposals Sedum matting is probably the most practical solution here although not my preferred option. Nevertheless it will help to green this area. Sometimes the inclusion of a few small logs and / or stones on top of the roof can increase the niches available to insects. It does not have to look untidy.

I think the Sedum roofs should be installed on the higher elements of the development at a minimum. However, if there is no public access to the roofspace then there is no reason (apparent to me) why green roofs could not be more extensive than this.

Highways Response (received 9th March 2016)

Parking – The site has a Ptal rating of 6A meaning that there is excellent access to transport links. The level of parking proposed at a ratio of 0.48 is acceptable in terms of compliance with the London Plan 2015 standards and Harrow Council policies. The provision of car club spaces should be considered a positive alternative to car ownership.

The car park management plan seems to only refer to permits being issued to disabled drivers. Given the proposed parking ratio, we would expect to see how general parking will be managed too. This document should be revised and agreed with Traffic and Highways.

The number of disabled parking spaces meets standards and these have been provided in the most suitable locations for access.

London Plan standards for electric vehicle charging points are to be met at a rate of 20% active and 20% passive – locations should be shown on plans.

Motorcycle parking is also to be provided but locations and numbers have not been identified this will need to be at a rate of 1 per 20 car parking spaces which would amount to a minimum of 9 spaces.

Cycle parking meets London Plan standards for both long and short stay provision.

Surrounding highway – with regard to the location of access 1 in relation to the existing bus stop; whilst highlighted as a concern in the road safety audit, we do not feel that the suggested road marking is appropriate for this situation and do not support implementation. In an urban setting, the ‘no overtaking’ marking is overly prohibitive and difficult to enforce for a short distance. The location of the access and the location of the bus stop may need to be reviewed.

Maintenance work required for any street trees and lighting columns may be identified to the Highway Authority and action will be taken if considered necessary.

The proposed pedestrian refuge island will require the removal of an existing refuge and this work will need to be agreed to be undertaken via a section 278 agreement – detailed design should follow the grant of this application.

The PERS audit shows that there is a lack of pedestrian crossing facilities along Gayton Road to the east. Due to the locations of the proposed new vehicle accesses associated with this development and existing bus stops, it does not seem possible to provide a suitable facility to overcome this problem.

The transport assessment indicates that this development alone will not have a significant impact on nearby junctions. The effects of this development combined with the nearest committed development, Lyon House, also do not indicate any severe impact, however, monitoring of the operation of these junctions is likely to be required as further developments come forward.

In summary, we do not envisage this development having a detrimental impact on the highway network in Harrow. The impact of the loss of off-street parking has already been considered as part of the Town Centre Parking Review 2014-15. The use of the existing car park is relatively low and can be redistributed amongst the other remaining car parks without having a severe adverse effect.

Further Highways Comments received (Received 7th April)

Further comments were received from the Highways Authority in respect of the proposed main site access and the location of the neighbouring westbound bus stop on Gayton Road as follows:

There isn't really anything else that can be done to improve this situation. We are not anticipating a high number of vehicles exiting at any one time, therefore we are satisfied that the access be provided in the location proposed with no alterations to the bus stop.

Travel Plan Officer:

Given the scale and location of the development I am disappointed by the proposed measures outlined so far. While they form a good starting point, the current measures outlined are not sufficient. The excellent links and amenities close to the site offer an opportunity to promote active and sustainable forms of travel.

A revised travel plan should be secured prior to the implementation of the development to secure further mitigation measures.

The current modal targets outlined in table 7.2 are not ambitious enough and must be amended to increase levels of walking, cycling and use of public transport.

The targets for the travel plan must be finalised and agreed with Harrow Council following the results of the baseline survey, which will be undertaken within six months of first occupation or at 75% occupancy, whichever is first. Future surveys will be conducted on the anniversary of this date in years 3 and 5.

A minimum reduction in 9% of single occupancy vehicle (SOV) travel will be agreed if the baseline survey confirms SOV mode share of 29% as predicted. Should the baseline results indicate that the SOV mode share is significantly higher (more than 35%) a target of SOV reduction of at least 10% will be required.

Targets will be finalised and agreed by Harrow Council following the baseline survey. Should the targets not be met by 3 and 5 years, mitigating measures must be put in place and agreed with LB Harrow.

A bond will be agreed through the section 106 which will be used should targets not be met to cover the costs of measures to ensure targets are met. Following agreement of the final targets, amendments to the targets can only be made with agreement from Harrow Council.

SMART targets by Harrow Council. Interim targets must be set for years 1, 3 and 5. Should the Full Travel Plan targets not be met by years 3 and 5, the bond agreed through the s106 will also be used should targets not be met to cover the costs of measures to ensure targets are met.

Monitoring of the full travel plan must be compliant with TFL guidance or TRAVL and conducted within 6 months of occupation and in years 3 and 5 following occupation. The initial baseline survey, which will be undertaken within six months of first occupation or at 75% occupancy, whichever is first. Future surveys will be conducted on the anniversary of this date in years 3 and 5, with results submitted to Harrow Council for review within one month of completion of the survey.

The costs of the travel plan measures and all associated costs must be met by the developer and committed to within the S106. In addition, costs for monitoring and the bond are to be held by Harrow Council to ensure that the monitoring and targets outlined in the travel plan are fulfilled. The bond will only be used in the event that the monitoring requirements and targets are not met. Should the monitoring be completed and targets met, the bond will be released to the developer.

The developer shall deposit a bond with the Council for a period of not less than 5 years in order to ensure the implementation of all measures specified in the travel plan, the submission of monitoring reports and the achievement of targets. The travel plan bond will be returnable after a period of five years, provided the travel plan targets were met.

Drainage Authority: The applicant should be advised that we have a separate drainage system in Harrow where the drainage connections should be separated. Surface water should be connected to surface water sewer and foul water should be connected to foul

sewer only.

The following information is required:

- a) A copy of a letter from Thames Water with permission for connections to the public sewers is required.
- b) 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.
- c) Full details of drainage layout including details of the outlet and cross section of proposed storage are required.
- d) Full details of any flow restrictions (hydrobrake) that are proposed for this scheme need to be submitted together with the relevant graphs.
- e) Full details of SuDS with its Maintenance Plan should also be provided.

Waste and Recycling Officer:

The plans and waste strategy appear to enable off street collection with vehicle access but I would ask the question, will residents be parking their cars on these roads as has happened at the new Aura development in Edgware causing continual access problems and complaints of non-collection. A confirmation there will not be parked vehicles on these roadways would be good.

As for the proposed commercial premises, they will need to contact the council's trade waste department in order to arrange proper disposal of their waste. They will not be allowed to use the resident's bins.

I will require at least 3 months notice from the developer in order to supply the bins ready for residents moving in.

Environmental Health

Comments as follows:

1. Noise report:

- Retail units / Equipment, air handling units etc – no details given at this stage
- I didn't think it was clear – are openable windows being provided?
- Ref BS 8233 – outdoor space should be compliant so would want mitigation techniques employed.

Therefore EH proposal:

Condition to go on: to ensure that the noise standards described within the noise report are achieved including having the option of openable windows and outdoor spaces compliant with BS 8233.

2. Air Quality Assessment:

For the air quality assessment (looking at impact of the development on future local air quality concentrations) I think the report is satisfactory. With the development, there will be a “negligible adverse” impact at all receptors, with the exception that there will be a “moderate adverse” impact at the existing receptor site at Petherton Court, Sheepcote Lane.

Air Quality Neutral Assessment

For the air quality neutral assessment (emissions of air pollution arising from the development and associated traffic compared to existing use), the development will exceed the air quality neutral benchmarks, so mitigation measures are required according to the Mayor’s SPG on sustainable design and construction. The report indicates various qualitative mitigation measures that are recommended, and also that the design of the car parking provision is such to maximise the pedestrian environment opportunities across the wider scheme. It is generally acknowledged it is difficult to quantify the impact of such measures, but they are in line with typical measures put forward in similar situations.

Construction and Demolition Impacts

The construction management plan you forwarded does contain information on proposed dust mitigation methods which will be useful. However, it does not link to the air quality and dust risk assessment in the air quality report not to latest guidance. I therefore recommend the following condition:-

Details shall be submitted for approval of the Local Planning Authority before the development has commenced of a Demolition and Construction Management Plan that details dust mitigation and Noise/Vibration measures. The information submitted should directly cross-reference with the BPM & mitigation measures as detailed in the following guidance, and the air quality and dust risk assessment set out in the report detailed below submitted with planning application :

- *The Control of Dust and Emissions during Construction and Demolition, SPG, GLA, July 2014*
- *BS 5228-1:2009 +A1:2014- Code of practice for noise & vibration control on construction & open sites-Part 1: Noise*
- *Fairview Homes Ltd., Gayton Road, Harrow HA1 2HH – Air Quality Assessment. Ref: 77345-ENV-001 dated January 2016.*

Please note the noise constraints listed in the construction management plan, such as hours of working and hours of plant use are satisfactory.

Non Road Mobile Machinery

The London Atmospheric Emissions Inventory (LAEI) estimates that in 2010 the Non-Road Mobile Machinery (NRMM) used on construction sites was responsible for 12% of NOx emissions and 15% of PM10 emissions in Greater London. Diesel exhaust emissions have also been classified as being carcinogenic to humans based on evidence that exposure is associated with an increased risk for lung cancer by The International Agency for Research on Cancer (IARC), which is part of the World Health Organization (WHO). To address this significant contribution of NRMM to London’s poor air quality, the GLA are seeking to control the emissions from this equipment from 1st September 2015 by establishing emissions standards for London.

In regards to power supply the default position should be mains power connection to the

site and justification will need to be provided for any higher emission alternative used. Diesel powered generators should only be used as last resort if no other options are available or practical. In order to safeguard amenity to nearby residential properties during the demolition and construction phases, it is recommended that a condition is proposed requiring further details.

3. Contaminated land:

The details of the contaminated land report are acceptable. The verification report will be prepared and made available to the LPA once remedial works are completed. A condition is recommended in this regard.

Economic Development

The employment and training outcomes are based on figures from the CITB and National Skills Academy, and the spend is based on £3500 per £1m.

The developer will be responsible for meeting the Training and Employment obligations and outcomes

Project Summary

The estimated build programme is 20 months. The build cost is estimated to be £72,953,302, equating to a cost per m2 of £2,092 (gross area).

S106 Contribution value for Employment and Training will be £252,000. The contribution will be used by the Council towards local training initiatives and the provision of the Employment Advisors and Co-ordination

An Employment and Training will be produced which sets out the measures to facilitate the provision of construction training for residents from within the Council’s administrative area and the nature and extent of which shall be agreed jointly by the Council and the Owner to include:

- (a) joint working with the councils construction training initiative to support local people to gain training and employment;
- (b) details of construction phases and lengths of each phase to determine training and employment opportunities
- (c) the timings and arrangements for the implementation of such initiatives; and

A £72m residential development will generate the following employment & training commitments throughout the construction phase.

School/college visits	8
Paid work experience placements (16-19)	20
Apprenticeships Starts	13
Apprenticeships existing	12
Apprenticeship completions	7
Local labour requirements	20
NVQ Starts	21
NVQ Completions	17

The developer will be responsible for providing monitoring reports detailing performance against the above targets to the council’s Economic Development Unit. Reports will need to clearly identify local residents are placed on site, providing names and proof of Harrow residency.

A post completion evaluation of the model is completed by the London borough of Harrow in collaboration with Fairview

It is the ***Contractors responsibility to ensure underperformance is addressed.***

Gayton Rd. Workspace

A jointly agreed Workspace strategy with Harrow Council's Economic Development service and the owner will be produced. This sets out the initiatives to support and attract business(es) to the Employment floor space within the Development.

The agreed strategy to include:

- how the space will be marketed to attract business to Harrow,
- a tenancy strategy to support business retention in the workspace. This will include flexibility of leases, rent levels (eg market, sub market)
- business advise and support services to enhance business survival and growth available to tenant(s) within the employment space (this may include details of how tenants can obtain advise relating to business planning, marketing, access to finance etc) .
- Letting space and invoicing e.g. holding deposits, arranging the leases and licenses of employment space, legal arrangements, debt management, sales invoicing for all services. Details of services covered in rent (for example Business rates, Buildings insurance, Site management charges, Site maintenance charges, Heating, Lighting, Electricity (unless usage is above normal), Water (unless usage is above normal), Cleaning of common areas, Wi-Fi, Telephone calls, Telephone line rental, Internet.

Management Information

The following management information will be submitted on a 6 monthly basis to the council's economic development team

1. "Occupancy levels within the Employment floorspace (i.e number of tenants, vacant units etc)
2. Details relating to job creation (eg the number of self-employed and employed positions),
3. Details identifying type of businesses which occupy the Employment floorspace

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, the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAM].

MAIN CONSIDERATIONS

PRINCIPLE OF DEVELOPMENT

Policy Context
AAP Site Allocation 22/Loss of Residential & Car Park

HOUSING

Affordable Housing
Housing Supply, Density and Overall Housing Mix

CHARACTER AND APPEARANCE OF THE AREA, TOWNSCAPE AND DESIGN QUALITY/ IMPACT ON HERITAGE ASSETS

Scale and Siting
Design and Appearance
Landscaping and Public Realm
Townscape Character and Locally Protected Views
Impact on Heritage Assets

RESIDENTIAL AMENITY

Residential Quality of Proposed Development and Amenity of Future Occupiers
Impact of Development on Neighbouring Occupiers

TRANSPORT AND PARKING

Access and Highways
Servicing and Refuse
Parking, Travel Plan and Construction

LIFETIME NEIGHBOURHOODS

Lifetime Neighbourhoods

LANDSCAPE AND ECOLOGICAL

Areas of Special Character
Landscaping and Trees
Ecology and Biodiversity

SUSTAINABILITY AND ENVIRONMENTAL

Flood Risk and Sustainable Drainage
Energy Strategy and Sustainable Design and Construction
Air Quality, Ventilation and Odour
Contaminated Land
Environmental considerations for tall buildings

INFRASTRUCTURE AND PLANNING OBLIGATIONS

Electricity and Gas
Water Use and Waste Water Capacity
Waste and Recycling
Other Infrastructure

OTHER CONSIDERATIONS

Crime and Disorder Act
Consultation Responses
Equalities Impact and Human Rights Act

PRINCIPLE OF DEVELOPMENT

Policy Context

National Planning Policy Framework

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

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

The National Planning Policy Framework (NPPF) was published by the Government on March 27th 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area, unless other material considerations indicate otherwise (S.38(6) of the Planning Act). The development plan for Harrow comprises:

- The London Plan (consolidated with alterations since 2011) 2016
- The Local Development Framework [LDF] comprising:
 - o The Harrow Core Strategy 2012
 - o Development Management Policies Local Plan 2013
 - o Harrow and Wealdstone Area Action Plan 2013
 - o Site Allocations Local Plan 2013

The NPPF sets out policies and principles that local planning authorities should take into account, when both preparing local plans, and determining planning applications. The policies within the NPPF are a material consideration that should be given significant weight.

At the heart of the NPPF is the presumption in favour of sustainable development. Under paragraph 7 it sets out three dimensions to sustainable development: economic, social and environmental. It goes on to state under paragraph 8 that these roles should not be taken in isolation as they are mutually dependant and thus to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life (Para. 9).

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

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

On the 14th March 2016, the Major of London published the parking standards and Housing Standards Minor Alterations to the London Plan (MALPs). Under the provisions of section 38 of the Planning and Compulsory Purchase Act 2004, from 14 March 2016

the MALPs are operative as formal alterations to the London plan and form part of the development plan for Harrow. These Minor Alterations to the London Plan (MALP) are known as the Housing Standards MALP and the Parking Standards MALP.

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

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

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

London Housing Strategy

The London Housing Strategy was formally adopted in October 2014 and outlines the resources required to deliver more than 42,000 homes year. Of the 42,000 homes, it is proposed that at least 17, 000 should be affordable with 5,000 for purpose build long term rent.

Subsequently the Major of London's Housing Zones were published in March 2015. Each housing zone was allocated a specific number of homes and jobs to be delivered, together with infrastructure improvements required and funding allocation to facilitate delivery.

Following the Council's successful bid to the GLA, the entire Heart of Harrow Opportunity Area is designated as a Housing Zone, which will help unlock the potential to deliver more than 5,000 new homes over the next ten years. Housing Zones are designed to work flexibly depending on the local circumstances. However, all new developments would need to be built to high quality standards and in compliance with all relevant policies contained within the development plan, including conformity to the London Housing Design Guide. The Heart of Harrow Housing zone incorporates Harrow and Wealdstone

town centres and reflects the spatial strategy to regenerate these centres.

Harrow Core Strategy and Harrow & Wealdstone Area Action Plan

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

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

In recognition of the different issues and opportunities across the entire Heart of Harrow opportunity area, the AAP designates a total of seven sub areas. To address the issues and exploit the opportunities of 'Harrow Town Centre East' (within which the subject site is situated) the objectives for the sub area comprise:

- Creation of a transition of density and use between Harrow town centre and surrounding residential neighbourhoods
- Improve connectivity with Harrow town centre
- Provision for community uses to support new residential development within the town centre and Station Road.
- Improve the image of the town centre's eastern extents upon arrival from the railway
- Improve the public realm at junctions with Station Road.
- Improve security/lighting and the quality of pedestrian links between Station Road and adjacent streets.
- Explore opportunities to create new pedestrian/cycle links through developments, to reflect desire lines.

The AAP also sets out a number of urban realm improvements and infrastructure requirements for the sub area. These include: improvements to the modest pedestrian link from Station Road to Lyon Road, new high quality public space to compliment new created space at Junction of Lyon Road and St Johns Road and provision of a new health centre.

Conformity of Proposals at Strategic Level

The proposal seeks to locate 355 dwellings and 477m² of flexible community/commercial floorspace. As such, the proposal would make a valuable contribution within the opportunity area to meeting the Borough's housing and jobs targets and supporting strategic policy direction of Harrow Spatial Strategy, as set out in Core Strategy Core Policy CS 1 A (overarching policy) and policy 2.13 B of the London Plan 2015. The western side of the site, including Sonia court and former library site is within the boundary of the Metropolitan Centre designation, while the car park adjoins this boundary. The whole re-development would take place on Brownfield land, in line with Core Strategy

Core Policy CS 1 and the objectives of the Spatial Vision which seeks to steer development away from green spaces towards previously developed land.

Associated Commercial and Office Uses

As noted above, the proposal makes provision for 477 square metres community/commercial floorspace for the following uses: financial and professional services (Class A2); restaurants and cafes (Class A3); business (Class B1); and non-residential institutions (Class D1).

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

The site is located partially within the town centre boundary on its western side. London Plan Policy 2.15 *Town Centres* sets out the strategic policy criteria for developments in town centres to accommodate appropriate economic and housing growth through intensification in town centre locations and support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services. London Plan Policy 4.7 *Retail and Town Centre Development* states that the scale of proposed retail, commercial, culture and leisure development should be related to the size, role and function of the town centre. Such development should be located within or on the edge of town centre sites which are well integrated with the existing centre and public transport.

In respect of the strategic policy criteria for offices, policy 4.2 of the London Plan 2015 requires borough to: "*support the management and mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objective of the plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises*". Policy 4.6 provides strong support for enhancement of social infrastructure provision to meet the needs of its growing and diverse population.

The London Plan (2015) policy 7.3 highlights various 'Designing Out Crime' aspirations, and in particular identifies that the design should encourage a level of human activity that is appropriate to location, incorporating a mix of uses where appropriate to maximise activity throughout the day and night creating a reduced risk of crime and sense of safety.

Core Policy CS 1 P outlines that mixed use proposals will be supported as appropriate where this secures employment generating development and diversification of Harrow's economy. Core Policy CS1 L specifies 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.

Accordingly, the provision of 477m² of new community/commercial for flexible A2, A3, B1 and D1 uses which would fall within the town centre designation would make a complimentary contribution in terms of local community and employment opportunities is considered to be entirely consistent with the development plan. At present, the level of activity along this part of Gayton Road is limited and there is no interaction at ground floor level given the presence of the currently under utilised car park and small number of

residential flats at Sonia Court. The range of uses applied for would ensure that the proposed development would have the capacity to make a positive contribution to the overall development and complimentary contribution in terms of local employment and community facilities. The proposed commercial/community space would help enliven the street in this location, resulting in increased pedestrian activity and a greater sense of security. However, notably the primary supporting land uses identified in the AAP are for community/civic use and B1 office use. Officers therefore consider that it would be appropriate to restrict the amount of A3 floor space to no more than 30% of the overall area in order to ensure that office and community uses would be the primary uses. Though it is noted that an indicative figure of 15 new jobs would be created, the level of space and uses proposed would support a much level of employment, in excess of the 30 jobs set out in the AAP. In these circumstances, it is considered that proposal would comply with the strategic components of London Plan, Core Strategy and other Local Plan policies for town centres in London and in Harrow.

Loss of Existing Car Park

Policy 6.1 (Strategic Approach) of the London Plan states that the Mayor will work with all relevant partners to encourage the closer integration of transport of development by (amongst others) encouraging patterns and nodes of development that reduce the need to travel, especially by car; supporting development that generates high levels of trips at locations with high public transport accessibility and supporting measures that encourage shifts to more sustainable modes and appropriate demand management. Policy 6.13 of the London Plan 2015 outlines the importance of striking an appropriate balance between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use.

The proposed re-development would result in the loss of a Council car park of approximately 283 spaces. The applicant has undertaken a Town Centre car park usage study in support of the application. In addition, the Council has prepared the '*Harrow Town Centre Car parking Future Options Study (October 2015)*' which reviews existing car parking utilisation in the town and then considers a number of future scenarios.

The objective of the '*Harrow Town Centre Car parking Future Options Study (October 2015)*' study seeks to rationalise public parking in the town and increase the overall utilisation of the parking resources that are provided. The study notes that Gayton Road is shown as having a relatively low level of existing utilisation and is assumed to be closed in all of the future scenarios tested. The report finds that the weekday and Saturday average observed occupancy of the Gayton Road car park is 48% and 24% respectively. The study recognises that whilst Gayton Road offers long stay car parking and that the car park is located on the periphery of the town centre when compared to some of the other available car parks, the majority of respondents surveyed stated they parked for shopping with very few respondents (less than 10%) parking to commute to an alternative location.

The findings of the applicants town centre usage car park study is presented in the Transport Assessment accompanying the application. The study identifies that the closure of the Gayton Road car park would result in a reduction of overall capacity from 2,940 car parking spaces to 2,657 car parking spaces. Two surveys were conducted on a weekday and a Saturday to record the number of arrivals and departures and identify overall levels of parking accumulation across public car parks in the town centre.

In respect of the parking survey conducted on the weekday, the peak hour and busiest

hour recorded over all the car parks was 1pm. It is noted that during this hour the Gayton Road car park had a parking occupancy of 119 vehicles, which is equivalent to approximately 42% usage of its 283 vehicle capacity. Whether the demand at the Gayton Road car park could be accommodated at the nine other car parks was investigated by looking at the spare capacity of the other car parks. By incorporating the demand recorded at the Gayton Road car park during the Tuesday Survey, the level of spare capacity at the busiest time (1pm) would therefore be reduced from 1,438 available spaces to 1,319 available spaces. As such, it was found that against the reduced overall capacity of 2,657 car parking spaces, 49.6% of these spaces would remain available to accommodate any additional demand which may occur.

In respect of the Saturday survey, the study identified that 2pm was the busiest time over all the car parks and the utilisation of Gayton Road was recorded as 54 vehicles (19% utilisation). The spare capacity at the other car parks at this time was shown to be 1,242 car parking spaces and that incorporating the Gayton Road demand would result in a spare capacity of 1,188 car parking spaces, equivalent to 45% of the 2,657 vehicle capacity available.

As such, in view of the above findings, it is considered that there is clearly sufficient capacity at the nine other car parks located in Harrow to facilitate the net reduction in car parking provision as a result of the proposals. The findings are consistent with those presented in the '*Harrow Town Centre Car parking Future Options Study (October 2015)*' which identified that the use of available car parking resource in the town centre is quite low.

It should also be noted that planning applications have previously been made for the site (permitted in 2009 (P/4126/07)). The proposed application was for the replacement of the existing land uses with a residential led development comprising of 383 flats across five blocks and 281 associated car parking spaces. As such, it is acknowledged that the loss of the car parking space was previously accepted.

The loss of the car park is further reinforced by the fact that the redevelopment would bring forward the delivery of affordable housing on the site which would add to the Council's housing delivery targets.

Loss of Residential Units

Policy 3.14 B of The London Plan (2015) identifies that: '*loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace*'.

It is considered that the loss of the nine residential units at Sonia Court is mitigated against by a net gain in residential units proposed and therefore the proposed development would not conflict with the above policy requirement.

AAP Site Allocation 22

The Gayton Road site is identified as development site 22. The AAP sets out the key objectives for the site as follows:

- Positive contribution to the local residential area in terms of quality and character
- Making a new relationship between the Metropolitan Centre and the adjacent residential area
- Enhancement to the urban environment in terms of material presence, attractive streetscape and good routes, access and permeability

- Delivery of high quality residential and community uses.

Land Uses

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

The site allocation specifies the leading land uses as residential (Class C3) and supporting land uses are listed as community and civic use and B1 office use.

The subject proposal is compliant with the leading the supporting land uses, providing 350 flats, and new commercial floorspace for flexible use within the full range of town centre uses within the 'A' classes, offices (B1) or community (D1) use. The range of 'A' class uses applied-for includes financial and professional services (A2) and restaurants and cafes (A3) which, although not listed within the range of supporting land uses in the allocation, is not a material departure from the types of uses envisaged and considered appropriate in this town centre location. Officers also consider that the potential allowance for A3 use would provide a complimentary addition to the community and office space and would further contribute to employment opportunities. However, as discussed above, a condition is recommended in order to ensure that no more than 30% of the overall floor area could be used for a café/restaurant in order to ensure that the majority of space will be allocated for office (B1) / community D1 space. Subject to this condition, the proposal would be in conformity with the AAP.

Site Constraints, Dependencies and Design Considerations

These parts of the site allocation commentary deal with the specific site constraints and design requirements of the site. Consideration of the proposal in relation to these aspects of the site allocation will be dealt with in detail in the relevant issue-based sections of this report.

Nevertheless, in broad terms in respect of design, the AAP advises at the western end of the site to build to a height of 5-8 metres to provide positive presence in this part of the site; and to enable visible and functional engagement with Metropolitan town centre. It outlines that at the centre of the site building heights would be 3-5 storeys, potentially rising in height along 6-10 storeys along the railway. The AAP calls for buildings to be designed in brick to accord with the local material context. It outlines that provision for community/civic uses should be provided at the western end of the site and that housing should be experienced at all sides of the site. In broad terms, it is considered that proposed design and layout of the proposal would accord with the AAP. It is acknowledged that the buildings would rise to maximum height of eleven storeys along the railway which is one storey greater than stipulated in the AAP but this is not considered to be a significant material departure. This is discussed in more detail in the character section of the appraisal below.

Site Specific Infrastructure

The site allocation calls for a new public open space and provision of a new community or civic function. The subject proposal would deliver a new area of public open space in the north eastern corner of the site and a community/civic use on the ground floor of building A.

Delivery (including target outputs)

Residential led development has been previously accepted on the application site when

planning permission was granted in 2009 for 383 residential units. The AAP envisages that the site will form part of a wider package of publically owned land that may be used as a strategic enterprise to deliver the Heart of Harrow objectives. Gayton Road is part owned by Fairview New Homes (Sonia Court and the garages) and part by Harrow Council (the car park and the former library site). In order to enable the comprehensive redevelopment of the site and allow for the Heart of Harrow objectives to be realised, the Council has resolved that, subject to funding arrangements and planning permission being secured, the Council would transfer the freehold of the two sites within its ownership on the land, in exchange for new private housing units for sale or rent and purchase the affordable housing element of the scheme. The Council would retain a long lease of blocks A1, A2, D1 and D2 which would be constructed by Fairview Homes. The Council would manage both the 53 private rented units and 72 affordable units and would also control and manage the uses within community/commercial space. Blocks B and C which would consist of 230 private sale units plus associated parking would be retained and sold by Fairview. A planning obligation is set out above to ensure that a long lease would be given to the Council to ensure the development of the site can be unlocked.

The total allocated site area amounts to 1.20 hectares and comprises the former library, long stay public car park and single storey block of nine flats. A small portion of the western side of the site (former library site) falls within the town centre boundary. The target outputs for the site include 30 jobs and 350 homes. The subject application proposes to deliver 355 homes in line with the target output. In respect of the number of jobs created this would be delivered through the supporting land uses. The application seeks a flexible consent for the commercial community uses on the ground floor of block A to cover A1, A2, A3, B1 and D1 use classes. The commercial and community use space would be owned (through a 999 lease) and managed by the Council. As such, at this stage it is not possible to define a specific number of employees. Nevertheless, having regard to the size of the space (477sqm) it is considered that the proposed target of 30 employees could be realistically achieved.

Conclusion

On a strategic level, for the reasons given above, it is therefore considered that the application is in broad conformity with the development plan for the area. As such, it is considered that the application is also consistent with the NPPF. It is also considered that at the site specific level, in broad terms that the proposed development is consistent with the policies in the AAP.

HOUSING

Affordable Housing

Policy Context

Since the adoption of the National Planning Policy Framework [NPPF] in 2012, a strong emphasis has been placed on the viability and deliverability of Development Plan and development proposals. The NPPF and the adopted policies of the Development Plan, adopted in general compliance with the requirements of the NPPF, require LPAs to have regard to viability and the particular circumstances of each site to ensure the infrastructure costs associated with the development do not prejudice the delivery of proposal. The development proposal would deliver a wide-range of infrastructure to support the scheme both on site and through the provision of financial contributions in the form of Community Infrastructure Levy [CIL], which are discussed in other parts of this report. Affordable Housing is a form of social infrastructure, which if required at levels exceeding the 'maximum reasonable amount', would prejudice the delivery of development proposals.

Policy 3.11A of The London Plan sets out that of the 60% of the affordable housing should be for social and affordable rented accommodation and 40% for intermediate rent or sale of the overall affordable housing provision on any given development site. Policy 3.11B sets out that individual boroughs should set out in their LDF the amount of affordable housing provision needed.

Policy CS1.J of the Harrow Core Strategy 2012 sets an aim for 40% of new housing development in the borough to be affordable housing and states that the Council will seek the maximum reasonable amount of affordable housing on all development sites with a capacity to provide for ten or more units having regard to various criteria and the viability of the scheme. Such requirements are in line with London Plan policy 3.12.A/B which requires the maximum reasonable level of affordable housing to be provided. The reasoned justification to policy 3.12.A/B of The London Plan 2015 states that boroughs should take a reasonable and flexible approach to securing affordable housing on a site by site basis.

Within the sub-area of the Heart of Harrow which the site falls, policy AAP13 of the Harrow and Wealdstone Area Action Plan 2013 requires an affordable housing tenure split of 60% social/affordable rent homes and 40% intermediate homes, which is consistent with policy 3.11 of the London Plan 2015.

Appraisal

Were the scheme to provide 40% affordable housing based on the total number of units (355), this would equate to 142 affordable units, of which, if applying the policy compliant split of 60/40, 85 would be affordable rented units and 57 shared ownership units. The applicant has submitted a Financial Viability Appraisal for the site which is based on the provision of 72 affordable housing units in blocks D1 and D2. This equates to an affordable housing provision of 20.3% by unit. All the units will be affordable rent and the overall mix will consist of 16 x 1 bed flats, 48 x 2 bed flats and 8 x 3 bed flats. The applicant contends that the provision of 72 affordable rented units is the maximum reasonable amount the scheme can viably deliver. The Council has tested the assumptions contained within the FVA independently.

The overall mix of affordable rented units has been reviewed by the Council's Housing Department who have outlined that this is acceptable in terms of current identified local need in the borough. The development would provide affordable housing on-site, in accordance with the expectations of The London Plan 2015, the Council's adopted Planning Obligations SPD 2013 and the Mayor's Housing SPG 2016. The proposed provision of contemporary flats would make a welcome addition to the affordable housing stock by extending choice to those seeking an affordable home close to a highly sustainable and urban central environment.

The proposal would deliver the key supporting land uses and infrastructure sought by the local plan site allocation AAP site 22, namely new community/commercial space (477sqm), together with new public open space. The proposal is also considered to meet local plan requirements for high quality architecture and public realm on the site. It is acknowledged that these local plan requirements will have a bearing on overall development viability.

In addition to the provision of 72 affordable rented units, the development will also provide 53 Private Rented Sector [PRS] units. The Mayor's Housing SPG 2016 actively

encourages the provision of PRS housing and sets out that *“LPAs should recognise the distinct economics of the sector relative to mainstream market housing and take account of this when undertaking viability assessments for covenanted build to rent schemes. These distinct economics is normally taken to mean two separate but connected things. Firstly, a reliance on an annual revenue income through rent rather than upfront capital receipts; and secondly, even taking this into account, that build to rent cannot compete on an equal footing with speculative build for sale, as it has inherently lower returns. However, in many cases affordable housing will be viable and the policy continues to encourage onsite affordable housing as far as possible (paragraph 3.3.4).”* It should be noted then, that although PRS Housing does not fall within the definition of affordable housing, it can have a significant impact on the overall viability of development proposals.

The applicant’s assessment has been the subject of an independent appraisal by Andrew Golland Associates (AGA). AGA has scrutinised the applicant’s viability assessment using the GLA ‘Three Dragons’ Toolkit. All of the assumptions (land costs, finance, professional and marketing fees, build costs, sales values and velocities etc.) contained within the applicant’s appraisal have been tested and with the exception of the Land Value, are considered to be reasonable and fair. Officers also consider that these assumptions are fair and reasonable.

With regard to the Land Value, the NPPF addresses this issue and states that Land Value should *“take 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”*. The Mayor’s Housing SPG 2016 further explores Land Value. At paragraph 4.1.4 of the Housing SPG, it states that *“the Mayor has found that the ‘Existing Use Value plus’ approach is generally most appropriate for planning purposes, not least because of the way it can be used to address the need to ensure that development is sustainable in terms of the NPPF and Local Plan requirements. He therefore supports this approach”*. Nonetheless, the Housing SPG also states that *“either ‘Market Value’, ‘Alternative Use Value’, ‘Existing Use Value plus’ based approaches can address this requirement (of the NPPF above) where correctly applied; their appropriate application depends on specific circumstances”*.

The applicant has sought to demonstrate that in this case, the most appropriate methodology for assessing Land Value is based on the now lapsed planning consent at the site (LPA ref: P/4126/07) for 383 new flats granted on 2nd October 2009. Though this permission is now lapsed and could not now be implemented, the applicant points out that valuers for the site would use this permission, and the site allocation to develop the site for residential use, as a basis for valuing the land. A competitive return for a reasonable land owner willing to sell the land would reflect this value, as it represents the potential development value of the site and a very low level of risk, given permission had been granted for a scheme of that scale. No willing or reasonable landowner would base on the Land Value on the limited value of a surface car park, given the limited value that would be attributable to this use and the recognised development potential of the site.

Officers consider this to be a reasonable approach, as it reflects the guidance set out in the NPPF and the Mayor’s Housing SPG in delivering a competitive return to a reasonable and willing land owner and is reflective of a precise scheme that could be built on the site and the site allocation. Using this approach, the submitted FVA demonstrates that the proposed level of affordable housing is the maximum reasonable amount that the scheme could viably support. Though the scheme would not provide 40% affordable housing, the number of Affordable Rented units, the least valuable Affordable Housing

product and where the Borough experiences the highest level of need, would be only marginally below the hypothetical number of units (72 as opposed to 85) within a policy compliant tenure split. Because of the relatively high Benchmark Land Value as well as the provision of PRS housing units on the site, the scheme could not viably support a higher level of affordable housing.

Though officers are supportive of the approach, at the time of writing, AGA has expressed some concern about the robustness of the approach and has requested further information in order to be able to justify the Benchmark Land Value adopted. The applicant has indicated that they will provide further information to justify the approach taken and the robustness of the FVA. Officers intend to report the outcome of the further discussions in advance of the Planning Committee.

Conclusion

Subject to clarification on the outstanding points, officers consider that the proposed affordable housing offer is the maximum that the site can support at the present time (alongside delivery of the other infrastructure outcomes required). The proposal would deliver much needed Affordable Rented units as well as a new housing product and choice of housing, PRS Housing units. As the scheme would deliver the maximum reasonable amount of affordable housing without prejudicing the deliverability of the proposal, the development would accord with the aims and objectives of the Development Plan in respect of affordable housing.

Housing Supply Density and Overall Housing Mix

Policy Context

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

London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026. In this regard, it should be noted that, following the adopted further alterations to the London Plan, London's annual housing monitoring target has increased from 32,210 to 42,389 homes p.a. and this includes Harrow's target which has increased from 350p.a. to 593p.a. For Harrow, this translates into a new ten year target to deliver 5,927 homes. As noted elsewhere in this report, the London Plan acknowledge the growth potential of Harrow and Wealdstone by designation of its Opportunity Area status.

Density

The London Plan sets out density ranges in Table 3.2 in support of policy 3.4 which states that: "*Taking into account local context and character, the design principles in chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density ranges shown in Table 3.2*". Local Plan Policy AAP 5 *Density and Use of Development* states that residential development proposals should achieve densities within the appropriate London Plan density range.

Paragraph 3.28 of the London plan states that "*It is not appropriate to apply table 3.2 mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential – local context, design and transport capacity are particularly important as well as social infrastructure (policy 3.16), open space (policy 7.17) and play (policy 3.6)*".

The Mayor's Housing SPG, at paragraph 1.3.12, goes on to state that the density ranges should be *"used as a guide and not an absolute rule, so as to also take proper account of other objectives."* It does not preclude developments with a density above the suggested ranges, but requires that they *"must be tested rigorously"* (para.1.3.14). This will include an examination of factors relating to different aspect of "liveability" of a proposal (dwelling mix, design and quality), access to services, management of communal areas and a scheme's contribution to 'place shaping'. The impact of massing, scale and character in relation to nearby uses will be particularly important – and *"design should be exemplary"*.

The SPG also considers the opportunities and constraints with regards to density on small sites (para.1.3.39). Responding to existing streetscape, massing and design of the surrounding built environment should be given special attention – where existing density is high, for example, higher density can be justified. Para 1.3.40 notes that small sites require little land for internal infrastructure, and as such, it is appropriate for density to reflect this. These factors are all relevant to the development of the application site.

Site Allocation 22 for Gayton Road within the HWAAP envisages the redevelopment of the application site for 350 units. The Harrow and Wealdstone Opportunity Area and Heart of Harrow Housing Zone also seeks to focus significant housing and employment growth in this area.

The site is considered to be within has a central location (part of the site is within a Metropolitan Centre and all of the site is within 800 of the Metropolitan Centre) and has a high Public Transport Accessibility Level [PTAL] of between 5 and 6. Although, it is noted that predominantly buildings within Harrow Metropolitan Centre are at the lower scale of the four to six storey height reference below.

NB: Central Areas are defined as:- areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre

For the application site, the London Plan would suggest that a density of 215-405 dwellings per hectare; or 650-1100 habitable rooms per hectare is appropriate. The net site area for the purpose of density calculations is 1.31ha. The density of the scheme is therefore 271 dwellings per hectare and 810 habitable rooms per hectare and therefore falls within the suggested range. The quantum of proposed development is also consistent with the HWAAP site allocation.

Conclusion

Taking account of these factors and having regard to the edge of town centre location the opportunity area context as well as the design and layout of the development, it is considered that such a density is appropriate in this location.

Housing Mix

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

London Plan policy 3.8 and policy AAP13 of the AAP require new development to provide

a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

Harrow Core Policy CS1 (Overarching Policy) I identifies that new residential development should result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities. This includes the provision of a range of affordable housing tenures including social and affordable rent, as well as intermediate housing products such as shared ownership and shared equity.

The Council has not prescribed a housing mix for the site in the Local Plan, preferring instead to advocate flexibility to respond to circumstances including the location and nature of proposed developments.

The proposal would provide 355 new homes which is approximately equivalent to 60% of Harrow's annual housing delivery target and 13% of the target for the Harrow and Wealdstone Opportunity Area as a whole. The development would provide a good mix of one-bed, two-bed and three-bed units as set out in the table below:

Unit Type	Affordable rented	Private rented sector	Private market	Total
One-bedroom	16	12	63	91
Two-bedroom	48	17	119	184
Three-bedroom	8	24	48	80
Total	72	53	230	355

For a scheme of this scale and location in an edge of town centre location which is likely to be attractive to small family or professional groups, it is considered that the units mix is appropriate in this highly accessible location. The provision of a component of three bedrooms flats would make a valuable contribution to the overall mix of homes within the development by extending choice across all tenures seeking larger accommodation.

Notably, London Plan policy 3.8 (Housing Choice) and guidance within the Mayor's Housing SPG identify private rented sector housing as addressing a distinct need, and recognise that the model is becoming increasingly important in terms of supporting labour market mobility. The SPG notes that PRS housing may be particularly suitable in instances of town centre intensification, and in locations benefitting from good public transport connectivity. The SPG states at paragraph 3.3.3 *"Long term, purpose built, private rented (build to rent) developments in block ownership and managed as a single development could make a particular contribution to meeting housing need. Such schemes are beneficial in a number of ways; they have the potential to accelerate delivery and not compete with nearby for sale developments; they can offer longer term tenancies/more certainty over long term availability; they can ensure high quality management through single ownership; and they can ensure a commitment to, and investment in, place making. They can also meet a wide range of needs, including those of singles, sharers, families and older people"*. As having regard to the particular characteristics of the site, the proposed PRS housing is considered to be appropriate in this location and would make a valuable contribution to the overall housing mix.

The application has been referred to the Greater London Authority. In their stage 1 response GLA officers have advised that they are content with the balance of unit types within the private market tenure but whilst acknowledging the edge of town centre site,

have asked that further consideration should be given to family sized affordable homes having regard to the emphasis placed on this within policy 3.11 of the London Plan. The current proposed mix has been referred back to the Council Housing Department who have advised that the local demand still remains to be for 2 bedroom, four person homes and that the current mix within the affordable tenure would therefore more appropriately respond to current local need and circumstances. On this basis, the proposed mix within the affordable tenure is considered to be acceptable.

Conclusion

In summary, it is considered that the proposed mix of homes/types would respond to the location of the site and the character of its surroundings whilst optimising the housing output of the allocated site within the Harrow and Wealdstone opportunity area. The proposal would add to the supply of contemporary new build homes in the area, all of which would achieve accessible and adaptable standards and 10% of which would also achieve the enhanced requirements needed to be classified as Wheelchair-standard homes. Taken together with the affordable housing component, it is concluded that the proposal would make a positive contribution to the creation of inclusive and mixed communities in Harrow town centre.

CHARACTER AND APPEARANCE OF THE AREA, TOWNSCAPE AND DESIGN QUALITY/ IMPACT ON HERITAGE ASSETS

As outlined in paragraph 56 and 57 of the NPPF (2012), The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

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. Policy 7.6 of the London Plan (2015) outlines that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the widest quality materials and design it appropriate to its context. Buildings should have complimentary building materials, be of a proportion, composition, scale and orientation which enhances and defines the public realm.

London Plan policy 7.7 outlines a number of criteria which tall and large buildings should conform to and notes that such buildings should generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport. It outlines that they should not have an unacceptably harmful impact on their surroundings and that they should only be considered in areas whose character would not be adversely affected by the scale, mass or bulk of a tall or large buildings, urban grain and public realm (including landscape features), particularly at street level, individually or as a group, improve the legibility of an area by emphasising a point of civic or visual significance where appropriate.

Core Policy CS1.B specifies that 'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.'

Policies AAP1 and AAP4 of the AAP seeks to a high standard of development within the Harrow Town Centre and throughout the Heart of Harrow. Policy AAP1 states that development within all three sub areas of Harrow town centre will be required to strengthen its character, legibility and role as a Metropolitan Centre. Policy AAP4 sets out that inter alia, development should use high quality, durable and serviceable materials to the external finishes and should seeks to conserve and enhance the significance of heritage assets, including their settings. Policy AAP7 requires that all development proposals within the Heart of Harrow should contribute to the creation of a high quality, safe and attractive public realm.

Policy AAP6 states outlines that the appropriate height of development of Opportunity Sites within the Heart of Harrow will be guided by the parameters set out for each specific site in chapter 5 of the AAP. AAP6 C states that: *“Proposals for taller buildings that project above the prevailing height of the surrounding area must be justified in community benefit as well as urban design terms and should conform to the following general design requirements: a. Be of a high standard of architectural quality and design; b. Protect and preserve existing important views and conserve and enhance the significance of heritage assets and the wider historic environment that would be sensitive to taller buildings; c. Be sensitive to, and engaging with the street environment, and designed to encourage use of the street by pedestrians; d. Provide for an articulation of the prevailing parapet height of adjacent buildings, even in instances where development proposals would exceed this; and e. Avoid a canyon effect.”*

In respect of tall buildings the AAP states that “Proposals for tall buildings will only be considered acceptable if they represent ‘landmark’ buildings. Such proposals will be considered in accordance with the criteria set out in the London Plan and should: a. Be located to draw attention to locations of civic importance, major public transport interchanges; and areas of important public urban realm; b. Be of the highest architectural quality and design; c. Accord to the principles and limits set out in Policy DM3 of the Development Management Policies Local Plan: *Protected Views and Vistas*.

Scale and Siting

The proposal consists of a set of villa like apartments along Gayton Road and a series of taller elements along the green boundary to the railway line, that are linked in a north/south orientation forming four parallel ‘fingers’. The easternmost ‘finger’ is separated into two separate buildings. The proposed linear building typology creates semi private courtyards in between the buildings which provide external access to front doors and communal amenity space.

The surrounding area to the west and north of the site has a strong urban character with a mixture of building heights without any significant coherence or commonality of design. Commercial buildings are located to the north and west along College Road and Station Road. Taller housing to the north of the site includes Platinum house, an eight storey private development and Lyon Square, a 310 unit mixed housing scheme which is currently under construction. Notably, the majority of this development will have seven to nine storeys and a thirteen storey tower at the junction with Lyon Road and St Johns Road. Beyond the railway to the south and to the east along Gayton, the area is more suburban in character. The site lies at an elevation of (69.5 to 70.4m AOD) on the Gayton Road frontage falling to 66.6m in the south eastern corner where there is an embankment. The railway to the south is at a lower level with a well vegetated embankment down to the tracks.

As noted elsewhere in this report, in respect of the Harrow Town Centre East sub area the AAP notes there are a number of opportunities including to create a transition of density and use between Harrow town centre and surrounding residential neighbourhoods and improve the image of the town centre's eastern extents upon arrival from the railway.

The site is located at the edge of the town centre and as such sits at the transition between consolidated urban fabric and looser suburban streets of semi-detached houses and four/five storey apartment blocks to the east. The height of the development varies across the scheme with buildings ranging from 5 to 11 storeys. The supporting Design and Access Statement outlines that the height, form and massing of the scheme represents a considered response to a number of issues, including the historic street pattern, urban grain and heights of the surrounding buildings and to the relationship between the proposed building and its existing neighbours.

There are three building topologies proposed consisting of mansion blocks, residential tall buildings and linking apartment buildings. The proposed residential units would be evenly distributed across all the typologies. The proposed four blocks will run the depth of the site and will be open towards the south which will assist in maximising sunlight. Buildings A, B and C will be stepped down in the centre of the site with linking blocks joining the eight storey mansion blocks along Gayton Road. The six storey linking blocks of buildings B and C will connect to two taller elements of eleven storeys which will address the railway. Building D is broken down into two blocks of five and nine storeys.

At the front of the site, the eight storey taller mansion blocks consisting of buildings A, B and C address the northern boundary facing Gayton Road, providing a clear and consistent building line and strong presence along the street. The regularity of their facades and adherence to the street edges are considered to be a positive attribute to the scheme and its design quality. It is noted that a number of neighbouring representations have expressed concerns regarding the proposed building line. The proposed building line would run parallel to the kerb providing a degree of formality and potential civic presence, subject to the treatment of elevations. The concerns of neighbouring residents are noted; however officers consider that the siting of the buildings would provide a strong, legible and contiguous edge to the street. Although buildings A, B and C are not set back to align with other neighbouring residential buildings to the east along Gayton Road, regard should be had to the edge of town centre location of the site. Officers consider that the proposal responds appropriately to its setting, having regard to the more urban fabric to the west where building edges are typically sited close to pedestrian footpaths and the looser suburban fabric to the east where buildings are typically set back behind green spaces. Furthermore, the sites location within the Harrow and Wealdstone Opportunity Area must be further emphasised where housing output should be optimised as noted above. Inevitably the high density and housing target output of the scheme as required by the AAP will result in the need for taller buildings than some others in the surroundings. It is considered that the location is entirely appropriate and can accommodate the scale of buildings proposed.

Towards the east of the site, two individual buildings of smaller scale would be provided. Building D1 would be located toward the front of the site and would be five storeys in height, whilst building D2 towards the railway at the rear would be nine storeys. Building D1 would be set back from the pedestrian footpath along Gayton Road by some 20 to 23 metres, creating a green public space beyond its front elevation. The main access road to the site would also provide further separation to the taller and higher density buildings to the west. It is considered that these elements would help create a sense of space

around the buildings and help reduce the perception of scale in relation to the buildings to the east. Overall, it is considered that the proposal provides an appropriate transition in scale to existing development to the east.

Defensible space (between 3 to 3.5 metres) would be provided to the building frontages of the taller mansion blocks, including a green buffer strip to buildings B and C. It is considered that the defensible space to the residential buildings B and C will provide sufficient space and levels of privacy from the harsher conditions of the road. A new concrete paved pavement is proposed along the frontage in order to unify existing and new surfaces to the back edge of the new footway which will help create a visually distinct and attractive frontage.

At the western end of the site, the AAP calls for a building of up to eight storeys in height to provide positive presence to this part of the site and to enable visible and functional engagement with the Metropolitan Town Centre. Building A would be located at the western end of the site and will contain a community/commercial use on the ground floor. The building would be clearly visible from the junction with Station Road. Its siting and forward projection beyond its neighbour to the east (Baldwin House) accords with the indicative site layout within the AAP. It is considered that the proposed prominent siting of this building will help create a new relationship between the Metropolitan Centre and surrounding residential area. The ground floor community/commercial will have large display windows towards the road and on the gable end facing west. The ground floor use and siting and appearance of building A will help enliven and activate this part of Gayton Road, providing civic presence and a marker for the development itself, thereby providing visual and functional engagement with the town centre and by attracting more pedestrians to the area. As such, it is considered that the scale and siting of building A would respond positively to the design aspirations of the AAP.

The AAP seeks that a terraced housing pattern is provided at the centre of the site between 3 to 5 storeys, potentially rising in height to 6 to 10 storeys along the railway. The buildings would have a north, south orientation and would be stepped in elevation. Their layout would give the impression of terrace rows made up of individual component building types. The building heights across the development would be largely consistent with the design considerations of the AAP with the exception of buildings B and C which would have six storeys at the centre of the site rising to eleven storeys along the railway. As such, as noted elsewhere in this report, the proposal does represent a departure from the local plan. The proposed eleven storey elements of building B and C would be over 30 metres high and would therefore constitute tall buildings in terms of the definition in the local plan.

However, officers consider that the additional height increase of one storey does not represent a significant material departure from the plan that would warrant refusal of the application. Provisions of tall buildings are considered to be appropriate in this location within the Opportunity Area, having regard to their siting adjacent to the railway line towards the southern boundary of the site. Although one storey higher, they would therefore still be in accordance with the general arrangement principles of the AAP. Through their scale, form and architectural language, the proposed towers and adjacent proposed buildings would provide a visual marker and landmark for the approach to the town centre and towards Harrow on the Hill Station, a major public transport hub, thereby strengthening the legibility of the surrounding townscape and would reinforce the urban character and status of the Metropolitan town centre. The use of brick and the clear reference in the design to the Metro-Land architectural history of Harrow will contribute

positively to the surrounding urban character and their siting adjacent to the railway on the approach to the town centre will give the towers landmark status. The taller blocks will also create a strong backdrop for the open spaces to the south, providing further visual reference to the town centre.

Given the width of Gayton Road, the height of residential blocks of flats opposite and the stepped and tiered arrangement of proposed buildings, it is considered that the proposal would not give rise to a canyon effect in this part of Gayton Road or within the application site.

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

Nevertheless, as shown by the visualisations within the supporting Townscape and Visual Impact Assessment, the proposed development and in particular the two proposed 11 storey towers will give rise to a significant contrast in scale from the residential properties in Ashburnham Avenue to the east. Despite the siting of the towers within the centre of the application site, some 65 metres from the eastern boundary (distance from closest block C), they are likely to appear visually dominant for the closest properties along this road. However, it is considered that this local adverse impact must be weighed in balance against all other relevant material planning considerations including making effective use of brownfield land, the high quality of the accommodation and design, the overall consistency with the AAP as well as the sites location within the Opportunity Area and Heart of Harrow Housing Zone and its contribution to housing including affordable housing. On balance, officers consider that the design of the scheme has sufficiently addressed the difference in scale through the provision of the lower height of buildings D1 and D2 and the visual break between the buildings and that the locally adverse impacts the proposal would have for a small number of residents would not outweigh the overall number of benefits of the proposal. Notably, additional screening will be provided on the eastern boundary of the application site which will increase as the site matures and this will help in minimising any negative effects. The details of this can be secured through a planning condition as recommended below.

Across the site, the different scale of the buildings would create an interesting juxtaposition and variety between buildings, which is not uncommon in built up areas such as this. Furthermore, it is considered that the proposed scale and massing would sit comfortably with the forthcoming development at Lyon Road which will have similar comparable levels of scale and massing to the subject site as demonstrated by the proposed context elevations submitted with the application. It is considered that the departure from the plan is minor and not one that goes to the heart of how the development of the site is intended to contribute to the broader objectives and vision for the Heart of Harrow.

Design and Appearance

In terms of wider surrounding character, Harrow is regarded as a classic outer London Borough comprising inter war suburbs, Metroland town centres and surviving village centres. Notably a key objective identified within the Harrow core Strategy (2012) is to preserve and enhance the metroland character of Harrow. The proposed mansion block design is not typical throughout Harrow but it is considered that the design of the buildings show many of the familiar 'Metro-Land' characteristics apparent on other buildings across

Harrow. The applicants Design and Access Statement outlines that they are not attempting to provide a building that is novel or iconic but instead confident and durable and that the inspiration for the design of Gayton Road has been taken from other residential, public and commercial buildings that were a 'crucial' part of the 'Metro Land' era of suburban development.

The architectural approach is simple and refined with well-proportioned elevations and a high quality palette of materials will provide the buildings with a distinguished, yet domestic character. As outlined elsewhere, the existing buildings in the vicinity of the site are mixed in terms of their scale, architecture and relationship to the public realm. Some of the buildings in the area are considered to be of poor quality design and appearance, most notably Platinum House to the north of the site which has had a poor quality façade treatment. Therefore the supporting Design and Access Statement outlines that the proposal does not seek to emulate adjacent building types but attempts to respond to them sympathetically with architecture appropriate to Harrow's past and future.

It is proposed to use brick as the main facing material which would help create a robust and durable set of buildings, whilst also responding appropriately to the surrounding character of the area. Each building will have two different tones of brick, consisting of a primary brick blend which will be used at the base of each building and around windows to provide contrast. A combination of alternating red and buff bricks is proposed across buildings which will complement each other and the surrounding buildings. It is considered that this will help create a characterful and visually interesting set of buildings. Decorative concrete bands will wrap around the buildings and roofs will be finished with cornices providing further articulation to the facades.

Buildings will have large windows which will provide good levels of daylight to apartments but also give a generosity and domestic character to the outward appearance of the buildings. The three eight storey mansion blocks facing directly to Gayton Road will have symmetrical facades with clean contemporary detail but would also be subtly traditional. The three large double height projecting porches will be particularly apparent and will animate the front elevations and provide the appearance and grandeur of a mansion. The windows on these elevations will have recessed surrounds and inset corner balconies which will help break down the solidity of the structures and create views through. Open air terraces will be provided at 7th storey level that creates a pair of 'shoulders' on each block and help frame the building.

The taller tower elements to the south of the site are different in that they will have the same elevational treatment on all sides as they will not address the street so directly. The fenestration and material detailing of the upper elements will create a grid like pattern which will sit on top of a more solid lower building. With regard to the linking elements, these are intended to be simpler to provide a contrast between the more figured elevations of the mansion blocks and towers. The linking elements are considered to have a good balance between brick work and glazing, ensuring these elements do not appear overly solid.

Since the initial submission of the application, revised plans have been received in response officer comments on design and appearance and also in relation to comments from the GLA stage 1 response. These include amendments to the courtyard elevation of block D1 to introduce a further window to all floors to help improve its blank façade. The brick plinth for ground floor balconies has been amended so that it would now match the brick used on adjacent walls. Access to the to the 4th floor terrace of block D2 is now

provided as well as additional roof terraces to blocks A, B and C to provide additional amenity for these flats. The applicant has also sought to provide additional access doors to terraces for units facing courtyard amenity spaces as well as for ground floor dwellings in blocks D1 and D2 so units can be accessed directly from the street. Officers consider that this will help improve activity in the courtyards and promote social interaction whilst also maintaining the rhythm and appearance of the fenestration detailing on the elevations.

The proposed detailing of, bricks window reveals, inset and projecting balconies has been well considered. The high quality design of the proposed buildings, the use of brick, which is contextually appropriate in Harrow, and architectural detailing such as large windows and the use of varying brick colours will provide a visually attractive development. The reference in the design to the Metro-Land architectural history of Harrow and mansion blocks in west London through the linear emphasis of architectural features, flats roof and other architectural features such as cornices and windows, will ensure the development is an appropriate addition to Harrow. It is noted that the Design and Access statement references the design of underground stations from the 1920s/30s which is considered to be particularly contextually appropriate due to the location of the development alongside the railway. The stepped heights of the buildings would result in the creation of depth and perspective in views of the development. The use of glazing and projecting/inset balconies will help articulate the elevations and break down their massing.

Given the importance of the quality of the architecture and finished appearance of the proposal in making the proposed development acceptable on this site, it is considered necessary to ensure that the development is carried out to the standard promised in the application and that, as required by Local Plan policy, it maintains its attractiveness over the lifetime of the development. As such, a planning condition is recommended for the submission all detailed external materials and finishes for the buildings in order to ensure their proposed high quality appearance can be realised. In addition, in order to ensure the successful continuity of the high quality design intent of the scheme, it is recommended that a planning obligation is secured so that the original scheme architects can be retained to design and submit the detailed material and finishes or address any minor external elevational changes which may impact on the design and appearance of the buildings. If the developer did not retain the original scheme architects, the planning obligation would require a financial bond to be payable to the Council to procure this work. Such a planning obligation is considered necessary, having regard to the scale of the buildings proposed, in order to ensure their successful integration into the surrounding townscape. Subject to this, it is considered that the proposed contemporary architecture with clear references to the local vernacular and Harrow's strong 'Metro Land' will make significant positive contribution to the wider urban environment.

Landscaping and Public Realm

Paragraph 58 of the NPPF states that planning decisions should aim ensure that developments are visually attractive as a result of, *inter alia*, appropriate landscaping. London Plan Policy 7.5 *Public Realm* seeks landscape treatment, street furniture and infrastructure of the highest quality and calls for opportunities for greening to be maximised. Local Plan Policy AAP 7 *Creating a New Public Realm* requires all development within the Heart of Harrow to contribute to the creation of a high quality, accessible, safe and attractive public realm; further biodiversity enhancement measures, are set out in Policy DM 21. Policy DM22 *Trees and Landscaping* requires landscaping that: is appropriate to the character of the area; is well laid out; achieves a visual setting

for buildings; provides sufficient space for planting to grow; and supports biodiversity.

The building form would respond positively to public space by creating a diverse frontage with residential entrances and a community/commercial space providing activity.

The site is cut off to the south by the railway line and so does not allow permeability towards this direction. The three mansion blocks facing Gayton Road will have gates between them. The design of the gates would enable them to slide behind a fixed panel when not in use. The location of the gates would be set back from the street frontage and as such would not appear visually prominent at night or during the day. However, it would be important to ensure that the appearance of the gates are not unduly solid and would remain open during the day and so that the site would be permeable and appear welcoming. As such, a condition is attached in relation to the final appearance of the gates to ensure that they would remain open during the day.

Officers consider that the layout of the building positively supports open space and a high quality residential environment. The orientation and layout of the blocks provides dwellings with good access to amenity spaces, sunlight, levels of privacy and outlook. The proposed courtyards will be open throughout the day which will enable pedestrian access to secondary cores, informal play opportunities and a safe and well overlooked space for social interaction. The regular access points along Gayton Road will also make a positive contribution toward passive surveillance and general pedestrian activity levels. The pedestrian environment across the site will be optimised as a result of basement car parking, shared surfaces and access through the site, facilitated by the undercroft at building B control and management of general access for vehicles.

Policy AAP 7 states that new areas of public realm should accommodate and strengthen pedestrian and cycle linkages to surrounding areas, enhance social use and legibility, and be flexible in function. There are plans to implement a quietway cycle route along Gayton Road. The 24 mile long Harrow Park Circular route runs along Gayton Road and can be used for leisure cycling. Courtyards between will promote social interaction and there is space available to the west of the community/commercial uses to accommodate an outdoor seating area and these uses together with the clearly defined building frontages will ensure principal public realm areas would be appropriately activated.

The proposal is supported with an indicative landscape plan and strategy for the site. The landscape proposals acknowledge the loss of a large number of mature trees which characterise the existing site due to the scale of the development proposed. One of the main priorities identified in the landscape strategy is to replace trees and provide conditions in which new trees can survive. A sequence of distinct external spaces has been defined each of differing character which the landscape strategy seeks to amplify. The main spaces west to east are defined as the 'working yard, two 'podium courtyards' and an access 'mews'. In addition the proposals include a new defined frontage and pocket park to Gayton Road and a new edge to the railway embankment at the rear of the site. Courtyards will be oriented towards the south allowing good levels of sunlight and views of open skies. The proposal notes that generous planters on the podium will be required to ensure successful planting. In order to mitigate for the extensive constructed ground across the site concrete paved permeable drainage is used throughout the scheme, including areas of vehicle access to enhance on site drainage. Play space provision is intrinsic to the proposals and safe and protected areas of natural play will be provided. Areas of natural play will include logs and boulders complementing timber equipment.

Officers consider that the new landscape strategy will create a coherent, biodiverse and attractive landscape setting for the development. Overall, it is considered that the landscape strategy will enhance the clear architectural design approach of the proposal, will help the buildings integrate successfully with their surroundings and respond to the needs of future residents of the buildings, whilst also enhancing biodiversity.

The proposal will also include green roof to the taller elements of the buildings. A condition is recommended to this effect which shall include details for the ground surfacing and boundary treatment.

Policy AAP 7 calls for a simple palette of sustainably sourced materials and for reduced street clutter. A revised landscape strategy has been submitted which incorporates a more simple palette of materials. The primary ground material would be concrete permeable paving. Concrete slabs are proposed to define the footways along Gayton Road. Furniture within the courtyards and opens spaces will consist of timber slatted and solid construction, either integrated with planters or stand along elements. Lighting across the development will consist of bollard luminaires along paths and in the courtyards and green spaces with contemporary LED lighting columns along access roads and public footpaths.

The selection of materials and further details of the proposed lighting may be secured as part of the landscaping conditions of any planning permission.

Townscape Character and Locally Protected Views

The applicant has provided a Townscape and Visual Impact Assessment (TVIA) in support of the application. The TVIA considers the townscape character of the site and surrounding area; the visual role of the site in the surrounding area; the sensitivity of townscape and views to change; the scale of the change arising from the proposed development to the townscape and views, and whether the change would be beneficial, neutral or adverse including the effects of mitigation built into the design. The TVIA has analysed a total of 16 short, medium and long range views surrounding the application site. Each of the views has been considered within the context of various townscape character areas which are identified as Harrow town centre, Harrow town centre west, Roxborough Park/Lowlands, Harrow town centre east (residential), Harrow on the Hill and surroundings and Gayton Road East/Ashburnham Avenue.

The assessment outlines that the existing townscape character is of low value but is robust and can readily accommodate change. Officers agree that the existing buildings and uses on the site do not positively contribute to the quality of the townscape at the western end of Gayton Road. The supporting images within the TVIA show that the tops of the buildings will be seen in some views from Harrow town centre. The report sets out that the buildings will act as a visual marker in views approaching the town centre from the south crossing the bridge at Peterborough Road and around the west end of Gayton Road. Other images show the tops of the buildings from other town centre locations including Station Road and College Road. However, it is considered that these will appear as part of the townscape due to the highly urbanised nature of the surroundings. With regard to Harrow town centre, the report considers that the proposal would result in a minor beneficial change to the immediate setting of the town centre. Officers agree that the scale of the development together with the quality of architecture will reinforce the status of the adjacent Metropolitan town centre and improve its image.

Due to the distance of Harrow town centre to the west, topography and intervening development, any views of the development will be limited to the top parts of the buildings. As such, the report finds that the impact of the development will therefore be negligible or neutral.

The TVIA notes Roxborough Park and Lowland recreation ground to the south west is an area of high sensitivity. It finds that due to the topography of the area, the distance of much of the area from the site and intervening development, any views of the development will largely be from the north east side including from the Grove Open Space and Lowlands Recreation Ground. It is noted that the townscape character as viewed from this space is already influenced by the buildings within the town centre which are of larger scale. The supporting images demonstrate that the upper parts of the proposed 11 storey buildings would be visible. However, the effect of this is considered to be limited due to small area where any views would be noted as well as the close proximity of the buildings to the more modern town centre which the buildings would be seen in relation to.

In respect of the townscape character to the east of Harrow town centre, the TVIA finds that overall, there would be a major beneficial change to the townscape in this area. The main benefits of the scheme highlighted are the clearer definition of the street and introduction of the active frontage to Gayton Road, the improved relationship with the public realm including a more attractive route between Station road and residential areas to the east and in particular the views from the south and west of the site as seen from the railway which will provide a marker for the approach to Harrow, thereby positively reinforcing the sense of place.

With regard to Harrow on the Hill and its surrounding, this area is regarded as highly sensitive to change and is largely designated as a conservation area. The assessment finds that although the topography is elevated in relation to the site, the tight knit streets and extent of tree cover as well as intervening development would limit the potential for views out of the area, even in winter. Any views would largely be from Peterborough Road the large playing fields to the east. However, again from this location it is shown that buildings would be seen within the context of the buildings in the town centre which are of large scale and rectangular mass.

The TVIA also considers the impact of the proposed development on the small scale two storey residential dwellings to the south and east including Ashburnham Avenue and Kenton Avenue. As noted in the TVIA, the new buildings will be a noticeable new element in a number of views out of this area and there will be a marked contrast in scale and form of the buildings compared to the domestic scale of the neighbouring properties. However, the report finds that the overall effect of the contrast in scale will have a negligible adverse effect. The reasons outlined are the lower height of the eastern buildings which will create a buffer between the taller elements of the development as well as the high quality architecture which will provide a more evident visual expression of the proximity of the town centre. In respect of Kenton Avenue to the south which would have a view over the railway towards the development, it is considered that the varied built form of the buildings, architectural expression, their fenestration and use of materials would have a greater visual interest compared to the existing situation. The assessment outlines that although there would be an increase in the amount of built form seen, the improvement in the quality of the buildings seen would give rise to a beneficial change to the visual amenity of these neighbouring occupiers. Nevertheless, the report acknowledges that the development will have a localised adverse impact on Ashburnham Avenue.

A number of neighbouring objections have been received with regard to impact on townscape character. In particular they have expressed concerns with perceived impacts in some views (such as Kenton Avenue) which are outlined to have an overall beneficial view or where it is outlined character would remain similar to present. The TVIA has been undertaken independently and is based on best practice advice contained in the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (Landscape Institute/Institute for Environmental Management) with clear regard to the surrounding policy context. In this regard, officers consider the report methodology and conclusions have been robustly and are fair. It is acknowledged that resident's perceptions of impacts and views will vary.

Nonetheless, given the robust testing and analysis carried out and acknowledging its conclusions, officers considered that the proposed re-development of the site would not result in any significant adverse townscape visual effects. It is accepted that the existing site is of low value and the sole existing building on the site (Sonia Court) has no architectural merit. It is considered that the proposed development would respond positively to the requirements of the development plan. There are numerous locations in the surrounding area where the proposal will lead to beneficial visual effects by introducing well designed, new buildings and public realm that will enhance visual amenity, legibility and the street scene, including views along Gayton Road, from Peterborough Road and Kenton Avenue. The proposals would be glimpsed from town centre views including Station Road and College Road but would be compatible with the overall character of the urban scene. In particular, the proposals would make a significant positive contribution towards the Metropolitan character for Harrow town centre and an appropriate identity for Harrow through its architectural language. The development would create a more positive edge to the railway on the approach to Harrow and provide a defined building edge to Gayton Road with high quality building frontages and a new public realm. Furthermore, the development would act as a visual marker of the approach to the town centre from a number of locations including west along Gayton Road and north on Peterborough Road.

It is acknowledged that a number of trees will be removed from within the site. Some of the trees, including some along the Gayton Road frontage, are identified as being visually significant in the accompanying Arboricultural report. However, officers consider that the effect of their removal on the townscape is more than outweighed by the provision of an area of publically accessible green space with additional tree planting and landscaping along the frontage, within areas of open space within the site and tree planting along access routes which will make a positive contribution to the surrounding character of the area. As noted elsewhere in this report, there are a number of taller buildings in the surrounding area including the forthcoming Lyon Road development to the north and the proposed development will not substantially exceed these heights. In officer's opinion, the edge of town centre location and surrounding areas are capable of accommodating the scale of buildings proposed here and will create an appropriate sense of place, respond to local character and materials and provide high quality buildings with good landscaping with good public realm and landscaping.

Policy DM 3 of the Harrow Development Management Policies Local Plan (2013) addresses protected views within Harrow. Although the application site does not fall within a landmark viewing corridor, it does lie within a Wider Setting Consultation Area. The Wider Setting Consultation Area is an area enclosing the Landmark Viewing Corridor both in the foreground and the middle ground and the background of the Protected Vista.

In respect of such areas, policy DM 3 requires that development proposals should form an attractive element in their own right and preserve or enhance the viewer's ability to recognise and appreciate the landmarks. The policy states that "*development should not harm and, where possible, should make a positive contribution to the characteristics and composition of the protected views and their landmark elements.*" It also outlines that opportunities to create new local views and vistas should be exploited through the design and layout of new development.

The following views have been considered within the applicants supporting Townscape and Visual Impact Assessment:

Views within an Urban Setting

- Roxborough Road Bridge
- St Ann's Road
- Gayton Road

Medium range views from open space

- Harrow Recreation Ground
- The Grove

Long range views from open space

- Old Redding
- Stanmore Country Park Extension, Wood Farm

The TVIA confirms that the proposed development is within the wider consultation zone of the long range views from Stanmore and Old Redding. The visualisations demonstrate that the proposed development would not obstruct or distract from the views of Harrow on the Hill or St Mary's church spire. There will be a negligible visual effect. Consideration has also been given to the potential for effects on the urban view from Roxborough Road footbridge and the medium range view from Grove open space. The assessment confirms that the development is beyond the wider consultation zone in both views. The report considers that there would be a neutral effect on the view from Roxborough Road footbridge as it would be seen within the context of the existing town centre and as such is compatible within the urban character of the scene. In respect of the Grove Open Space, it is noted that one part of the scheme would project above the skyline. However, it is considered that this would have negligible visual effect being at the far extent and peripheral to the panorama of the town centre with the Harrow Weald Ridge beyond.

Having regard to the visualisations and analysis within the TVIA, officers are satisfied that the development would maintain the viewers' ability to recognise and appreciate the landmark qualities of Harrow on the Hill and would have no effect on the composition of protected views identified within the Harrow DMPLP (2013). The proposals would also not effect views from Harrow on the Hill.

The design considerations with the AAP references an aspiration to create a new view from Gayton Road through the site to Harrow on the Hill and St Mary Church spire to coincide with a new public route. The applicant has outlined in their planning statement that it was not possible to provide a new public route due to the constrained nature of the site with the railway to the south and other residential development beyond the east and western boundaries of the site. Nevertheless, the supporting Design and Access Statement confirms that the proposed development has been designed to allow for views towards Harrow on the Hill and Harrow School from the southern end of the courtyard

spaces, including from the new road to the east of the site. As such, views would be provided for people accessing the site.

Overall, it is therefore considered that the proposed development would be consistent with the requirements of the development plan outlined above.

Impact on Heritage Assets

The NPPF describes the setting of heritage assets (page 56) as ‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral’.

Paragraph 129 of the NPPF states that: ‘Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise’.

Paragraph 132 of the NPPF states:

‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting’.

Paragraph 134 of the NPPF states:

‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use’.

Policy 7.8 of the London plan outlines that; “*development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate*”. “*Development affecting heritage assets should...conserve their significance, by being sympathetic to their form, scale, materials and architectural detail*”.

Local plan policy DM 7 identifies considerations in assessing the effects on heritage assets including proportion, scale, bulk and materials setting and “*the preference to be afforded to proposals that both conserve and sustain heritage assets and their setting.*” Local plan policy AAP 4 states that development should “Conserve and enhance the significant of heritage assets, including their settings”.

The site is not in a conservation area but does lie within the setting of various grade I/II listed buildings and conservation areas. However, across the railway line immediately to the south west are Harrow Park, Harrow School and Roxborough Park and the Grove Conservation Areas. Within these areas are a variety of buildings of special interest including Harrow School Old Speech Room Gallery, Harrow School and St Mary’s church. The topography of Harrow on the Hill, gives rise to dramatic views of the buildings, in particular St Marys Church which can be seen from a great distance from a number of vantage points across Harrow. The area around St Harrow School and St Marys Church is defined by outstanding quality of architecture, well maintained private buildings and open spaces, a dramatic topography with changing levels and directions and a large number of long and short views including long distance panoramas.

The application is supported by a Heritage Impact Assessment which identifies 14 heritage assets including Harrow School conservation Area, Roxborough Park and the Grove Conservation Area and various listed buildings within these areas as well as other grade II listed and locally listed buildings location to the north west of the application site along College Road and Station Road.

The assessment finds that due to the distance of the heritage assets from the site, the topography of Harrow, town centre development, and substantial tree cover, the proposed development would have a nil, neutral or negligible neutral or minor neutral effect on the setting of all the heritage assets with the exception of Gayton School where there would be a negligible adverse impact on its setting.

In regards to Gayton School, the negligible adverse effect on the setting would be caused as a result of the contrast between the height of the proposed development and the surrounding low rise housing. However, the assessment finds that it would not affect its significance as the effects would be limited to the western part of its setting which is less sensitive to change as there are already modern urban features within its setting including an A road and views to taller buildings in Northwick Park. The report notes that the use of brick in the proposed development would be sympathetic to the predominant material for this building and that the effects on setting would therefore be localised and would not detract from the overall significance of the building as it would still be seen in the context of the more suburban housing surrounding it on the eastern part of Gayton Road. It is therefore concluded that its significance would be preserved.

With regard to the adjacent conservation area, the assessment finds that the development would have a negligible neutral effect on their setting. Although there would be some views of the upper parts of the buildings, these would appear in the context of the existing town centre development, which already forms part of the existing their existing setting. Moreover, views would be screened and reduced due to the trees on Harrow on the Hill, the distance from the site and intervening topography.

Some representations have been received from neighbouring residents expressing concerns in relation to the impact of the development in relation to views of St Mary's Church on Harrow on the Hill. However, in respect of this heritage asset the report finds that the only effects on setting would be the loss of some minor, localised and non-sensitive views of its spire from the site and immediate surroundings. The effect on its setting is therefore considered to be negligible neutral. As considered above, the application site does not fall within any landmark viewing corridors and as such there are no protected views of Harrow on the Hill or St Mary's church which would be adversely affected.

The site is not located within an archaeological priority area. Nevertheless, the proposal is accompanied by an archaeological assessment. This concludes that the proposed development is unlikely to have a significant or widespread archaeological impact. The report recommends no mitigation or further work. The details of the report have been referred to Historic England Archaeology who has advised that they agree with the conclusions of the report. As such, the application would be acceptable in this regard.

Overall, the heritage impact assessment considers that the significance of the heritage assets would be preserved. The report concludes that where the development would be visible in the setting of heritage assets, its impact would be mitigated through the use of

high quality brick detailing and extensive fenestration. It is also outlined that following the completion of the consented development on Lyon Road/St John's Road the effects on the setting of some heritage assets may be further minimised due to the intervening scale of the development. The application has been referred to the Council's Conservation officer who is satisfied with the conclusions and findings of the heritage impact statement. As such, it is considered that the assessment demonstrates that the significance of the identified heritage assets would be sustained and the proposed development would not conflict with any of the above stated requirements of the Harrow development plan.

RESIDENTIAL AMENITY

Residential Quality of Proposed Development and Amenity of Future Occupiers

Policy Context

The National Planning Policy Framework emphasises that:

- “The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.” (Paragraph 56).
- “It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes” (Paragraph 57).
- “Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations.” Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.” (Paragraph 61).

Policy 7.6B, subsection D, of The London Plan (2015) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

There are no specific policies within the AAP which deal with safeguarding residential amenity but it states that development proposals would be required to meet policy DM1 of the Development Management Policies Local Plan (2013), which seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.

London Plan Policy 3.5 *Quality of Design and Housing Developments* sets out several criteria for achieving good quality residential development. The policy aims to ensure that developments enhance the quality of local 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* (2016). 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 design and layout across all tenures within a development and consistent with the London Plan and its associated SPG. Local Plan Policy AAP 4 *Achieving a High Standard of Development throughout the*

Heart of Harrow requires new homes within the heart of Harrow to achieve a high standard of residential quality, whilst Policy AAP 13 *Housing within the Heart of Harrow* sets out a range of criteria to ensure that mixed, sustainable communities are created. Policy DM 1 *Achieving a High Standard of Development* requires all development to achieve a high standard of privacy and amenity, and sets out a range of criteria for the consideration of the same. The Council's Residential Design Guide supplementary planning document is also relevant.

Space Standards and Layout

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. It incorporates Government's nationally described space standard, adopted through the Minor Alterations to the London Plan (March 2016) which new dwellings are required to meet and outline considerations relating to size and layout of rooms in a dwelling, the 'approach', the 'home as a place of retreat', and climate change mitigation and adaptation. The nationally described space standard together with the other standards set out in the Mayor's Housing SPG (2016) are intended to ensure that all new homes are functional and fit for purpose and offer the potential to be occupied over time by households of all tenures.

The nationally described space standard sets out requirements for the Gross Internal (floor) area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms and storage. Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. This is supported by policy AAP13 of the AAP.

The proposed development conforms to the minimum space standards set out in the London Plan and the adopted Residential Design Guide SPD. It is noted that a large proportion of the units would exceed the standards. The development would also achieve the minimum floor to ceiling height of 2.5 metres as required by the Housing SPG.

The SPG requires built in storage space to be provided in all new homes as follows:

- 1 bedroom x 1 person – 1.0m²
- 1 bedroom x 2 person – 1.5m²
- 2 bedroom x 3 person/4 person – 2.0m²
- 3 bedroom x 4 person/5 person – 2.5 m²

In all cases the storage area should have a minimum height of 2 metres and a further 0.5 square metres is required for each additional occupant. All of the flats incorporate an element of storage space but, to ensure compliance with this standard, it is considered necessary to secure this as a condition of any planning permission.

The SPG also seeks adequate space and services to work from home. An indicative furniture layout is set out on the application drawings and this demonstrates that all of the flats would have space for a table. As such, each flat would have space flexible for dining and home study/work activities.

Dual aspect

The SPG seeks to avoid single aspect dwellings where: the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful

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

A large proportion of the flats will either be dual or triple aspect but it is acknowledged that there will be some single aspect flats. Nevertheless, it is considered that the orientation of the buildings are well designed and thought out in order to avoid north facing facades. As highlighted within the accompanying Design and Access Statement, 68% of the units within the development will have at least two aspects and none of the units will be north facing. All of the single aspect flats would either be east or west facing and would therefore still be expected to receive reasonably good levels of natural daylight. Furthermore, the flats would all have access to their own balcony which would increase levels of outlook for future occupiers. It is considered that the single aspect flats within the development would be off-set to some extent by the good internal layout and circulation for each of the units. As such, this aspect of the development is considered to be acceptable.

Private/Communal Amenity Space

Policy DM1 of the DMP seeks to *inter alia* ensure that development proposals provide an appropriate form of useable outdoor space. This is further reinforced under paragraph 4.64 of the SPD requires that residential development should provide appropriate amenity space. In case of town centre locations, alternative forms of outdoor amenity such as balconies should be explored.

The SPG seeks a minimum of 5 square metres private outdoor space for 1 & 2 person dwellings, increasing by 1 square metre for each additional occupant. A minimum depth and width of 1.5 metres is sought for all balconies and other private open spaces. Each of the flats will either have access to a private terrace or balcony and all units will either meet or exceed these requirements.

In addition to private spaces discussed above, each of the plots will also have access to a communal garden space which will be open to the public during the day. The communal gardens spaces will be located within the courtyards between the buildings and will provide door stop play facilities for young children as well as providing visual amenity to the surrounding residential units. The courtyards will be open to the south and will benefit from sunlight throughout the day.

A publically accessible green space will be provided to the north of block D1, adjacent to Gayton Road. The green space will be planted with trees and will provide shelter from noise and pollution from the road and will also provide an additional informal play space for small children. The layout of the space and location of planting will provide high quality visual amenity for the surrounding residents, as well as pedestrians along Gayton Road and at the same time will ensure that the ground floor units of block D1 directly space will not be unduly affected by noise and disturbance by users of the proposed recreation space.

Entrances and approach

The Mayor's Housing SPG (2016) calls for all main entrances to houses, ground floor flats and communal entrance lobbies to be visible, clearly identifiable, and directly accessible from the public realm (standard 8).

The Housing SPG (2016) also requires that active frontages should be maximised and inactive frontages minimised on the ground floor of buildings facing publically accessible space, in order to provide natural surveillance and activity (standard 10). Supporting paragraph 2.3.6 outlines that: *“The provision of ground floor residential units with front doors and windows directly fronting onto the public realm provides a number of significant advantages in terms of natural surveillance, activity and residents’ social interaction and will be strongly supported where suitable and achievable.”* Paragraph 2.3.7 goes on to say that in *“In applying this standard to dwellings, it is important to also consider potential noise, privacy and air quality issues particularly those associated with busy roads or adjacent land uses or activities, which may necessitate residential units being raised slightly from the ground floor. Given residential privacy issues associated with placing ground floor bedrooms fronting the public realm, living rooms or kitchens may provide a more suitable alternative.”*

Gayton Road will be lined by a series of three mansion blocks with an additional set back building to the eastern edge of Gayton Road. Building A to the west of the site will contain the community/commercial space at ground floor. Blocks B, C and D will have apartments at ground floor level. Blocks B and C will contain flats in close proximity to Gayton Road where both living rooms and bedrooms will overlook the road. It is considered that the new housing and community/commercial space will provide significant activation along this part of Gayton Road, thereby providing much improved security for the surrounding area. Blocks B and C will be set back from the pedestrian walkway by between approximately 3 to 3.5 metres which will include a 1 metre wide green buffer zone. In addition, the ground floor windows will be set approximately 2 metres above the pavement. Having regard to these factors it is considered that the closest ground floor flats within blocks B and C fronting Gayton Road will be afforded acceptable levels of visual privacy from the street.

The front elevations of blocks A, B and C will contain double height entrance porches, providing the main entrance to the buildings. Additional main entrance points would be provided from within the courtyards and along the new main access road to the east of the site and would be defined by large double height doors. Additional secondary entrance points from within the courtyards would also provide further access to the main building cores. The submitted details show a coherent approach to the design/external appearance of entrances across both the commercial/community and residential components. However, it is considered the commercial/community space will be clearly differential from the residential entrance points as it will have large display windows facing towards the road and on the gable end facing west. It is considered that the proposed entrances will help activate both Gayton Road and the public realm within the development.

Shared Circulation

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

- Each core should be accessible to generally no more than eight units on each 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 front door with electronic lock release. Unless a 24 hour concierge is provided, additional security measures including audio-visual verification to the access control system should be provided where more than 25 dwellings are served by one core or the potential occupancy of the dwellings served by one core exceeds 100 bed spaces or more than 8 dwellings are provided by floor.

- Where dwellings are accessed via an internal corridor, the corridor should receive natural light and adequate ventilation where possible.
- All dwellings entered at the seventh floor (eighth storey) and above should be served by at least two lifts.
- It is desirable that every wheelchair user dwelling is served by more than one lift.

In all cases the internal corridors will be served by either one or two windows. Although some artificial lighting and ventilation will likely still be required, it is considered that internal corridors will also benefit from adequate amounts of natural light and ventilation. Building A would be served by two separate circulation cores with staircases and a total of three lifts. Building B and C would be served by two main dual lift and stair cores. Building C would have an additional central core with single lift. Building D1 would have one main single lift/stair core whilst building D1 would have a dual lift. The number of flats accessed from each of the cores would not exceed 8. All wheelchair flats will be served by more than one lift. The applicant has advised within their supporting Crime Impact Statement that access control will be both audio and visual. It is considered that the details of this could be agreed and secured through an appropriate planning condition. Taking into account all other factors, it is considered that proposed circulation space within the development is acceptable.

Privacy

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

Paragraph 2.3.36 of the SPG notes that “In the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). These can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density.”

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

In terms of building to building distances, the courtyards will achieve a minimum distance of 18.4 metres wide. The rear courtyard areas beyond the eastern elevation of block A would all achieve a minimum distance of 21.5 metres. The main eastern and western elevations of each of the blocks would of course contain habitable room windows and balconies, meaning that in some cases there would be a level of visibility between homes on the same level and perceptions of visibility to and from homes on other levels within the development. Nevertheless, for the vast majority of flats within the development, in officers opinions, the proposed distances are considered to be good, having regard to its density and edge of town centre location.

In some instances, the distances between the blocks towards the front of the site will be narrower, reducing to a gap of 5 metres between blocks A and B and 5.8 metres between

blocks B and C. However, these gaps will only occur on very small distances along the elevations in relation to a small number of flats and in these areas windows and balconies have been positioned to avoid direct overlooking. However, it is acknowledged that for a small number of flats which are located adjacent to narrower gaps, there will be a greater degree of visibility and some actual and perceived overlooking impacts. Whilst such impacts could be mitigated by the use of obscure glazing and privacy screens, as a condition of any planning permission, it is considered that this would risk comprising the design quality of the proposal and the benefits to the future occupiers of the flats in terms of outlook from two aspects. Where intervisibility distances are low, these are generally only between secondary windows to rooms. It is also noted that a narrower gap would be provided between southern elevation of block D1 and northern elevation of block D2. The gap would be between approximately 9.5 metres and 14.6 metres. In this case, the buildings would have an angled orientation and so any views of the windows facing each other would be at oblique angles and there would not be any direct overlooking, thereby providing an acceptable relationship.

On balance, having regard to the high density nature of the proposal, which is consistent with the need to make effective use of this highly accessible edge of town centre site and recognising that those choosing to live in a high density development are likely to have different expectations about privacy, it is considered that the relationships between residential buildings would secure a standard of privacy that would be commensurately high for the vast majority of future occupiers and that the small number of flats adjacent to the narrower gaps would have acceptable standards of privacy because of either oblique relationships or the fact these relationships would only relate to secondary windows.

Amenity Space and Privacy

In terms of privacy relating to private open space, the distances between projecting balconies and terraces would be marginally less than those outlined above and there would be a degree of intervisibility between the spaces. However, for the reasons given above, these distances between private amenity spaces are considered to be acceptable. A number of ground floor level terraces as well as the fourth floor terrace of block A would extend across two or more flats and would be subdivided with privacy screens to safeguard neighbouring amenity. This is considered to be acceptable in principle, subject to further details being submitted through a planning condition. With regard to the upper floors of the proposed blocks, the vast majority of balconies would be separated by acceptable distances to avoid any overlooking to neighbouring balconies. However, some of the projecting balconies of the flats would be located in close proximity to each other. For example on the western elevation of blocks B and C, some balconies would only be separated by a distance of approximately 1.9 metres which would not provide an acceptable standard of privacy for future occupiers. In order to address this, a condition is recommended to ensure that details of privacy screens should be provided between neighbouring balconies where the distance achieved would be less than 3.5 metres.

A revised strategy for the roof top areas has been submitted during the application. In addition to the proposed biodiverse roofs for the upper elements of the building, this details additional rooftop terraces across the buildings where flats are located next to the flat roof areas of the linking blocks. In addition to providing a further enlarged amenity space for these flats, these terraces which can be landscaped will dramatically improve outlook for future residents across the roofscape. The rooftop terraces would not give rise to any unreasonable privacy concerns. Privacy screens can be secured by planning condition where necessary to prevent overlooking to adjacent flats.

The submitted landscape strategy includes a raised upper level within the western 'working yard' space which incorporates a vent to the basement level car park below. This space is intended to be used as an additional amenity space for the adjacent occupiers and could be accessed from a staircase and gate from the 'working yard'. However, in order to ensure the amenities of these occupiers are safeguarded with regard to privacy, it is considered that a planning condition would be required to detail how access into this space would be controlled.

With regard to the open space in the north eastern corner of the site, the landscape strategy identifies a buffer strip of planting between the play area and front elevation windows of block D1. It is considered that the proposed landscaped buffer strip would help safeguard the amenities of these occupiers from undue noise and disturbance and loss of privacy from the users of adjacent play space. Further details of the landscape buffer and its proposed treatment can be secured as a condition of any planning permission.

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

Daylight and Sunlight

The SPG (2016) states that *"All homes should provide for direct sunlight to enter at least one habitable room for part of the day. Living areas and kitchen and dining spaces should preferably receive direct sunlight"* (standard 32). Supporting paragraph 1.3.45 outlines that *"An appropriate degree of flexibility needs to be used when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties as well as within new developments themselves. Guidelines should be applied sensitively to higher development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and the scope for the character and form of an area to change over time."* Local Plan Policy DM1 includes among its amenity considerations the adequacy of light and outlook within buildings (habitable rooms and kitchens).

An assessment of potential impacts on sunlight, daylight and overshadowing has been undertaken and accompanies the application. The daylight and sunlight report is based on the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide'. The assessment considers the impact on the site's residential neighbours, and on the quality of sunlight and daylight to the new residential dwellings and open space. The methodology adopted is considered to be appropriate.

In respect of daylight/sunlight to amenity spaces, the report considers the percentage of area that will enjoy at least 2 hours of direct sunlight on the 21st March. The results show that more than 50% of each of the proposed amenity areas will receive at least 2 hours of sunlight on 21st March, with the majority of amenity space areas receiving over 80%. The proposal is therefore considered to be acceptable in this regard.

For the purposes of measuring the performance of habitable rooms within the proposed development, the assessment uses the Average Daylight Factor. This method measures how much sky can be seen from the window and converts the results into a percentage of annual probable sunlight hours received. The assessment notes that, for sunlight

assessment, only the main window of each room within 90 degrees of due south need to be tested. The BRE guidelines recommend that ADF values of 1% should be achieved in bedrooms, 1.5% in living rooms and 2 % in kitchens.

A selection of rooms at ground and first floor for each of the proposed buildings has been tested. The ground and first floor rooms would represent the worst case scenario, as these are at the lower level of the development. The results of the analysis demonstrate that the majority of habitable rooms will achieve the recommended level of daylight. However, officers also note that some rooms would only have ADF levels of less than 0.5% and as such there will be a number of apartments within the scheme which are inadequately lit and will receive poor daylight. It is highly likely therefore that some flats will require supplementary electric lighting particularly in the winter months. Despite this, it is also acknowledged the provision of balconies does provide a trade-off between providing easily accessible external amenity space and inevitable shading of windows below.

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

Children and Young People'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. The Mayor's Play and Informal Recreation SPG provides further guidance on the implementation of Policy 3.6 including the levels and types of play provision required for different age groups.

Policy AAP11(C) requires all major development to provide sufficient play space on site to meet the needs of the development, whilst policies AAP13 B(d) and DM 28 *Children and Young People's Play Facilities* reiterate the need for children's play space. The Council's Planning Obligations SPD, informed by Harrow's PPG 17 Study, sets a quantitative standard of 4 square metres play space per child, while the quantitative standard in the SPG is 10 sqm.

Applying the child yields set out within the Mayor's Play and Informal Recreation SPG, it is calculated that the development would yield a total of 107 under 16 year olds. This equates to a local requirement for 426.7sqm and a requirement for 1066.8sqm based on the London Plan. A play strategy is incorporated within the applicant's Design and

Access Statement and Planning Statement and makes provision for a minimum of 1223 sqm of children's play and informal recreation space across the site. As such, quantitatively, the development would make acceptable provision.

The SPG (2012) advises that play spaces should benefit from overlooking/passive surveillance and that if leftover, overshadowed or windy spaces are utilised they should be made worthy through innovative design. Play space will be provided within the courtyards and will include stone and timber equipment set in a rubber crumb safety surface where required in order to offer a safe and protected environment. As such, the spaces will benefit from good levels of natural surveillance and as noted elsewhere in this report all the play areas will receive at least 2 hours of sunlight to 50% of an area on the 21st March. It is also proposed to provide a play facility for older children in the north east corner of the site which will be accessible from on and off the site. It is noted that, in addition to the provision of overall child play space, a total of approximately 1094sqm will be provided in addition.

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

Overall, officers consider that subject to approval of the details of the facilities to be provided, which can be secured as a condition of any planning permission, it is considered that the proposed play space offer would meet the qualitative requirements for doorstep and local playable space, as set out in the Mayor of London's *Play and Informal Recreation* SPG.

Noise Impact

The NPPF (2012) outlines at paragraph 123: *"Planning policies and decisions should aim to: "Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from a new development, including through the use of conditions"*

Policy DM1 of the DMP, states under sub-section D (h) that when assessing privacy and amenity it will have regard to the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution. This is further supported under The London Plan policy 7.15B.

Paragraph 4.55 of the Residential Design Guide SPD specifies that 'the vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. Where possible, the horizontal arrangement of rooms between flats in a block should also avoid bedrooms adjoining neighbouring living rooms, kitchens and bathrooms, as well as communal areas such as halls and stairs'.

Generally, and with some inevitable exceptions, the proposal secures good horizontal arrangement by 'handing' the floor plans of individual flats across each floor. The proposed development would stack appropriately in a vertical fashion therefore there would be no vertical stacking issues.

The application is accompanied by a noise assessment report to assess the noise impact

of the surrounding environment on the future occupiers of the residential units and the community/commercial space as well as plant noise limits. The noise standards are assessed on the basis of “British Standard BS8233:2014, Sound Insulation and Noise Reduction for Buildings – Code of Practice” and World Health Organisation: Guidelines for Community Noise – 1999”. These documents suggest suitable internal noise levels within living areas and bedrooms during the daytime and at night. Suitable sound levels are also outlined for balconies, terraces and outdoor living spaces. The report outlines that the internal predicted noise levels for the flexible community/commercial space have been based on the “The British Council for Offices Guide to Specification 2014” which gives guidelines as to suitable internal noise levels within different office and working spaces. The noise criteria and methodology for the assessment was agreed with the Council’s Environmental Health department prior to undertaking the noise survey and in officers opinion are considered to be appropriate.

The application site is located next to a busy road and the rear boundary line abuts a railway line which is set at a lower level than the proposed site ground level. Noise monitoring was undertaken between Thursday 16th to Friday 17th January 2014 over a typical weekday period. Two noise meters were set up to measure the exiting noise environment, including to the rear of the site, adjacent to the railway and along the front boundary of the site adjacent to Gayton Road.

The results showed that the proposed development site experiences noise predominantly from road traffic sources along Gayton Road and from the railway line. With regard to internal residential noise predictions these results were based on windows being closed and appropriate ventilation open. In this situation internal noise level within the day and night are predicted to fall within relevant criterion, provided recommended glazing and ventilation specifications are adhered to. Notably to achieve the required internal noise levels all habitable rooms directly adjacent to and facing the railway will require higher standards of glazing and ventilation. The Council’s Environmental Health Officer has advised that a planning condition be attached to ensure that the internal noise predictions specified are achieved which is considered to be appropriate.

The report also assesses external noise levels to amenity areas on the site including the balconies and terraces and the shared communal amenity spaces towards the middle of the site. The report notes that the “*World Health Organisation (WHO) states that for gardens and amenity areas, it is desirable that the steady noise level does not exceed 55 dB and 55dB should be regarded as the upper limit*”. The report results show that units facing the railway line and Gayton Road will in some cases exceed the upper criterion of the WHO while those units within the middle of the site which are screened from the road are predicted to fall within the relevant criterion. In this regard the report makes reference to NS8233:2014 which recognises that noise levels may be higher in urban areas and that the guideline values are not achievable in all circumstances where development might be desirable.

The locational advantages of the site that make it attractive to potential future occupiers (close to Harrow town centre) inherently mean that it is a noisier environment to live in than more traditional, suburban residential areas. Opportunities to improve the acoustic environment or separate the new development from surrounding noise sources are limited, however the assessment shows that, with the exception of balconies, it is possible to mitigate the impact of the external noise environment by the installation of glazing and ventilation to an appropriate acoustic specification. Officers consider that the impact of the external noise environment upon balconies could be at least partially mitigated. The

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

The internal noise predictions for the flexible commercial/community space are predicted to fall with the relevant criterion for an office environment, provided recommendations of glazing and the installation of a trickle vent in windows along the side facades to Gayton Road.

With regard to the proposed mechanical plant for the building, the report recommends that the proposed plant should not cumulatively exceed recommended noise levels when assessed at the nearest noise sensitive location. As the exact type of mechanical plant and machinery has not been specified, the Council's EHO has requested that a condition be imposed requiring that any plant does not exceed 10dB below the background noise levels.

The submitted noise report does not consider the impact of the substation located adjacent to the eastern boundary of the site. Given the proximity to the neighbouring property, No. 20 Ashburnham Avenue, officers consider that the noise limit condition specified above should also apply to this element of the proposal in order to ensure this would not cause a nuisance to the closest neighbouring residents.

Amenity Impacts of the Proposed flexible A2, A3, D1 and B1 space

Local Plan Policies AAP 18 and DM 41 include criteria requiring the consideration of impacts of uses proposed upon neighbouring residential occupiers. Policy DM 1 *Achieving a High Standard of Development* requires consideration of the amenity impact of a proposed use/activity in terms noise (including hours of operation), vibration, dust, air quality and light pollution.

Notably, a number of residential units will be situated above the proposed community/commercial space located within the ground floor of block A. It is considered that the proposed flexible uses within the building, including D1 and A3 uses, could give rise to some potential noise conflict for the occupiers of the flats above and adjacent.

It is therefore also considered necessary to exercise control of certain aspects of the commercial uses applied-for to ensure reasonable compatibility between those uses and the living conditions of occupiers residing within and surrounding the development. To secure that control, a condition is recommended that would require the Council's prior approval of: the use of amplified sound; any plant and/or other machinery (including but not limited to air condition units and air extraction units); and the provision of furniture and/or equipment (including but not limited to tables and chairs, means of enclosure and outdoor heaters/lighting) associated with the extension of commercial activity outside of the building. It is also considered necessary to control the hours of use of the ground floor commercial premises as a condition of any planning permission. In addition, it is recommended that a condition is attached for details of a sound insulation scheme to be provided for this part of the building so that future residents are not adversely affected by noise from potential community or other activities which may occur at unsocial hours in the evening and at weekends.

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, by controlling hours of operation and use of external space for the commercial/community element and by limiting noise levels of any future mechanical plant.

Impact of Development on 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.

Daylight and Sunlight

Supporting paragraph 1.3.46 of the SPG (2016) states that: *"The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm."* Further to this it states that: *"Quantitative standards on daylight and sunlight should not be applied rigidly, without carefully considering the location and context and standards experienced in broadly comparable housing typologies in London."*

The accompanying Daylight and Sunlight Assessment has assessed the potential impact of the proposed development upon the adjacent buildings. The following buildings were considered in the assessment:

- Baldwin House, 2 Gayton Road, located adjacent to the western boundary of the site
- Greenhill Mansions, 11 Gayton Road, located opposite the application site
- Murray Court, Gayton Road, located opposite the application site
- Cymbeline Court, Gayton Road, located to the eastern boundary of the application site
- No. 20 and 21 Ashburnham Avenue, located to the eastern boundary of the application site
- Wilton Place, location on the opposite side of Gayton Road towards the north east

The methodology for the assessment has been based onsite observations and online research in order to generate 3D computer models of neighbouring residential property. The analysis has been undertaken based on the BRE guidelines. In assessing the proposal in order to establish whether the proposals will have a significant effect on the daylight enjoyed by neighbouring properties, a Vertical Sky Component analysis (VSC) has been undertaken. BRE guidelines seek for each window to achieve a VSC of 27% or 0.8 times the existing. The report advises that these values are for suburban rather than urban locations where it is considered that a VSC of more than 20% is more appropriate. The report outlines that where the numerical values set out in the BRE Guidelines are not achieved, based on a VSC analysis, in accordance with BS8206 Part 2, an average daylight factor has been calculated to demonstrate that rooms will still enjoy a good level of daylight. With regard to daylight, the BRE Guidelines also set out numerical values for Daylight Distribution and seeks to ensure that a significant portion, which is considered to

mean at least 0.8 times the existing area of each habitable room, lies in front of the No Sky Line (NSL).

With regard to sunlight, the BRE Guidelines seek that all windows within 90° of due south achieve 25% of the Average Probable Sunlight Hours (APSH) with at least 5% during the winter months. Where this is not achieved and the difference between the existing and proposed APSH is more than 4%, the BRE Guidelines state that the proposals will not have a noticeable effect on sunlight provided the results for the proposed APSH, as well as during the winter months, are within 0.8 times the existing.

In respect of levels of daylight to neighbouring properties, the report outlines that the Vertical Sky Component has been calculated for all habitable rooms which establishes the amount of daylight currently enjoyed on the face of the window and as a result of the proposed development

The BRE Guidelines state that if the VSC calculated at the centre of each window is 27% or more, then enough skylight should be reaching the window. If with the implementation of the proposals the window does not achieve 27% VSC but is more than 0.8 times its former value, then the BRE Guidelines state that skylight is unlikely to be seriously affected. It is noted however that the report states that these levels relate to a suburban rather than urban location and that therefore a VSC of 20% is considered more appropriate in this instance.

The BRE Guidelines state that for a room to enjoy good daylight distribution a significant area of the room, which is considered to be 80% or at least 0.8 times the existing area should be in front of the no sky line (NSL).

Where the above is not achieved Average Daylight Factor has been calculated for each habitable room as this is a more accurate reflection on the level of daylight each room will enjoy as it takes into account the size of the room and the size of the window serving it. The recommended minimum ADF levels are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

Impact on Baldwin House

Baldwin House is part three, part five storey building located adjacent to the western boundary of the site on the southern side of Gayton Road. The property has recently been converted from office to residential accommodation under Permitted Development Rights (P/0286/14). It is noted that some flats have large main habitable room windows (including bedrooms) on the eastern flank wall facing towards the application site. The report outlines that 27 rooms serving habitable rooms have been assessed. The window locations include all those directly adjacent to the western boundary of the application site which would face towards building A.

The results of the VSC analysis are set out in the table attached at Appendix C within the accompanying report. The analysis demonstrates that of the 27 windows serving habitable rooms, the majority of these would not achieve either a VSC or at least 0.8 times the existing. Therefore Average Daylight Factor has also been calculated for each room, having regard to the nature of the room in question.

In respect of the ADF analysis, the results show that in all instances except one bedroom will enjoy an ADF greater than 2%. The one bedroom that does not achieve this, achieves an ADF of 1.7%, well in excess of that recommended for a bedroom of 1% and greater

than that recommended for a living room. In addition, levels of daylight distribution have also been considered within the rooms. It is reported that all rooms will have a significant portion of their area in front of the No Sky Line or at least 0.8 times the existing.

For the reasons outlined, it is considered that all the large windows serving the property which are in close proximity to the application site will meet the requirements of the BRE guidelines and will achieve good levels of daylight.

In respect of sunlight, the results show that all windows 90° due south have been considered that in all instances a total APSH of greater than 25% is achieved with more than 5% enjoyed during the winter months. The impacts on levels of sunlight for the occupiers of Baldwin House are therefore considered to be acceptable.

The building is surrounded by hard surfacing which is used for parking area. As such, there are no amenity spaces which would be unreasonably affected by the proposed development.

Impact on Cymbeline Court

Cymbeline Court is a four storey elderly care residential block located on the southern side of Gayton Road, adjacent to the eastern boundary of the application site. To the rear of the block are communal landscaped gardens and a parking area. In addition to the properties south facing rear windows, there are a total of eight windows in its western flank wall facing towards the application site which serve small kitchens. As outlined in the Council's Residential Design Guide (2010), kitchen windows are classed as non-habitable where less than 13sqm. The BRE guidelines classify kitchen windows as non-habitable also. However, it is noted that these windows are the primary source of light to the kitchens. The BRE guidelines state that such windows are not acting as a 'good neighbour' and therefore states that alternative numerical values can be established by placing a massing of similar height and size an equal distance away from the other side of the boundary (mirror image). The analysis has considered the impact of the closest western flank and rear facing windows at each level, a total of sixteen windows.

The assessment reports that over 50% of the windows will achieve a VSC of at least 27%. However, seven windows which are located on the flank wall will not achieve this. Due to the small size of the kitchens (less than 13sqm), these rooms would not constitute 'protected' spaces as set out in the council's adopted Residential Design guide SPD. Nevertheless, given they are the only source of light to these rooms, it is considered that they should still receive reasonable levels of daylight and sunlight. In order to further assess the impact on these windows, numerical values based on a mirror image of the building have been calculated. On this basis, the assessment finds that all except one window at third floor level will exceed the mirror image VSC value. With regard to the window at third floor level, this will receive a VSC of more than 20%. Daylight distribution has also been calculated in all rooms which will either have a significant portion of their area or at least 0.8 times the existing area at an area greater than the 'mirror image' value.

With regard to sunlight, all windows not in the flank elevation close to the site boundary will enjoy a total APSH of more than 25% with more than 5% enjoyed during the winter months. The kitchen windows in the flank wall are only just facing within 90° of due south and access to sunlight is therefore limited. Nevertheless, all windows will achieve at least 20% APSH. Notably, the BRE Guidelines states that sunlight to kitchens is less important than main living rooms.

As such, evidently, the rooms referred to would suffer a reduction in daylight and sunlight as a result of the development but having regard to the compliance with the BRE guidelines and the location of the property in close proximity to the town centre, the loss, in officers opinion, is not considered to be so unreasonable to withhold planning permission when balanced against the need to secure efficient use of this previously-developed site.

As outlined above to the rear of the property is a communal garden and car park. It is considered that the rear communal amenity space would not suffer unreasonable loss of overshadowing, given its siting to the east of the proposed development. The Daylight and Sunlight report demonstrates that 95% of the proposed communal amenity space adjacent to the eastern flank wall of block D1 will benefit from at least 2 hours of direct sunlight on the 21st March. As such, it is also considered the amenity space at Cymbeline Court which is further to the east will also not be adversely affected.

Impact on Greenhill Mansions, 11 Gayton Road

Greenhill Mansions is a part four, part five storey residential building, located on the northern side of Gayton Road, opposite the application site. The assessment has been carried out for each habitable room window directly facing towards the application site.

The assessment reports that all except five windows will achieve an Average Daylight Factor of greater than 2% and that the five rooms which do not achieve this would still achieve an Average Daylight Factor still well in excess of the recommended 1.5% required for a living room.

In terms of daylight distribution, the report outlines that in all instances a significant portion of each room will lie in front of the No Sky Line with the exception of three bedrooms. Nevertheless, it is reported that these bedrooms will still achieve 74% of their area in front of the No Sky line.

With regard to sunlight, it is reported that all rooms with windows facing within 90^o of due south will achieve Annual Probable Sunlight Hours (APSH) of more than 25% with at least 5% enjoyed during the winter months.

As such, having regard to the analysis with the BRE guidelines outlined above, it is considered that the occupiers of Greenhill Mansions would still receive good levels of daylight and sunlight if the proposals were implemented.

Impact On No. 20 and 21 Ashburnham Avenue

Beyond the eastern boundary of the application site are two storey residential dwellings along Ashburnham Avenue. No. 21 Ashburnham Avenue is a detached dwellinghouse with an east-west orientation which is situated at the head of the road and has its main amenity space adjacent to the application sites eastern boundary. No. 20 Ashburnham Avenue is a two storey semi-detached dwellinghouse with a south-north orientation with its main rear amenity space being located on the northern side. In terms of the assessment of windows, all rear and side wall/roof windows in respect of each property have been taken into account.

The results of the analysis reports that all windows will achieve a Vertical Sky Component (VSC) of either at least 27% or 0.8 times the existing. In relation to daylight distribution, the assessment reports that in all instances a significant portion of the room will lie in front

of the No Sky Line (NSL).

With regard to sunlight the analysis outlines that of those rooms with windows facing within 90° of due south all, except one window will achieve the numerical values set out in the BRE Guidelines. The one exception is a secondary window to a bedroom. It is noted that the guidelines refer to the main windows serving living rooms and also states that bedrooms are less important. Having regard to this and as the windows is a secondary source of light; it is considered that there would not be unreasonable impacts on the bedroom window in question.

In terms of the impact on amenity space, it is considered that both the gardens of No. 20 and 21 would not be unduly affected by overshadowing due to their siting to the east of the application site and the separation distance of approximately 30 metres from proposed buildings D1 and D2. Moreover, the garden of No. 21 is south facing and will therefore still receive good levels of sunlight. In respect of the north facing amenity space of No. 21, the analysis within the report shows that there will be a marginal increase in the area of garden in permanent shadow compared to the existing situation from 14 to 28 per cent. However, the vast majority of the garden will receive at least 2 hours of direct sunlight on 21st March.

Impact on Murray Court

Murray Court is a four storey residential block located on the northern side of Gayton Road, opposite the application site. The analysis has been conducted in relation to 28 windows serving habitable rooms on the front elevation of the building.

The results of the assessment are reported to demonstrate that all except three windows will achieve a vertical Sky Component (VSC) of greater than 27% and out of three that do not, two will achieve a VSC of greater than 0.8 times the existing. In respect of the one window that does not meet these requirements, Average Daylight Factor has been considered which is shown to be greater than 2% following the implementation of the proposals. Furthermore, the report demonstrates that in all instances a significant portion of each room will lie in front of the No Sky Line.

With regard to sunlight, it is reported that all rooms with windows facing within 90° of due south will achieve Annual Probable Sunlight Hours (APSH) of more than 25% with at least 5% enjoyed during the winter months.

As such, having regard to the analysis with the BRE guidelines outlined above, it is considered that the occupiers of Murray Court would still receive good levels of daylight and sunlight if the proposals were implemented.

Impact on Wilton Place

Wilton Place is a three storey residential block located on the northern side of Gayton Road, to the north east of the application site. The analysis has been conducted in relation to 6 windows serving habitable rooms on the front and western elevation of the building.

The results show that in relation to this property each window serving a habitable room will achieve a VSC of greater than 27% and that all rooms will enjoy a good level of daylight distribution

With regard to sunlight, it is reported that all rooms with windows facing within 90° of due

south will achieve Annual Probable Sunlight Hours (APSH) of more than 25% with at least 5% enjoyed during the winter months.

As such, having regard to the analysis with the BRE guidelines outlined above, it is considered that the occupiers of Wilton Place would still receive good levels of daylight and sunlight if the proposals were implemented.

The Junction Pub & Premises along Station Road

There are two other near-neighbouring buildings in close proximity to the application site including the Junction Pub and No. 363 to 380 Station Road. These are commercial premises, the windows to which are not generally treated as having a reasonable expectation of daylight/sunlight under the BRE guidelines and are not the primary amenity concern of Local Plan Policy DM 1. Consequently, the assessment does not identify these premises as sensitive receptors that merit detailed testing of daylight/sunlight impacts. In addition, it is the rear elevations of the Station Road premises which face towards the application site and they do not contain any notable large windows. Whilst there would undoubtedly be a loss of daylight and sunlight to the junction pub which is directly opposite the application site, it is not considered that the likely impacts would justify withholding planning permission.

Policy DM1 of the Local Plan undertakes to assess amenity having regard to, *inter alia*: the prevailing character of amenity and the need to make effective use of land; and the adequacy of light and outlook within buildings (habitable rooms and kitchens) and to outdoor spaces. Having regard to conclusions of the analysis discussed above and the need to make efficient use of this allocated, previously developed site, it is considered that the impact of the proposal upon on the surrounding neighbouring residential buildings and amenity spaces is not unacceptable. It is also considered that the character of amenity spaces and internal daylight levels within higher density/ edge of town centre areas can differ to those expected in more traditional residential environments. On balance, therefore, it is concluded that the proposal would maintain an appropriately high standard of amenity for neighbouring residential occupiers.

A number of representations have been received from surrounding neighbouring occupiers in respect of daylight/sunlight concerns including No. 20 Ashburnham Avenue and the Campaign for a Better Harrow who have outlined that BRE guidelines have been discarded. It is acknowledged that the bedroom window of No. 20 would be affected by the proposal in terms of receipt of sunlight but this is not considered to be a main window and is a secondary source of light. As such, the impact is considered not to be unreasonable. In all other cases the report concludes that the BRE guidelines would be achieved for No. 20. In terms of the methodology used in respect of daylight, the report outlines that for dense urban environments a more detailed analysis is required beyond the 25 degree angle from the lowest section of the window and for this reason the Vertical Sky component and daylight distribution has also been taken into account. As such, officers consider that the methodology used is appropriate and robust with regard to consideration of the impacts.

Visual Impact, Outlook and Privacy

The impact of the development would be most pronounced for the immediate surrounding neighbouring occupiers, including Baldwin House to the west, Cymeblin Court and the immediate adjacent properties of Ashburnham Avenue to the east as well as Murray Court, Wilton Place and Greenhill Mansions opposite the application site.

As noted elsewhere in this report, Baldwin House, to the west of the application site has recently been converted from office to residential accommodation under Permitted Development Rights (P/0286/14). There are flats located on the eastern side of the building which have large habitable rooms windows facing the application site. It is noted that the approved floor plans for the conversion show that all of these flats are dual aspect. The main stair and lift core which serves all of the flats is also located on the eastern side of the building towards the front within the five storey element of the building.

The front elevation of Baldwin House faces north west and is oriented away from proposed building A which would face in a more northerly direction. Building A will be 8 storeys in height at the front, reducing to five storeys at the rear. It is considered that this angled relationship between the two buildings does serve to provide some mitigation with regard to both visual impacts of the development and privacy for occupiers. The rear western elevation of building A would be separated from the three storey projection of Baldwin House by a distance of 18.4 metres. This distance would increase to approximately 27 metres from the five storey corner of Baldwin House towards the central section of block A. At their closest point, the two buildings would be separated by a distance of 10.5 metres. Having regard to the angled eastern elevation of Baldwin House, the orientation of the buildings to each other, and the distances described it is considered that there would be adequate separation between the blocks to ensure that there would be no harm with regard to loss of privacy for the flats on the eastern side of the building. In respect of the shorter gap towards the front, windows and balconies have been positioned to ensure they are not directly facing any habitable windows. Nevertheless, given the short distance here, it is expected that there will be a degree of indivisibility between the buildings but again this is not considered to be inappropriate in the context of the high density edge of town centre location and the likely expectation of the future occupiers. The two large upper floor terraces on the western side of block A would be sited approximately 25 metres from the eastern side of Baldwin House. Furthermore, all projecting balconies would either be sited in excess of 21 metres away or would not have any direct relationship with the neighbouring flat windows.

Undoubtedly, the proposed buildings would have a dramatic visual impact visual for the flats which have windows facing towards the application site. However, noting that the western part of the application site actually falls in the town centre boundary, relative to other parts of the Borough, the surrounding area is a more urban environment and it is envisaged that those choosing to live so centrally would expect a visual environment that includes some large buildings. Moreover, the development is considered by officers to be of high quality appearance. The other flats on the western side of the building and those which face north will not be adversely affected in terms of their outlook or privacy.

As discussed above, both Cymbeline Court and the two storey residential dwellinghouses of Ashburnham Avenue are located beyond the eastern boundary of the application site. The two closest blocks to this boundary are D1 and D2 which are proposed as five and nine storeys in height respectively.

Block D1 would set back from Gayton Road by approximately 20 metres, creating space for a pocket park to the front of the building. The building would have an L shaped form with the front portion of the building being narrow, linking to its wider rear projection. The narrower front section would be set back 10 metres from the front rear corner of Cymbeline Court and would marginally project beyond its neighbour's rear elevation. The front section of the building D1 has been positioned to avoid impact on the flank wall windows of Cymbeline Court. As such, this section of the building would not conflict with

the 45 degree code in the horizontal plane or vertical planes. However, the buildings siting is such that it would breach a 45 degree line from the rear corner of Cymbeline Court. The rear wider projecting section of the building would be set off the shared boundary by between approximately 13 to 16 metres. The front elevation of block D2 would be separated from the rear elevation of Cymbeline Court by a distance of approximately 50 metres.

It is considered that Cymbeline Court would not be unduly affected in terms of loss of privacy, given then main front and rear windows of the property would not face towards the building and therefore any views would be at oblique angles. The eastern flank wall windows and projecting balconies of block D1 would face toward the rear communal amenity space and parking area. It is considered that there may be a degree of perceived overlooking for the nearest part of the communal amenity space covering a relatively small area. However, it is considered that this can be mitigated through the presence of the retained trees and further landscaping along this eastern edge. Having regard to the character of the surrounding area, it is considered that the communal amenity space would not be unreasonably adversely affected in terms of privacy in view of the above distances mentioned.

It is acknowledged that the proposed buildings would undoubtedly change the visual outlook for the occupiers of Cymbeline Court and in particular views towards block D1 and block D2 would be clearly visible as well as the taller central blocks. Nevertheless, block D1 being closest, would be only be one storey higher than its neighbour. Moreover, as noted elsewhere in this report, there are other five storey buildings in the surrounding street scene. Building D2 at nine storeys would be more visually prominent but given the above stated distance, it is considered this building would not be unduly overbearing. The overall separation between the elevations of blocks D1 and D2 and the elevations of Cymbeline Court are considered to be consistent with spacing and separation that is typical of many suburban/urban area across Harrow. The size and siting of the proposed buildings are not considered to be overly dominant (see section 2 above) or at odds with the wider character and relationships between buildings that are found elsewhere within this urban location.

Notably, there are a number of mature trees along the eastern boundary, adjacent to Cymbeline Court. Some of these trees would be retained as part of the proposals as well as the provision of further new trees and planting which would over time help soften the eastern boundary of the application site and provide some screening for neighbouring residents. A detailed landscape scheme can be secured by condition, should approval be granted. As such, it is considered that the proposed development, including the closest buildings D1 and D2 would not appear out of place in relation to its immediate surroundings and would have an acceptable relationship with Cymbeline Court. Furthermore officers consider that the visual impact for neighbouring occupiers in Cymbeline Court must be balanced against the realisation of wider planning objectives for the application site.

The closest adjoining properties to the east are No. 20/21 Ashburnham Avenue. With regard to No. 20 Ashburnham Avenue, the flank elevation and rear garden of this dwellinghouse would align with the proposed surface car park area to the east of buildings D1/D2. The closest corners of buildings D1 and D2 to No. 20 would be sited approximately 30 metres away. Having regard to the location of No. 20 in relation to the closest proposed buildings together with the separation distance, it is considered that the occupiers of this property would not be adversely affected in terms of loss of privacy or

overlooking. Two parking spaces would be located adjacent to the flank wall of No. 20. The parking spaces would be separated from the shared boundary with No. 20 by a dense layer of proposed planting to a depth of between approximately 4 to 7 metres. Having regard to the small number of parking spaces that would be located in close proximity to No. 20 and the dense planting proposed, officers consider that the parking spaces would not have a detrimental visual impact or give rise to unacceptable noise and disturbance.

In addition, the application proposals seek provision for a substation that would be located adjacent to the eastern boundary of the application site, shared with No. 20. The structure would be 7.5 metres deep by 4.56m and would have a flat roof to a height of 3 metres. The eastern flank wall of the structure would be set off the boundary with No. 20 by between 2 and 2.7 metres. In terms of the distance to the western flank wall of No. 20, the structure would be sited 3.3 metres away at its closest point. It is also noted that there is a difference in levels between the two sites. The applicant has provided sections which show that the level at the front elevation of No. 20 is 0.5 metre lower than the level taken from the southern elevation of the substation. This level difference is reduced towards the north so that there is only approximately a 0.2 metre difference between the rear garden level of No. 20 and the ground level of the substation.

The structure would project approximately 7 metres beyond the rear elevation of No. 20. As such, whilst it would be partially obscured by the existing 1.8 metre high timber boundary fence, given its depth of projection it would still be visually prominent for the occupiers of No. 20 in views from their rear garden. As such, though the substation is sited a reasonable distance from the rear of No.20, it would be desirable to move this further away from the rear elevation of No. 20. However, there are two high quality English oak trees (T8 & T9) located to the rear parking area of Cymbeline Court and moving the substation any further back would impinge on the root protection areas of these trees. This would likely result in significant post development pressures and their potential loss. Having regard to this and taking account of the site constraints including alternative suitable locations, it is considered on balance that the location of the substation is acceptable, provided that a detailed landscape strategy is put in place to screen and soften the appearance of the structure for the occupiers at No. 20.

In respect of neighbouring property, No. 21 Ashburnham Avenue, this property has its main outlook towards Ashburnham Avenue and on its southern elevation. The western elevation facing the application site contains secondary windows. It would be separated from the eastern elevation of building D2 by a distance of between 28 to 30 metres. In between this space, the landscaped surface level car park is proposed. As such, in view of these factors, there would be no unreasonable overlooking to No. 21, including its rear garden area. The proposed surface level parking spaces would be buffered by a dense green planted strip adjacent to properties eastern boundary varying in depth between approximately 4.5 to 7.3 metres. For the same reason as set out above, it is therefore considered that the parking spaces would not be harmful to the occupiers of No. 21.

In terms of outlook, the proposal would have a significant visual presence when viewed from No. 20 and 21 as well as the other adjacent properties further to the east along Ashburnham Avenue. It is acknowledged that due to the lower level of these properties, the impact of the buildings would be accentuated. As such, officers accept that there would be a reduction in levels of outlook for these neighbours. However, it is considered that the proposed separation distances between the buildings are acceptable to ensure that no unreasonable harm would occur. Furthermore, the impact must be judged against

the desirability of securing an appropriate density of development on this allocated, previously developed and highly accessible site. On balance, officers opinion, the harm that would be caused, is not outweighed by the other planning benefits of the proposals.

Immediately opposite the application site are the four/five storey apartment blocks of Murray Court and Greenhill Mansions and the three storey junction pub. The proposed eight storey front elevation of building C would be separated from the front elevation of Greenhill Mansions by 25 metres. Building D1 would achieve a separation gap of between 47 to 48 metres from the front elevation of Murray Court and the junction pub would be separated from the eight storey front elevation of building B by between 23 to 33 metres. Whilst officers consider that the visual impact for the occupiers opposite the application site would be significant, the proposed building heights are considered to respond appropriately to the edge of town centre location. In view of the separation distances and location of the development, it is not considered that the impact would not be detrimental to the residential occupiers opposite or the user of the commercial premises.

It is noted that representations have been received outlining the proximity of the buildings will result in excessive solar heat gains within the properties opposite. However the proposed relationships outlined are not uncommon in urban environments and given the gaps provided it is not considered that the properties opposite would be affected in this respect.

In summary, Policy DM1 of the Local Plan undertakes to assess privacy and amenity having regard to, *inter alia*: the prevailing character of privacy and amenity and the need to make effective use of land; the overlooking relationships between windows and outdoor spaces; the distances between facing windows to habitable rooms and kitchens; the relationship between buildings and site boundaries; and the visual impact when viewed from within buildings and outdoor spaces.

The western portion of the application site is located within the town centre boundary. The immediate surroundings to the west are already highly urban in character and enjoy excellent levels of public transport accessibility. Whilst noting, the more suburban lower density development to the east along Gayton Road, it is considered that the proposed development responds appropriately to this transition in characters through the proposed layout and height of buildings across the site where the buildings to the east are lower height and density with greater set back from Gayton Road. Whilst the relationship between the proposed development and the nearest neighbouring sites/buildings is such that some substantial visual impacts are inevitable, it is considered that these impacts must be balanced against the sites allocation to secure high density housing within one of London's opportunity areas for growth.

The proposal would make efficient use of this allocated, previously developed site and would replace an underutilised car park, derelict library site and small group of nine flats. Having regard to all of these considerations, it is considered that the proposal would achieve an appropriately high standard of visual amenity. With regard to privacy, the majority of the proposed development is separated by good distances from neighbouring properties and their amenity spaces. There may be some potential perceived overlooking to the communal amenity space of Cymbeline Court and between some of the flats on the eastern side of Baldwin House and building A as outlined above. Nevertheless, it is considered that these impacts are not so significant to withhold planning permission and overall the development would achieve an appropriately high standard of privacy for

neighbouring occupiers.

The proposed development would, of course, be visible to residential occupiers and from commercial premises over a much wider area, not least within other parts of Harrow town centre, to the south from Kenton Avenue, Kenton Road, parts of Station Road, Grove Hill Road, Peterborough Road and to the north including Lyons Road and St Johns Road. Nevertheless, given the conclusions about visual and privacy impact in relation to properties much closer to the application site than those within the wider area, it follows that the visual and privacy impact upon occupiers of all other affected properties would be acceptable.

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

Policy DM 46 of the Harrow Development Management Policies Local Plan (2013) requires that “*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; and c. there would be no adverse impact on residential amenity or highway safety*”. Following completion of the development the proposed community/commercial space has the potential to give rise to amenity impacts for surrounding neighbouring occupiers. Should the application be approved, the proposed space could be utilised as a community area, a restaurant/ café and as an office.

The final uses and areas have not been defined at the present time. However, the Council will manage and retain control of operations of this space through a lease arrangement with Fairview Homes which is the subject of a separate legal process. Nevertheless, as set out elsewhere in this report, it is considered necessary to exercise control certain aspects of the commercial uses applied-for to ensure reasonable compatibility between those uses and the living conditions of surrounding neighbouring occupiers. To secure that control, a condition is recommended that would require the Council’s prior approval of the use of amplified sound, the provision of furniture and/or equipment (including but not limited to tables and chairs, means of enclosure and outdoor heaters/lighting) associated with the extension of commercial activity outside of the building and the application of noise limits for any plant and/or other machinery (including but not limited to air condition units and air extraction units); It is also considered necessary to control the hours of use of the ground floor commercial premises as a condition of any planning permission.

Cars, delivery lorries and other service vehicles associated with the development would access the site from Gayton Road. It is considered that noise, vibration, exhaust fumes and light pollution from vehicles associated with the development would be unlikely to have any significant adverse impact upon the living conditions of the neighbouring occupiers within this existing surrounding environment.

In respect of the community and commercial land uses, it is anticipated that a large number of patrons using the facility would travel by foot or public transport given the location of the site next to the town centre as well as parking restrictions on the surrounding roads. Therefore it is not expected that there would be a significant number of vehicle movements that would give rise to noise and disturbance issues. Only two disabled parking bays are proposed for these uses. The Transport Assessment accompanying the application outlines that it is anticipated that the number of delivery and service vehicles generated by the proposed land uses would be comparable to and unlikely to exceed the levels previously generated by the library facility which was served

by 22 parking spaces.

The main access serving the site will be located toward the eastern side of the development, broadly in the location of the existing eastern access which serves the entrance to the Gayton Road car park. This access will serve car parking associated with the new homes and will also be used by refuse vehicles, for collections. A secondary access is proposed to the west of the central area within the site which is to be used by servicing vehicles associated with the new apartments, as well as the proposed commercial and community land uses which will take the form of a crossover arrangement.

The most significant servicing activities would be likely to include twice weekly waste and recycling collections and deliveries in connection with the proposed commercial uses. Potentially more frequent but less intrusive activities would be likely to include parcel deliveries, removal lorries & etc. However, these activities would take place well within the application site and are not that which may be expected in this location. Provided that servicing activity within the proposed development is carried out at reasonable hours, officers consider that there would be no materially harm to the amenities of the neighbouring occupiers or future occupiers of the development. As such, a condition is recommended in this regard.

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

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

Construction Phasing

It is inevitable that there will be an increase in noise and disturbance and levels of traffic during the construction process; however the impacts would be temporary and can be mitigated to some extent. A detailed construction management strategy can be secured by a planning condition to ensure that working practices including managing and maintaining site access routes, delivery times and security procedures would not unduly impacts on the residential amenities of existing and surrounding neighbouring occupiers.

Conclusion

In conclusion, the proposed development would introduce a high density form of development which in some instances would be in close proximity to existing buildings and amenity spaces. However, it has been demonstrated that the proposal would not give rise to an unacceptable level of harm to any residential amenities of neighbouring site so as to warrant a refusal on such grounds. It is considered that the proposal would give rise to no conflict with the development plan policies stated above.

TRANSPORT AND PARKING

Policy Context and Background

The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the

need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use.

The London Plan Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan sets out maximum parking standards for new development dependent upon their use and level of public transport accessibility. It is noted that at supporting paragraph 6A.3A to the Parking Addendum sets out that there is scope for greater flexibility to the parking standards in different parts of London having regard to patterns of car ownership and use, levels of public transport accessibility, the need for integrated approaches to on-site and off-street parking, efficiency in land use and overall impact upon environment and the transport network.

Policy AAP 19 of the AAP seeks to limit on site car parking and development proposals to support the use of sustainable modes of transport, in particular in areas that have a high level of public transport accessibility. Policy AAP 20 (Harrow and Wealdstone Green Travel Plan) seeks to ensure that all major developments produce a site specific travel plan to demonstrate how the development would meet the wide Green Travel Plan provisions.

The application site has a PTAL rating of 6a, which is equivalent to excellent accessibility. Part of the application site to the west falls within the town centre boundary and as such there are a range of services and amenities within close proximity of the site. Gayton Road is an existing bus route, with bus stops located 10m to the east of the site and Harrow on the Hill rail station 500m to the south west. The applicant has provided a transport assessment (TA) in support of their proposal, which concludes that the proposal would give rise to no highway or transportation reasons to object to the proposal. The TA *inter alia* includes an assessment of the existing nodes of transpiration, the existing and proposed uses and the associated trip generation associated with both uses, the impact of construction traffic, servicing, deliveries, pedestrian routes and cycling. The applicant has also submitted an initial Travel Plan to support the development, which sets a list of objectives and targets, and sets out the measures that will be introduced in order to meet these.

Access and Highways

Currently the site has four main access points from Gayton Road. The comprehensive redevelopment of the site will replace the four former access points with one main vehicular access and three supplementary minor access points as previously described above. The road safety analysis within the TA reports that there have been no recorded accidents at any of the four existing site access junctions or along the wider site frontage. It is anticipated that the proposals to reduce the number of main accesses should contribute to a safer high way environment.

Vehicle tracking diagrams have been produced for various delivery and refuse collection vehicles which show their manoeuvring characteristics within the proposed layout. The tracking diagrams demonstrate that vehicles will be able to enter and exit the site in a forward direction in respect of the main and secondary site access points. Both the Councils Highways Authority and Transport for London have advised that they are satisfied with the relationship of the main site access and the existing bus stop to the east along Gayton road with regard to highway safety.

The Transport Assessment identifies a net increase of 34 trips in the AM peak and equivalent reduction in the PM peak. The net trip generation of shows that anticipated impact on the local network is very low. Nevertheless, junction capacity tests have also been undertaken.

An assessment of the future year scenario of 2018, representing the proposed opening year of the development, has been undertaken as part of the junction modelling, including a do Minimum scenario, which takes forward the 2015 baseline traffic data assuming the proposed development is not in place and a do Something scenario which includes the net development traffic in addition. The results of the junction modelling indicate that the development is not anticipated to have any detrimental effect on the operation of the junctions within the local highway network. The effects of this development combined with the nearest committed development, Lyon House, also do not indicate any severe impact. The Highways Authority have advised that they are satisfied with the conclusions of the junction modelling in respect of the proposed development, whilst also noting that monitoring of the operation of these junctions is likely to be required as further developments come forward. In view of the above, officers accept that the overall traffic impact of the development will not have an adverse effect on the capacity of the highway network, especially when the previous use of the site is taken into account.

With regard to impact on public transport, Transport for London note that the focus of the impact is on tube and rail travel as shown by the estimated modal split within the TA. It is noted that TFL strongly encourage the use of CIL monies towards the mitigation of impacts on Harrow on the Hill Station in line with both local and strategic objectives. However, the allocation of funding has not been determined at this stage.

The site is cut off to the south by the railway line and does not allow permeability towards this direction. The three mansion blocks facing Gayton Road are proposed to have gates between them which are open during the day and shut at night to provide security. Pedestrian movement will be encouraged throughout the site through the provision of a path and underpass below block B and through the proposed courtyard spaces between the blocks which will comprise green spaces and areas of shared surface. It is outlined that the courtyards will be limited to deliveries and emergency access only. In respect of the emergency access, it is outlined that this access will not be available for general use and that this will be managed through the use of collapsible bollards or a similar mechanism. The occasional access route between blocks A and B is unlikely to result in a high number of vehicle movements and will mainly be used for servicing vehicles associated with the new apartments as well as the commercial and community uses. This access point will be controlled through the provision of gates between buildings A and B which will be closed at night time only. The layout of the landscape scheme within the courtyard would ensure that residents or visitors to the site would not be able to park vehicles within this space. The main access point to the east of the site will allow access to the basement car park and the surface car park at the eastern edge of the site. A separate entrance door will be provided adjacent to the basement car park entrance to allow cyclists to enter the cycle storage areas and avoid any conflict with vehicles.

The proposed secondary site access is located broadly opposite and existing uncontrolled pedestrian crossing point, which includes a refuge island. It is proposed that the crossing will be relocated to the east by approximately 20 metres between the proposed secondary and emergency access. This work will need to be agreed to be undertaken via a section 278 agreement to enable the detailed design to be considered, should the application be recommended for approval. As such, a planning obligation as set out above, is

recommended in this regard.

Servicing and Refuse

As outlined above, all refuse and service vehicles will be able to enter and exit the site in forward gear. All streets within the development will be wide enough to accommodate refuse and recycling collection vehicles and collection points are located with the site prohibiting the need for vehicles to stop on Gayton Road. The refuse strategy has been considered in relation to the Council designated code of practice in respect of distances, accessibility and paving widths.

Fairview Homes have advised that they will be adopting a private management plan in the basement which rotates empty/full bins from the PRS and private stores located in and adjacent to the circulation cores to the main collection stores. The main collection stores will be accessible to the refuse collection department. It is proposed that garden waste will be removed by the grounds maintenance contractor for disposal. The proposed refuse and recycling strategy has been referred to the Councils Refuse and Waste department who have raised no objection to the proposals, provided parking is appropriately managed within the site which is discussed above.

The applicant has submitted a Framework Delivery and Servicing Plan (DSP) which is considered to be acceptable to both the Highways Authority and Transport for London, subject to securing a final version of the plan prior to the occupation of the development. As such, a condition is recommended in relation to this as set out below.

Parking, Travel Plan and Construction

The application site is located partially within the Harrow Metropolitan Centre boundary (Sonia Court and the former library). Its location means that there is good access to public transport. In addition, the area is already part of a controlled parking zone. London Plan Table 6.2 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013) outlines the required standards for car and cycle parking.

The impact of the loss of off-street parking has already been considered as part of the Town Centre Parking Review 2014-15 as discussed in other section 2 of this report. As previously discussed, the use of the existing car park is relatively low and can be redistributed amongst the other remaining car parks without having a severe adverse effect. The Councils Highways Authority has not raised any objection to the loss of the existing car park.

Parking is proposed at an overall ratio of 48%, equivalent to 0.48 spaces per dwelling. The total parking provision will therefore amount to 171 parking spaces, including tow spaces for the commercial and community space within block A. The majority of parking will be delivered in a basement car park (128 spaces), with 43 spaces provided as surface level parking in the south eastern corner of the site.

It is proposed to supplement the reduced level of car parking on site with a car club. Policy AAP 19 encourages the implementation of car club schemes within the Heart of Harrow. It seeks provision for car club vehicles within major development proposals and states that such provision should be prioritised alongside the provision of disabled persons' parking. It is therefore recommended that provision be included as part of a Planning Obligation to this end. Representations have been received outlining that more spaces should be provided. Officers consider that the car club scheme can be monitored via the travel plan and more spaces could be provided if there is demand.

The level of parking proposed is considered to be by officers to be consistent with other schemes in the area and is supported by both Transport for London and Councils Highways Authority. A total of 36 disabled parking spaces are proposed in accessible locations which accords with the requirements of the London Plan (2015).

Notably, the car park management plan seems to only refer to permits being issued to disabled drivers. Given the proposed parking ratio, further details will be required in relation to understand how general parking will be managed too. A condition is therefore recommended for a final car park management plan to be submitted and approved by the Council prior to the first occupation of the development. The TA also outlines a commitment to provide up to 20% 'active' electric car charging spaces and up to 20% 'passive' charging spaces across the site. The details of this can be secured by an appropriate planning conditions set out below. During the application process, the applicant has provided a revised basement plan which shows that nine motorcycle parking spaces will also be provided which will comply with London Plan (2015) requirements.

For the reasons outlined, it is considered that the overall provision of parking spaces is acceptable, given the high public transport accessibility at this location and having regard to the controlled parking zone (CPZ) surrounding the development. In this case, it isn't considered necessary to permit restrict this development as it falls within a CPZ that doesn't have on-street resident parking bays and the subject site would not be eligible for permits as per separate legislation covered under the Traffic Management Order.

A total of 630 cycle parking spaces, facilitating both long and short stay parking will be provided against a London plan (2015) requirement of 628 spaces which is acceptable. Cycle parking provision will consist of easy to use Sheffield stands in various locations at surface level for visitors as well as two tier racks to be provided in communal stores within the basement. The applicant has provided amended details for the entrance to the basement which will now also include a separate dedicated access for cyclists. In addition to residential provision, one space per 40 units is proposed for visitor use. Since the initial submission of the application, the applicant has also submitted additional details of cycle parking space for the proposed commercial/community space. These spaces will be located adjacent to the western side of block A. Final details of the cycle space can be secured by condition. The overall provision and location is considered to be acceptable. It is considered necessary to attach a planning condition to ensure that the final details of the proposed cycle parking storage details are provided prior to the first occupation of the development.

The Council's Travel Plan Coordinator (TPC) has reviewed the submitted Travel Plan and the objectives and targets contained within. The TPC has recommended a number of changes to the Travel Plan and has recommended that the monitoring of this to be secured through a section 106 obligation. In addition to this, recommendation has been made to impose financial penalties should the target agreed in the travel plan not be met within the monitoring period. TFL have also reviewed the travel plan which is considered to be in line with TFL guidance. In order to ensure robust monitoring and effective mitigation of associated transport impacts arising from the development, it is recommended that a final version of the Travel Plan with set monitoring periods and associated travel plan bond should be secured by section 106 obligations.

The applicants have outlined that it is envisaged that the construction period for the

development will be approximately 20 months. During this period it will be necessary to manage and mitigate any temporary impacts on highway and bus services. Planning conditions are therefore recommended to secure a Construction Management Plan (CMP) and a Construction Logistics Plan in order to ensure there would be no adverse highways impacts during the construction process.

Conclusion

Subject to the above mentioned conditions and on-going monitoring of the travel plan which can be secured by a section 106 agreement, for the reasons outlined above the transport impacts of the proposal are considered to be acceptable, having regard to the aims and objectives of above stated policies.

LIFETIME NEIGHBOURHOODS

Lifetime Neighbourhoods

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

Achieving Lifetime Neighbourhoods requires the location, design and layout of development, and any associated improvements to the public realm, transport and other infrastructure, to contribute to the creation of lifetime neighbourhoods. In particular it calls for:

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

As discussed elsewhere, the edge of town centre location means the site and excellent links to the public transport system and a range of shops and services. The proposed community and commercial uses will therefore be highly accessible to the wider community in Harrow and will help generate linked trips to the town centre, thereby helping to sustain and enhance this Metropolitan Centre within London and in particular would also help to enhance the vibrancy of this part of Gayton Road. The development will also generate employment opportunities within the community/commercial space. Although the end user of the space is not currently known, it is anticipated that the provision of 30 jobs could be realistically achieved.

Proposed site levels vary over 1.5 metres across the site from 69.75 to 71.25. The site slopes down approximately 2m from north to south. The supporting Design and Access Statement (D&A) outlines that the road accessing the slope follows a gentle slope of 1:20 and that due to the basement car parking underneath, the courtyards are slightly raised

above the main entrances of blocks B and C from Gayton Road. From Gayton Road these buildings can either be accessed through the main halls, using platform lifts, or through ramped approaches via the courtyards and the garden doors at the back. Roads and ramps have slopes of less than 1:20 from Gayton Road towards the courtyard in accordance with part M (4).

90% of the new residential units would meet building regulation M4 (2) – accessible and adaptable dwellings’. The remaining 10% of new housing would meet building regulation M4 (3) ‘wheelchair user dwellings’. The ‘Wheelchair user dwellings’ are located in different buildings across the site to promote housing choice for them and to encourage a mix of people. Detailed floorplans for the proposed wheelchair accessible flats and adaptable dwellings have been provided within the applicants D&A. As such, in this regard the proposal would meet the requirements of the London Plan (2015) and Housing SPG (2016). A condition is recommended to ensure the development would meet these standards.

The Design and Access Statement outlines that all entrances will be well lit, slip resistant and designed to meet the regulations of part M4 (2). Main communal entrances have a porch to provide shelter from rain and wind. All entrance doors will have at least 850mm clear opening and an intercom will be provided to suit all users and will have a speech reinforcement system.

Communal open space for residents will be mostly level and no steeper than 1:20 unless they are play spaces. Main access routes will be non-slip and will be a minimum 1200mm in width. A condition is recommended in order to secure details of wayfinding signage throughout the development in order to provide orientation for residents and visitors.

Within the building all lift cars have been designed according to part M4(2)/(3) to be 1000x1400d and doors will have a minimum clear opening of 800mm. All stairs are proposed to meet the requirements of approved documents, part K. Residential stairs would be disconnected at ground floor level from the basement car park in accordance with approved building regulations document part M4 (2).

All dwellings with access to balconies or gardens will have a level threshold or a maximum upstand of 15mm with the exception of the roof terraces over habitable rooms, which will require a step up to increase slab thickness for the purposes of thermal insulation to the accommodation below. The requirement for a minimum opening width of 850mm for a balcony door is also noted within the D&A.

38 disabled parking spaces are proposed. Accessible car parking is proposed for blocks A, B and C within the basement car park and are located close to the main building cores. Disabled car parking for buildings D1 and D2 would be provided at the back of building D2. Drop off and pick up points from vehicles would be provided within 50 metres of entrances. These points are located to the east of block A, on the kerb of the new road, next to block C and further down the main road in front of the entrance of block D2. Each building would have its own dedicated cycle area which are located in the basement and can be accessed from the new street through a dedicated cycle entrance on the eastern elevation of block C.

Refuse stores would be located a maximum of 30 metres from the entrance door of each flat and all access routes will not be steeper than 1:20.

It is considered that overall the applicant has demonstrated that the internal layout of the development and its external spaces would be compliant with the adopted policies. The development would be inclusive and accessible to future residents and visitors alike and would create opportunities for employment and community activity that would contribute positively to the vibrancy of Gayton Road and Harrow town centre. By providing a mix of homes suitable for occupation throughout the life cycle, together with a proportion of homes suitable for wheelchair users, the development would contribute to the creation of an integrated community. Future occupiers would enjoy access to public open space, community facilities, public transport and economic opportunities within Harrow town centre. A condition is recommended to ensure that the inclusive access strategy outlined within the applicant supporting documentation is implemented. Subject to this condition, officers consider that the proposed development would comply with the policies outlined above.

LANDSCAPE AND ECOLOGICAL

Areas of Special Character

Harrow-on-the-Hill and Harrow Weald Ridge are designated in the Local Plan as areas of special character. The designation reflects the special contribution that these two elevated topographical features make to the character of the Borough. In addition to its distinctive verdant profile, Harrow-on-the-Hill's designation also reflects its historic and cultural importance to the Borough. Harrow Weald Ridge's designation reflects the visual significance that its tree cover and open countryside provides as a landscape backdrop to the Borough's lowland townscape.

The Core Strategy provides a commitment to maintain the special character of these areas. Local Plan Policy DM6 *Areas of Special Character* sets out criteria for the consideration of proposals affecting an area of special character and Policy AAP 8 *Enhancing the Setting of Harrow Hill*, recognising the juxtaposition between the Heart of Harrow (in particular Harrow town centre) and Harrow-on-the-Hill, sets out criteria for the enhancement of the setting of that area of special character. The proposal is considered in relation to the relevant policy criteria below.

The proposed development is not located within either of the areas of special character. As such, the development of the Gayton Road site would not lead to any direct loss or damage. It is considered that the proposal would not diminish the strategic value of either of the areas of special character. Whilst the proposed buildings, in particular the eleven storey blocks would be apparent as a tall, landmark feature in their setting, both areas of special character would remain clearly distinguishable as the dominant topographical features within the wider landscape of the Borough.

As discussed elsewhere in this report, the proposed development would not impact on any protected views. Views of Harrow on the Hill would be possible from those accessing the site.

From Harrow on the Hill, the development would be seen in the context of the buildings in the town centre. The proposal, it is considered, would make a further contribution to that form by providing high quality buildings that confidently express their presence as part of the compact urban centre. In so doing, the proposal would reinforce the juxtaposition between Harrow Hill and Harrow town centre and so enhance this attribute of the setting of the area of special character. The varied heights of the buildings and taller towers would act as distinctive landmarks contributing to the coherence of the adjacent urban centre and in officer opinion make a positive contribution and add interest to the skyline

It is therefore concluded that the proposal would enhance the setting of the Harrow-on-the-Hill area of special character, as sought by Local Plan Policy AAP 8.

Landscaping and Trees

London Plan Policy 7.21 *Trees and Woodland* states that existing trees of value should be retained and that, wherever appropriate, additional trees should be planted in new development. Local Plan Policy DM22 *Trees and Landscaping* requires development proposals to include hard and soft landscaping and calls for retained trees to be protected during construction.

An Arboricultural report has been submitted with the application which identifies that 30 trees are proposed for removal in order to facilitate the redevelopment of the site. Fourteen of these trees are of 'moderate' quality, fourteen are of 'low' quality and two trees are identified as unsuitable for retention. However, in the region of 60 new trees are proposed including a number of semi mature species (such as Rowen, Birch, Aspen) of between 6-10 metres in height and other smaller species (such as birch, Turkish Hazel) up to 5 metres in height. As such, there will be a net gain of new healthy trees. There is also a desire to retain the mature Horse Chestnut on the far north west corner of the site as outlined within the supporting Landscape Strategy. The protection of all identified retained trees and planting of new trees is sought as a planning condition of any planning permission.

The loss of trees on this site is clearly regrettable and the concerns expressed from neighbouring residents in relation to their loss are noted. However, the planting of new trees will sufficiently mitigate their loss, enhancing the sustainability and biodiversity of the site and contribute to the green infrastructure of the locality. Furthermore, the loss of trees on the site must be weighed in balance against all other material planning benefits of this proposal as noted elsewhere in this report. Having regard to the net gains in trees overall, officers consider that the harm that would be caused by the loss of the trees is strongly outweighed by the realisation of wider planning objectives.

Officers have observed that the retention of the railway embankment trees would lead to some shading of the lower-level flats south facing flats. This is acknowledged; however the railway embankment trees are not within the applicant's control and the value of these deciduous trees, in character and amenity terms, is considered to outweigh any summer shading issues to the adjacent south facing flats. Furthermore, it is considered that these flats would not be significantly affected as they are all dual aspect.

18) Ecology and Biodiversity

By inference, the NPPF emphasises that one of the best ways to conserve the natural environment is to encourage the effective use of land by re-using previously-developed land to meet development needs¹⁶¹. At paragraph 118 the NPPF sets out the principles for conserving and enhancing biodiversity, which include resisting development that would: (i) cause significant harm that cannot be avoided, mitigated or compensated-for; or (ii) have an adverse effect on a Site of Special Scientific Interest (SSSI). Opportunities to incorporate biodiversity in and around developments are encouraged.

London Plan Policy 7.19 *Biodiversity and Access to Nature* echoes the need for development proposals to make a positive contribution to biodiversity, to protect statutory sites, species and habitats, and to help achieve Biodiversity Action Plan targets. Local Plan Policy AAP 12 *Improving Access to Nature* requires all major development proposals

to incorporate features that support the protection, enhancement, creation and management of biodiversity within the Heart of Harrow.

An ecological assessment was undertaken which found that the site had no overriding ecological constraints to the future development of the site. However, Sonia Court and a number of mature trees on the site were identified as having some potential to support roosting bats. As such, the buildings/trees at the site were subject to further survey work in July 2015 which concluded that no roosts were present.

In addition the ecology survey identified Japanese Knotweed within the fenced off former library site.

The ecological assessment recommends that:

- Locally native species should be included within the planting scheme for the proposals.
- A number of Hedgehog domes should be provided within the site to provide additional opportunities for this UK priority species;
- A number of bat boxes suitable for Common and Soprano Pipistrelle bats should be erected at the site, thereby offering elevated roosting potential for these species;
- It is recommended that a number of swift boxes are built into new buildings, thereby increasing nesting opportunities for swifts and a variety of other native birds.
- General construction safeguards which will reduce potentially adverse effects associated with construction activities on habitats and any animals which might be present;
- Eradication programme for Japanese knotweed (an invasive species listed under Schedule 9 of the Wildlife & Countryside Act 1981 (as amended)). This includes the production of an eradication programme and method statement at the earliest opportunity;
- Mitigation for bats, hedgehog, nesting birds and reptiles.

The ecology survey has been referred to the Council's Biodiversity officer who has advised that further ecological enhancement to the site can easily be achieved and has recommended the following:

- The use of trees and shrubs which produce nectar rich flowers, berries or seeds of which 50% should be native species.
- In addition to swifts, bird boxes for house sparrows (also a biodiversity action plan species) should be included. All bird boxes should be integrated into buildings. A minimum of 3 swift boxes and 3 house sparrow terraces should be included.
- A minimum of 3 bat boxes should be erected either on buildings or trees.
- External lighting should be as 'bat-friendly' as possible using warm LED type down-lighting, with any UV-light component of the light emitted filtered out. The placing of bat boxes next to external lighting should be avoided. The positions and type of external lighting its luminescence and spectral emittance, together with a lux isoline diagram should be provided.

It is also intended that the proposal would make provision for green/bio diverse roofs. Indicative areas/specification and locations have been identified within a revised ecology report. The overall coverage is fairly extensive and would bring both environmental and ecological benefits and so would represent a further significant biodiversity enhancement. The indicative details of the green roofs have been referred to the Council's biodiversity officer who has advised that the preliminary details are acceptable but more details

should be provided by a planning condition.

To ensure that the site makes the maximum possible contribution to green infrastructure, consistent with policies and biodiversity objectives, it is recommended that the provision of green roofs together with the other recommendations outlined above be secured by condition.

SUSTAINABILITY AND ENVIRONMENTAL

Flood Risk and Sustainable Drainage

The site is within Flood Zone 1, meaning that the site is assessed as having a less than 1 in 1,000 annual probability of fluvial flooding from main rivers and, in accordance with the NPPF, sequential and exception testing of the proposed development is not required.

However, the Local Plan designated the site as part of a critical drainage area meaning that it is susceptible to flooding from surface water. The NPPF states that a site-specific flood risk assessment (FRA) is required for proposals of 1 hectare or greater in Flood Zone 1. The application site area is 1.3 hectares and is accompanied by a supporting FRA which considers the risk of flooding from all sources as well as a preliminary surface water drainage strategy.

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

Core Strategy Policy CS1 U undertakes to manage development to achieve an overall reduction in flood risk and increased resilience to flood events.

London Plan Policy 5.13 states that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates and this objective is reiterated in Policy AAP9. Policy 5.13 of the London Plan sets out a drainage hierarchy to manage surface water run-off as close to its source as possible.

Local Plan Policy AAP 9 *Flood Risk and Sustainable Drainage* calls for major development to: reduce surface water run-off; utilise sustainable drainage systems; ensure adequate arrangements for management and maintenance of on-site infrastructure; use appropriate measures to prevent water pollution; and where appropriate, demonstrate that the proposal would be resistant and resilient to flooding from all sources.

Overall, the FRA finds that the risk of fluvial, sewer, groundwater flooding and flooding from artificial sources is very low. The risk of surface water flooding on the site is also considered to be low.

The report outlines that according to the Environment Agency's Flood Map for Surface Water the majority of the site is considered to be at a 'Very Low' risk of flooding. This means that each year the site has a chance of flooding of less than 0.1% (1 in 1000). Beyond the southern boundary, parallel to the railway line there appears to be a

surface water flow path or potential area of ponding. The site however is not affected.

The preliminary surface water drainage strategy demonstrates how surface water can be effectively managed, reducing the risk to the site itself and the surrounding area. The drainage system has been designed to accommodate a 1 in 100 year rainfall event including an additional 30% increase in rainfall intensity to account for the predicted impacts of climate change. It has also taken consideration of requirements within the London Plan. The report outlines that runoff has not been restricted to greenfield rates but, the proposal indicates over a 50% reduction when comparing the existing and proposed runoff rates. As the underlying clay soil is not suitable for infiltration, the drainage strategy is based around attenuation features with outfalls to the existing Thames Water drainage system. The Council's Drainage Team has advised that 5 litres per second is acceptable as the appropriate greenfield run-off rate for the site. It is considered that the proposed run-off rate may be secured as a condition of any planning permission.

The application has been referred to Thames Water who identified an inability of the existing waste water infrastructure to accommodate the needs of the application site. In response the applicant submitted a revised drainage layout (Drawing FNH366/07/100 Rev B) which details amended foul drainage proposals. The details of this were referred back to Thames Water who subsequently removed their request for a Grampian condition. The final drainage layout and approval of the connection of the development to the public sewer is controlled through other non planning legislation, namely Section 106 of the Water Industry Act 1991 (as amended). As such, it is considered there are already appropriate safeguards in place to ensure that the final foul water detail of the development adequately satisfies Thames Water requirements. The final layout for foul drainage system can be secured by a planning condition which will be subject to scrutiny by the Council's Drainage Engineers.

SUDS techniques have been considered including the provision of green roofs and permeable paving. Due to the high density nature of the development, it is acknowledged that the incorporation of other features such as basins and ponds will be unlikely.

The application has been referred to the Environment Agency who has not raised any objection to the application. The Council's drainage team has expressed satisfaction with the sustainable drainage strategy, as set out in the applicant's FRA, but has advised that it is necessary to secure detailed drainage proposals as a condition of any planning permission. It is considered that such a condition should include details of the proposed green roofs and specify a requirement to investigate and, if feasible, set out details for rainwater harvesting, to ensure that opportunities to manage surface water at the upper end of the hierarchy are exploited wherever possible.

In summary, the detailed design of the drainage strategy can be secured by means of a planning condition. Subject to this, it is considered that the proposed development would accord with the above policy requirements.

Energy Strategy and Sustainable Design and Construction

Section 10 of the National Planning Policy Framework seeks to promote low carbon and renewable energy, including decentralised energy. This includes requiring local planning authorities to have a positive strategy to delivery low carbon and renewable energy infrastructure and for these matters to be considered as part of any planning application.

London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) requires new development to minimise carbon emissions in accordance with the energy hierarchy of be lean (use less energy), be clean (supply energy efficiently) and be green (use renewable energy). The policy sets targets for carbon emission reductions, with a 40% reduction required relative to the 2010 Building Regulations for both residential and non-residential development (this is equivalent to a 35% reduction over the more recent 2013 Building Regulations). The policy outlines the requirements for energy statements and indicates that the carbon reduction targets should be met on-site.

Policy 5.5 (Decentralised Energy Networks) requires developers to prioritise connection to existing or planned decentralised energy networks where feasible, with Policy 5.6 (Decentralised Energy in Development Proposals) requiring the evaluation of the feasibility of Combined Heat and Power (CHP) systems in new developments and where such a system is appropriate, the examination of opportunities to extend the system beyond the boundary to adjacent sites. The policy also requires development to prioritise connection to existing heating and cooling networks, followed by a site wide CHP network, and lastly communal heating and cooling.

Policy 5.7 (Renewable Energy) requires new development to provide a reduction in expected carbon emissions through on-site renewable energy, where feasible. The supporting text to the policy indicates there is a presumption that the reduction achieved through on-site renewable energy will be at least 20%.

Harrow Local Plan policy largely cross-refers to the London Plan requirements with respect to carbon emissions [see Core Strategy Policy CS1 (T), Policies DM12 Sustainable Design and Layout, DM13 Decentralised Energy, and DM14 Renewable Energy Technology]. Within the Harrow and Wealdstone AAP, Policy AAP4 (Achieving a High Standard of Development throughout the Heart of Harrow) also cross-refers to the London Plan. Policy AAP10 (Harrow and Wealdstone District Energy Network) recognises that the nature and scale of development envisaged within the AAP area is likely to be conducive to the establishment of a district energy network and requires all new development to prioritise connection to existing or planned decentralised energy networks, where feasible. Where such a network is not feasible at present, development proposals should ensure the design of the development would facilitate connection in the future. Furthermore, the policy requires that all new major development includes on-site heating and cooling networks linking all buildings on-site and prioritising CHP where applicable and served by a single energy centre. The policy establishes a hierarchy for the selection of heating and cooling systems, as follows: connection to existing CCHP/CHP distribution networks; site-wide CCHP/CHP powered by renewable energy; gas-fired CCHP/CHP or hydrogen fuel cells, both accompanied by renewables; communal heating and cooling fuelled by renewable sources of energy; and finally, gas fired communal heating and cooling.

Energy

The applicant has submitted an energy statement outlining the energy strategy for the overall development and including both the residential and non-residential elements of the proposal.

Proposed measures to reduce energy demand (the 'be lean' / first element of the energy hierarchy) include high levels of insulation and low air permeability (both better than that required by the 2013 Building Regulations), a combination of natural ventilation (with openable windows) and mechanical ventilation, advanced heating controls, and low

energy lighting. These measures will provide a 2.9% reduction in carbon emissions, relative to the 2013 Building Regulations.

Heating will be delivered site-wide using a heating network powered by a gas-fired combined heat and power (CHP) engine, which will serve all buildings from a single energy centre, located within the basement in the centre of the site, adjoining the access route. The communal heating network / CHP will reduce carbon emissions by 33.5% relative to the 2013 Building Regulations.

The statement indicates that the preferred renewable energy source is solar PV, noting however that at this stage renewable energy is not required to meet the 35% carbon reduction policy requirement. Provision has been made for renewable energy once further detailed design and assessment is undertaken, should this demonstrate that renewable energy is required to meet the 35% policy requirement.

The total carbon emissions reductions achieved through the proposals in the energy statement is 35.9%. This exceeds the required 35% reduction (relative to the 2013 Building Regulations) and therefore meets the overall policy requirement. The energy strategy seeks to prioritise energy demand reduction measures first, with these achieving carbon emissions reductions better than that required by the 2013 Building Regulations, thereby meeting the London Plan preference that the emissions levels required by the Building Regulations are met through energy-efficiency measures alone.

The proposed site-wide communal heating network powered by a gas-fired CHP engine achieves significant carbon emissions reductions (33.5%). Its provision is supported as it meets the policy requirement that communal heat and power networks are provided.

The Policy section of the Energy Strategy recognises that consideration should be given to safeguarding connection of any on-site communal heating network to a future district wide heating network that could serve the site, should one be planned. It also recognises that for larger sites (such as this one), consideration should also be given to sizing any proposed on-site energy centre to enable it to serve a wide area.

The Council has prepared an energy master plan (EMP) that considers the feasibility of establishing a district energy network within the Harrow and Wealdstone AAP area (i.e. the London Plan opportunity area / Housing Zone), consistent with the commitments given in the Core Strategy and the AAP. This work indicates that a network serving Harrow Metropolitan Centre and the Northwick Park Hospital is potentially technically and economically feasible and identifies the subject site as a potential location for an energy centre for the broader network. The Council has recently received further funding from Government to undertake more detailed feasibility work on this opportunity.

Since the initial submission of the application, the applicant has submitted a revised energy strategy in response to the Council's EMP. Within the revised energy strategy the applicant has identified some 'spare' space in the energy centre to accommodate expansion to service additional heat demands on nearby sites. This additional capacity is about 10% of the overall Harrow Metropolitan Centre and Northwick Park Hospital / Westminster University campus cluster (excluding any thermal storage requirements) which the EMP identifies the site could serve. However, at present the heat network has not yet been fully agreed and investigated and the design of the development is at an advanced stage. As such, although ideally a larger energy centre that would be capable of serving a much larger network, as proposed in the Council EMP would be provided, in

the circumstances, the proposed additional capacity identified is considered to be reasonable, particularly when also considered against all the other wider public benefits of the scheme.

Further to this, the revised energy strategy also identifies safeguarding routes from the CHP centre to Gayton Road to enable future connection to a broader district heating network. Officers consider that the safeguarding routes for potential pipework to connect the energy centre to any future district heat network appear reasonable and can be secured by way of a planning obligation as set out above.

In view of the above, the proposal meet London Plan Policies 5.5 (Decentralised Energy Networks) and 5.6 (Decentralised Energy in Development Proposals), and AAP Policy 10 (Harrow and Wealdstone District Energy Network) and is therefore unacceptable.

Sustainability

The National Planning Policy Framework seeks to achieve sustainable development. London Plan Policy 5.3 requires that development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. It outlines broad considerations that developments should address, including minimising carbon emissions, avoiding overheating, making the efficient use of resources, minimising pollution and the generation of waste, avoiding the impacts from natural hazards, ensuring developments are comfortable and secure, using sustainable materials and promoting and protecting biodiversity and green infrastructure. The Policy notes that all aspects of the London Plan contribute to the sustainability of developments. Core Strategy Policy CS1 and Development Management Policy DM12 (Sustainable Design and Layout) articulates the principles of sustainable development at a local level.

The Code for Sustainable Homes and the Building Research Establishment Environmental Assessment Method (BREEAM) are recognised means of assessing the sustainable design and construction credentials of new residential and non-residential development respectively. It should however be noted that as part of the new National Housing Standards, the Code for Sustainable Homes has been cancelled and apart from 'legacy' cases, no further Code for Sustainable Homes certifications will be issued. Consequently, no Code assessment is required for the subject proposal. In terms of BREEAM, the Council's Sustainable Building Design SPD sets a requirement of BREEAM 'Excellent' for non-residential developments. However, the SPD is relatively outdated, with large parts of it having been overtaken by the borough's development plan, particularly the London Plan. Whilst the SPD is a material consideration (but not part of the development plan), limited weight is attributed to it due to it being largely out-of-date.

The applicant has submitted a detailed Sustainability Statement with the application. The Statement provides an assessment of the scheme against typical sustainability considerations, including energy, water, materials, flood risk and surface water management, waste, pollution, health and wellbeing, land use, ecology and biodiversity, and transport. As noted above, the Code for Sustainable Homes has been formally cancelled by Government, so no assessment is required against that. Given the size of the non-residential elements of scheme and the age of the Council's Sustainable Design and Construction SPD, no formal BREEAM assessment is considered necessary.

Many of the issues covered by the Sustainability Statement are assessed in detail through separate reports accompanying the application (i.e. energy, flooding / drainage, transport, air quality, noise assessment, geotechnical assessment, ecological assessment etc). In

general terms, the proposal is considered very sustainable. It is located in a highly sustainable location within close proximity to the Harrow on the Hill Station and Harrow Metropolitan Centre. It is located on brownfield land and makes efficient use of land through a density appropriate to its location and setting (subject to assessment of the design aspects of the application / proposal). It seeks to minimise carbon emissions through an energy strategy that applies the energy hierarchy (refer to detailed energy section above).

The GLA have raised a query in their stage 1 response in relation to the demand for cooling and whether mechanical cooling will be required. In response to this query, the applicant has outlined that the use of active cooling for the residential part of the development is not expected to be required and as such no active cooling is proposed for the residential units. It is outlined that the layout of the proposed development allows for self-shading. Balconies and external corridors will provide further shading of the development and the glazing specification will be selected to provide a balance of solar control and access to passive solar gain. In addition, openable windows are proposed, although they will not be essential to provide fresh air but will provide further flexibility for occupants. SAP calculations have been provided which indicates that the overheating criteria will not be exceeded by the proposed design. The additional information provided is considered by officer to be acceptable. However, the additional information provided will be referred to the GLA in the stage 2 referral.

The sustainability strategy refers to promoting water efficiency and has been amended to indicate the proposal will meet the new London Plan standard of 110 litres per person per day (equivalent to 105 litres internal use, with an allowance of 5 litres for external use).

The proposal incorporates a number of design elements to address issues such as waste storage, daylight, and amenity space.

A condition is recommended to ensure that the proposals detailed in the energy and sustainability assessment are implemented. Subject to this the scheme is considered to comply with the development plan policies outlined above and is acceptable in energy and sustainability terms.

Air Quality, Ventilation and Odour

London Plan Policy 7.14 *Improving Air Quality* provides further detail in relation to the air quality impacts of development. Specifically, it requires: minimisation of increased exposure to poor air quality; provision to address local problems of air quality; measures to reduce emissions during demolition and construction; proposals to be 'air quality neutral' and not to lead to further deterioration in air quality; ensure on-site provision of measures to reduce emissions; and assessment of the air quality implications of biomass boilers. The Mayor's SPGs provide further amplification of air quality issues in relation to this and related London Plan policies.

The whole of the Borough has been designated as an Air Quality Management Area (AQMA), due to exceedances of the annual mean objective levels for nitrogen oxide (NO₂) and particulates (PM₁₀).

An Air Quality Assessment has been provided as part of the applicant's submission. The assessment considers the impact of the local air quality on the proposed development, as well as the impact of the operation of the development (from the emission of the proposed CHP and boilers as well as additional traffic generated on nearby sensitive receptors.

The assessment has been upon historical monitoring data and Local Authority data, as available in the public domain for nitrogen dioxide (NO₂) and Particulate Matter (PM₁₀, i.e. particles which are less than 10µm in diameter). Residential receptors identified within the report include those along Gayton Road, Sheepcote Road, Kenton Road, Lowlands Road, College Road and Greenhill Way.

The report finds that under the 'no development' scenario in 2018, the annual mean objectives for NO₂ of 40 µg/m³ are forecast to be met at all of the selected sensitive receptors near the development, with the exception of those at locations in Petherton Court, Greenhill Way and Sheepcote Road. However the PM₁₀ air quality objectives will be met at all locations.

However, with the operation of the proposed development, there is an increase in the annual mean NO₂ concentration at the selected sensitive receptors, with a magnitude ranging from 0.05 to 1%. The difference comparing the baseline and the 'with development' scenario for all receptors is 'negligible', with the exception of a 'moderate' increase at Petherton Court on Sheepcote Road.

The assessment outlines that all residential dwelling on all floors of the new development will meet the current air quality objectives.

According to the Defra LAQM TG (09) guidance, exceedance of the 1-hour NO₂ mean objective is generally unlikely to occur where annual mean concentrations do not exceed 60µg/m³. Since the annual mean NO₂ concentration at all the existing sensitive receptors is forecast to be lower than 60µg/m³, it is unlikely the 1-hour mean will be exceeded, either without or with the proposed development.

'Air Quality Neutral' is measured by reference to emissions benchmarks for buildings (based on various planning use classes) and for transport (based on inner and outer London zones) as described at appendices 5 & 6 of the Mayor's SPG. An Air Quality Neutral Assessment was compiled to support the planning application for residential development. The assessment indicates that the total NO_x and PM₁₀ emissions from the road traffic vehicles emanating from the proposed development would be above the calculated benchmark, therefore specific mitigation measures are required. The Council's Environmental Health Officer agrees with this approach.

In terms of mitigation the report outlines that a supporting travel plan will be submitted to encourage future residents to use alternative transport modes rather than private vehicles, with an aim to further reduce the number of traffic to be generated by the proposed development. It is also emphasised that up to 20% 'active' and 20% 'passive' electric car charging spaces will also be provided, together with two spaces for car club vehicles, and parking for cycles and motorcycles. It is also relevant that the proposal is within an area of very high public transport accessibility and as such provides minimal on site car parking for residential occupiers. The Council's Environmental Health Department have requested that further details of mitigation are provided in order to ensure the development would make the fullest contribution to air quality impacts. Any additional details of the proposed mitigation techniques will be reported via the committee addendum. Officers consider that the proposed mitigation measures outlined would help ensure that the proposed development would not result in further deterioration of air quality in the borough. As outlined, further mitigation techniques are being sought from the applicant and these will be reported via the addendum.

CHP

A gas CHP system is proposed. The report confirms that emissions from the operational energy plant are within the benchmark values and no further mitigation measures are required for this element of the proposal. However, Appendix 7 of the Mayor's SPG which sets out emissions standards for gas CHP plant as well as solid biomass systems also states that developments should only include plant that meets the standards and that further details on actual installed plant and emissions performance prior to full operation of the development should be required. Accordingly, it is considered that these details be secured, at the appropriate stages of development, as a condition of any planning permission. The report outlines that the CHP flue will run up the building adjacent to the plant room in the south west corner of the development. To ensure that the stack would meet the requirements of the SPG and to ensure that it would not materially affect the appearance of the proposed development, it is considered that details of the external flue stack should be agreed as a condition of any planning permission.

Demolition and Construction

The Mayor's SPG details measures for the mitigation of demolition and construction impacts and the assessment recommends that dust and air quality monitors are put in place during the construction phase.

A qualitative assessment on the construction phase activities has been carried out. The risk of the different activities towards dust soiling ranges from 'Medium to High', while that for human health impact ranges from 'Low to High'. Following implementation of the appropriate mitigation measures as outlined in the report, the impact of emissions during construction of the proposed development would be 'not significant'.

It is therefore considered that a dust management plan be included as part of a construction logistics and management plan and that this be secured as a condition of any planning permission. The Council's Environmental Health Officer has advised that the plan should be required prior to the commencement of demolition and construction works in order that sufficient baseline monitoring may be undertaken. Since the initial submission of the application, the applicant has provided additional details in this regard which has been referred to the Council Environmental Health Team. Any additional comments on this matter will be reported via the committee addendum.

The London Atmospheric Emissions Inventory (LAEI) estimates that in 2010 the Non-Road Mobile Machinery (NRMM) used on construction sites was responsible for 12% of NOx emissions and 15% of PM10 emissions in Greater London. Diesel exhaust emissions have also been classified as being carcinogenic to humans based on evidence that exposure is associated with an increased risk for lung cancer by The International Agency for Research on Cancer (IARC), which is part of the World Health Organization (WHO). To address this significant contribution of NRMM to London's poor air quality, the GLA are seeking to control the emissions from this equipment from 1st September 2015 by establishing emissions standards for London.

The Council's Environmental Health Department have advised that in regards to power supply the default position should be mains power connection to the site and justification will need to be provided for any higher emission alternative used. Diesel powered generators should only be used as last resort if no other options are available or practical. In view of the above, in order to safeguard amenity to nearby residential properties during the demolition and construction phases, the Council's Environmental Health Department have recommended that a condition is imposed for details of all non-road mobile

machinery.

Other Issues

As the quality of air surrounding the site is found to be acceptable, the ventilation system would not expose occupiers within the buildings to harmful air quality conditions.

Details of the intended arrangements for ventilating the proposed basement including the car parking area have not been provided. However this aspect of the proposal is more appropriately controlled through the Building Regulations.

The proposed A3 use class within the community/commercial space would have the potential to give rise to additional smell and odours from extraction equipment/external ducting. However, this would require the need for planning permission under which the impact on neighbouring occupiers would be considered. Furthermore, any statutory nuisance (e.g. arising from a failure to maintain extract equipment) can be abated through the Environmental Health regime.

Conclusion

The air quality assessment has been referred to the Council's Environmental Health Department who have outlined that they are satisfied of the conclusions of the report, subject to a condition to ensure mitigation techniques are implemented. It is acknowledged that the report shows that there will be "moderate adverse impacts" on the existing receptor site at Petherton Court, Sheepcote Lane. However, in officers opinion this impact does not outweigh the realisation of wider planning objections, including the significant contribution to the delivery of housing and affordable housing.

In summary, with the effective implementation of appropriate mitigation measures which can be secured by appropriate planning conditions, officers consider that the proposed development would not result in unacceptable impacts on surrounding air quality. Accordingly, it is considered that the proposed development would not conflict with the development plan policies outlined above.

Contaminated Land

Paragraph 109 of the NPPF recognises that there is a role for the planning in the remediation and mitigation of derelict and contaminated land. More specifically, the National Planning Practice Guidance advises that the planning system should ensure that a site is suitable for its new use and prevent unacceptable risk from pollution, and states that as a minimum land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990. Reference is also made to the EU Water Framework Directive.

London Plan Policy 5.21 *Contaminated Land* requires appropriate measures to be taken to ensure that the redevelopment of contaminated land does not activate or spread the contamination. Local Plan Policy DM 15 *Prevention and Remediation of Contaminated Land* requires the consideration of proposals on land known or suspected to be contaminated to have regard to: the findings of a preliminary risk assessment; the compatibility of the intended use with the condition of the land; and the environmental sensitivity of the site.

The application is accompanied by a detailed contamination assessment which evaluates the risks to potential receptors from the site including humans, controlled waters, ecology, crops/livestock and buildings.

A total of 15 soil samples were analysed across the site, comprising 12 soil samples from shallow man-made ground and three samples from natural soils (London clay). The results showed that elevated concentrations of lead and PAHs and localised asbestos fibres have been recorded in the Made Ground at the site which poses a risk to human health where Made Ground is exposed at finish level. Furthermore, elevated concentrations of phytotoxic contaminants (zinc) have been encountered, which pose a potential risk to vegetation and plant growth. Nevertheless, the report notes that the proposed basement will result in the removal of the Made Ground from the majority of the site. Outside of the basement excavation, much of the ground will be covered with buildings and hardstanding, breaking the potential pollutant linkages. It is outlined that where Made Ground is to remain at ground level, the risks from the underlying contamination can be mitigated by provision of barrier layers such as hardstanding or topsoil/subsoil capping layers in communal landscaping areas (see Section 11.2.1). This will also mitigate potential risks to off-site human health receptors.

The results also show that asbestos fibres were identified in the shallow Made Ground at one location (WS3). Asbestos quantification testing was not undertaken at the time of the original site investigation; however the report notes it is considered unlikely that loose fibres will be present in quantities above 0.1% fibres per soil matter. The identification of this asbestos and given the history of the site asbestos may be present in other areas of the site.

Due to the presence of contamination, the report set out a proposed mediation strategy. This will include soil capping layers where proposed areas of communal soft landscaping are located above the existing Made Ground. Soil capping layers will be placed to act as a barrier to the underlying contamination and also to act as a growth medium for turf and vegetation. Where soft landscaping is proposed above the basement box, a growth medium will be required, which will be subject to the requirements of the landscape architect. The assessment outlines that once placed, the capping layer should be subject to validation by a qualified geo environmental engineer.

With regard to the asbestos, the report recommends that a watching brief is undertaken during any excavations in the Made Ground. Asbestos may also still be present within the buildings on site, which should be subject to survey prior to demolition. It is outlined that should additional visual pieces of bulk asbestos (including tiles/lagging) be encountered during excavations, within soils that require off-site disposal, it is recommended that an appropriately licensed contractor, experienced in the identification of asbestos, is appointed to remove these visual fragments from the soil, in accordance with current asbestos regulations.

Subject to appropriate mitigation, overall the assessment concludes that the residual risks to the aforementioned receptors would be of negligible/low significance (in most cases). The Council's Environmental Health Officer has confirmed that, following appropriate mitigation and remediation and submission of a verification plan, the site would be suitable for its new use. Accordingly, planning conditions are recommended to ensure that an appropriate remediation and mitigation strategy is implemented on site. In addition, a further condition is attached which outlines that if any further contamination is found which was not previously identified, that this will be reported immediately to the local planning authority. Subject to these conditions, the proposed development would accord with the requirements of the development plan.

Environmental Considerations for Tall Buildings

Policy 7.7 of The London Plan also requires that regard is had to the environmental impacts of tall buildings. It outlines they should not adversely affect the surroundings in terms of microclimate, wind turbulence, glare, navigation and telecommunication interference. Having regard to the siting of the towers, their height and relationship to surrounding neighbouring buildings and the railway, officers consider, they would not present an issue in terms of wind turbulence. GLA officers have outlined in their stage 1 response that they are satisfied the proposals accords with the principal objectives of policy 7.7 of The London Plan and have not raised any objection in this regard.

The overshadowing and noise impacts of the development have been appraised elsewhere and are considered to be acceptable. As such, the taller buildings are not considered to adversely affect their surroundings in this regard.

No information on glare has been submitted with the application. Given the arrangement of the buildings on the site and the architecture proposed with which provide a reasonably low level of glazing with deep reveals, it is considered that the risk of glare occurring from the north and south elevations of the proposed taller buildings is insignificant. However, to quantify more precisely the extent of the risk of wind and to allow for appropriate mitigation should that be found to be necessary, it is considered that this matter be reserved as a condition.

In terms of navigation and impacts upon the Safeguarding Zone of RAF Northolt, the Ministry of Defence has been consulted on the application and has no raised any objection.

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

Although no public access to the roofs of the towers would be provided, they would both incorporate biodiversity roofs. In this regard it is considered the proposal would not fundamentally conflict with the requirements of the London Plan (2015).

INFRASTRUCTURE AND PLANNING OBLIGATIONS

Electricity and Gas

London Plan Policy 5.4A *Electricity and Gas Supply* calls for developers to engage with boroughs and energy companies to identify the gas and electricity requirements of their proposals. Core Strategy Policy CS1 Z requires proposals to demonstrate that adequate existing or proposed infrastructure capacity exists or can be secured both on and off the site to serve the development.

When there is a sufficient electricity demand in the development, the electrical output of the CHP system will be fully utilised on site with no export to the grid. If the electricity demand is lower than the electricity supplied by the CHP unit, the surplus will be exported to the grid. Therefore, an import and export electricity meter will be installed on site to enable the electricity to be exported.

The development will utilise a gas-fired Combined Heat and Power (CHP) engine and efficient gas-fired boilers connected to a site-wide district heating network (DHN). The DHN will supply hot water and space heating to the entire development.

The adequacy of the electricity and gas supply to meet existing needs and planned growth was considered, in strategic terms, as part of Harrow's Infrastructure Assessment and Delivery Plan (2011). The Plan notes that, other than a need to upgrade two electricity substations (both of which would be delivered by the relevant supplier), no further gas or electricity infrastructure requirements have been identified for the Borough. As such, it is considered that the proposed development would be adequately served by existing gas and electricity infrastructure and that it would not detrimentally affect gas and electricity distribution elsewhere in the borough.

Water Use and Waste Water Capacity

London Plan Policy 5.15 *Water Use and Supplies* requires development to minimise the use of mains water by incorporating water saving measures and designing residential development so that mains water consumption would meet a target of 110 litres or less per head per day (including an allowance of 5 litres or less per head for external water consumption). As discussed elsewhere in this report the proposals indicate that the development would meet this requirement and this can be ensured through a planning condition.

London Plan Policy 5.14 *Water Quality and Waste Water Infrastructure* requires development to ensure adequate waste water infrastructure capacity. Core Strategy Policy CS1 Z echoes the need for proposals to demonstrate adequate existing or proposed infrastructure capacity. Local Plan Policy AAP 9 *Flood Risk and Sustainable Drainage* requires proposals to demonstrate that they would be resistant and resilient to flooding from all sources (including sewer flooding).

As discussed in the above appraisal, following an initial consultation response from Thames Water, additional details of the proposed foul drainage system has been proposed. In light of this information, Thames Water has removed its requirement for a Grampian condition for details of on and off site drainage works prior to the commencement of the development. The final details of the drainage layout can be secured and agreed as a condition of any planning permission.

Waste and Recycling

Policy DM45 of the Harrow DMPLP (2013) states that: "All proposals will be required to make on-site provisions for general waste, the separation of recyclable materials and the collection of organic material for composting. The on-site provisions must:

- a. provide satisfactory storage volume to meet the general recycling and organic waste material arising from the site;
 - b. ensure satisfactory access for collectors and, where relevant, collection vehicles;
- and
- c. be located and screened to avoid nuisance to occupiers and adverse visual impact.

Householder will have access to two types of bins, colour coded to distinguish between waste types. These will consist of blue bins for fry recycling waste and grey bins for residual waste.

The scheme and capacity for onsite storage has been based on the Councils two bin system, one 1100 litre bin and one 1280 litre bin for every eight flats (Code of Practice for

the Storage and Collection of Refuse and Materials for Recycling in Domestic properties 2016).

Communal bin stores serving the development will be located within the building structures, within the basement and in separate self-contained refuse stores. Fairview Homes propose to adopt a private management plan in the basement which rotates empty/full bins from the PRS and private stores located in and adjacent to circulation stores to the main collection core. The main collection core will be accessible to the Council's refuse department.

A total of 7 refuse core will be provided in the basement to serve buildings A, B and C which will provide space for 14 x 1100L waste bins and 14 x 1280L blue bins. There will be space to accommodate an overall capacity of 72 bins in the main collection cores. Separate collection cores will be provided within buildings D1 and D2. The refuse collection core in building D1 will have capacity to accommodate 4 x 1100L waste bins and 4 x 1280L blue bins, whilst the refuse collection core within building D2 will have the capacity to accommodate a total of 6 x 1100L waste bins and 6 x 1280L blue bins. Overall the scheme would provide 92 bins (46 waste and 46 recycling) which would meet the Council Code of Practice requirements for refuse collection.

Access to the basement bin storage areas would be via the lift/stair cores of each of the proposed buildings and the design of the basement ensures that the storage area for each building would be located in close proximity to the relevant stair/lift core. The proposed arrangements would ensure that there would be no external visual impact associated with the storage of waste and recycling material within the development,

The commercial uses within the ground floor of Block A have yet to be defined in specific detail. A turning head within the site has been provided. It is expected that the bin stores may be allocated within the buildings with access from the courtyard for collection. An indicated location for this has been allocated on the site waste strategy. It is considered that the details of bin storage for the commercial units can be secured through an appropriate planning condition.

In accordance with the Code of Practice, containers must be provided with all new properties and can either be purchased from the Council or provided independently (however they must fully comply with the Council's specifications if they are to be collected by the Council). The Council requires the developer to provide containers prior to occupation of the development. This requirement is to avoid a repetition of historic adverse experience, where new development has been occupied by residents without the developer securing provision of refuse containers. Therefore, an informative is attached reminding the applicant to ensure refuse and recycling facilities will be available and operative prior to the first occupation of the development.

London Plan Policy 5.18 *Construction, Excavation and Demolition Waste* calls for major development sites to recycle construction, excavation and demolition waste on-site, wherever practicable. Core Strategy Policy CS1 X seeks to promote waste as a resource, by encouraging the re-use of materials and recycling, and requires new development to address waste management from construction.

The applicants waste management strategy outlines that waste will be minimised on site through a variety of design and site measures, including:

- The use of standard components to avoid cutting on site.

- Standard precast items to avoid in situ works on site with associated shuttering/cutting.
- Setting out and coursing of walls and openings to minimise the cutting of materials on site.
- Optimised site levels to reduce the amount of excavation and removal of material.

The proposals appropriately identify opportunities to salvage existing materials on the site for recycling & re-use and outline measures for screening materials that may be hazardous and so risk contamination. It is considered that a full Site Waste Management Plan should be prepared before the commencement of development and that this may be secured as a condition of any planning permission.

27)Other Infrastructure

On 1st April 2012 the Mayor of London's Community Infrastructure Levy (CIL) came into force and applies to all development except medical and educational uses. In Harrow, the Mayor's CIL is charged at a rate of £35.00 per square metre. It used to help fund the Crossrail infrastructure project. It is calculated that the proposal would generate a liability of £1,067, 640 under the Mayor's CIL.

On 1st October 2013 Harrow Council's CIL came into force. It applies to new residential development at a rate of £110.00 per square metre and to commercial development at a rate of £100.00 per square metre. It is calculated that the proposal would generate a liability of £3,350, 560 under the Harrow CIL.

London Plan Policy 8.2 *Planning Obligations* states that planning obligations should address strategic as well as local priorities and that affordable housing and public transport improvements should be given the highest importance. Core Strategy Policy CS1 AA requires all development to contribute to the delivery of strategic infrastructure identified in Harrow's Infrastructure Delivery Plan. Local Plan Policy DM 50 *Planning Obligations* undertakes to seek s.106 planning obligations to secure the provision of affordable housing and other infrastructure needed to mitigate site specific impacts of the proposed development.

Pursuant to the aforementioned policy framework the Council has published a Planning Obligations supplementary planning document (SPD).

Affordable Housing and Wheelchair Homes

London Plan Policy 3.12 *Negotiating Affordable Housing on Individual Private Residential and Mixed-Use Schemes* calls for the maximum reasonable amount of affordable housing to be provided in individual proposals and sets a clear expectation in favour of on-site provision. Core Strategy Policy CS1 J reiterates the requirement for the maximum reasonable amount of affordable housing to be provided on site.

The proposal includes 72 affordable housing units in blocks D1 and D2. This equates to an affordable housing provision of 20.3% by unit.

Building Ownership

As discussed above, the Council own part of the site including the existing car park to the east and former library site to the west. The site is subject to a separate legal agreement between Fairview Homes and the Council Estates department to enable to comprehensive re-development of the site. This agreement outlines that a long lease (999 years) shall be granted to the Council for Block A containing 53 PRS units and community/commercial space and Block D1 and D2 containing 73 affordable rented units.

As such, this obligation is necessary in planning terms to ensure that the site can be comprehensively re-developed and the deliverables be realised as required by the AAP.

Private Rented Units

The Mayor of London Housing SPG (2016) outlines at paragraph 3.3.1 that “The private rented sector (PRS) is the only housing sector to have seen relative growth in recent years. It now houses 30% of all households in London, up from 14% in 2003/04. The sector is becoming increasingly important in supporting labour market mobility, accommodating over half of the one in eight households who move in London each year.

Policy 3.8B of the London Plan (2015) states that the planning system should provide positive and practical support to sustain the contribution of the Private Rented Sector (PRS) in addressing housing needs and increasing delivery. The supporting SPG (2016) goes on to say that “Long term, purpose built, private rented (build to rent) developments in block ownership and managed as a single development could make a particular contribution to meeting housing need. Such schemes are beneficial in a number of ways; they have the potential to accelerate delivery and not compete with nearby for sale developments; they can offer longer term tenancies/more certainty over long term availability; they can ensure high quality management through single ownership; and they can ensure a commitment to, and investment in, place making. They can also meet a wide range of needs, including those of singles, sharers, families and older people.”

Having regard to the distinct economies of build to rent element of the scheme and its impact on the affordable housing viability of the scheme as noted elsewhere in this report, it is considered necessary to secure the PRS units for a fixed period of 15 years in order to promote further housing choice in line with the London plan (2015) and in order to ensure the proposal does not adversely affect the delivery of additional affordable housing units by preventing the PRS units being sold out of the market.

Design Review

In order to ensure the successful continuity of the high quality design intent of the scheme, a planning obligation is considered necessary, having regard to the scale of the buildings proposed, in order to ensure their successful integration into the surrounding townscape and full compliance with the development plan as noted in the character section of the above appraisal.

Public Art

The provision of public art is supported by London Plan Policy 7.5 *Public Realm* and Local Plan Policy AAP 1 *Development within Harrow town centre*. The SPD states that all major development that has a significant impact on its physical environment and setting will be required to make provision for public art. Thus, the installation of an appropriate piece of public art within the site is considered to be necessary to comply with the relevant provisions of these development plan policies and the SPD.

In accordance with the SPD a contribution of £50,000 for public art is sought. It is envisaged that this sum will be transferred to the Council to run a transparent process for commissioning a public art work for the square, the exact location within the square to be agreed with the developer.

Decentralised Energy Networks

The planning application proposes the installation of a site-wide CHP system. The implementation of the proposed site-wide CHP system can be secured through planning

conditions.

London Plan Policy 5.6 *Decentralised Energy in Development Proposals* states that, where a new CHP system is found to be appropriate for a development, opportunities to extend the system beyond the site boundary should also be examined. The Council is committed to the delivery of a district-wide decentralised energy network within the Heart of Harrow. Local Plan Policy AAP 10 *Harrow & Wealdstone District Energy Network* requires major development proposals within the Heart of Harrow to ensure that the design of the development would facilitate future connection to such a district-wide network and (for proposals comprising over 100 dwellings) applicants are encouraged to discuss with the Council the potential to increase the capacity of the on-site energy centre to additionally serve adjacent sites and uses. The SPD calls for the developer to carry out any on and/or off site works and, where connection to a network is required, a contribution towards the cost incurred by the Council (or its agent) of any off site works.

Although the Council has recently prepared an energy master plan (EMP) that considers the feasibility of establishing a district energy network within the Harrow and Wealdstone AAP area, there is no certainty at this point in time as to the viability, design and timetable for installation of such a network. What can be stated with greater certainty, however, is that the operational feasibility of providing a local network is likely to be diminished if, in the meantime, the opportunity to link-up major mixed-use developments is permanently lost.

It is therefore considered necessary that a Planning Obligation should be sought requiring the proposed onsite energy centre to be laid out with sufficient space for expansion, and that an agreed route for infrastructure to the boundary of the site with Gayton Road be safeguarded, to ensure that it would be technically feasible to extend the proposed combined heat and power network to connect to a wider area in the future.

Transport and Highways

The SPD makes it clear that whilst general improvements to transport infrastructure are to be funded by the CIL and other sources, additional works required to accommodate or mitigate the impact of a proposed development should be funded by the developer.

Transport mitigation measures and off-site highway works will be required as set out above. The mitigation measures are to be delivered through s.278 agreements, and s.106 planning obligations. The monetary value of the financial contributions will be agreed and included in the Planning Obligation.

Open Space

Local Plan Policy AAP 11 *Provision of Open Space* requires proposals for major development within town centre boundaries to secure opportunities for the provision of appropriate civic space. The site allocation AAP Site 22 calls for a new, high quality public space to be established on the site. Given its town centre location and the site specific provisions of the AAP, it is considered that the site is a suitable candidate for the provision of new civic space. The public open space would be dedicated as such as part of the Planning Obligation.

Employment and Training

The SPD states that all major developments will need to contribute to local employment and training. The SPD identifies three types of employment and training obligation: construction training; general employment and training; and use of local suppliers.

The Council's economic development team have outlined a number of training and employment commitments relating to the residential value of the development. These include apprenticeships and paid work placement. Fairview homes have outlined a commitment to provide a training and employment plan to deliver the specified requirements which would be monitored by the Council. In the event that Fairview Homes are unable to deliver the training and employment requirements to the satisfaction of the Council's Economic Development Team, a financial contribution (£252,000) will be required to enable to the Council to deliver the plan.

Gayton Road Workspace

Fairview Homes will require the use of the community/commercial space within the ground floor of block A for sales and marketing purposes. The applicants have outlined that it is anticipated that the space would be required for a period of 14 months. As such, a planning obligation is considered necessary in order to secure the space back from the developer within a timely manner so this can be utilised for its intended purpose in line with the AAP.

Harrow Councils desired end result for the space is good value, high quality affordable co-working hub providing micro-businesses and start-ups a platform from which to expand and create new employment opportunities, as well as to form a hub for the local community and enterprises, with rentable space for functions such as conferences, training sessions, meetings, clubs, exhibitions and other events. It should also provide opportunities for local apprenticeships and higher education providers in the borough. The Council will lease the space to an Affordable Workspace Provider (AWP) at a rate that enables the provision of affordable workspace.

To fulfil this, an AWP selected by the Council in agreement with Fairview will need to sublease premises ready for occupation, as additional fit out costs can make the space unviable for the workspace provider and/or the end user. In this regard a planning obligation is considered necessary to ensure that the space can be fitted out and made ready for occupation and so that it is viable to the end user in order to fulfil the objectives of the AAP.

The Councils Economic Development team have outlined a workspace strategy is provided for the community/commercial space but as the Council will lease and manage this space, this is not considered to be necessary.

Education & Health

It is noted that a number of representations have been received in relation to impacts of the development on health and education. However, individual financial contributions cannot be sought in relation to this as improvements will already be secured through the Harrow CIL. This development will generate a contribution of £3,350,560 which will be used to fund infrastructure in Harrow.

OTHER CONSIDERATIONS

S17 Crime & Disorder Act

Policy 7.3 of The London Plan (2011) and core policy CS1 E of the Harrow Core Strategy 2012 seek to ensure that developments should address security issues and provide safe and secure environments.

The application is accompanied by a Secured By Design Statement and the applicants

have reviewed their proposal with the Design Out Crime Officer. The security strategy will be further developed to address access for residents, having regard to their specific requirements, the site entrance and lighting strategy, alarms for the building, management strategies for deliveries as well as planting and fencing to boundaries. The Designing out Crime officer has advised that the proposed indicative strategy is acceptable. A suitable condition is therefore recommended as set out at the end of this report to ensure that the development will achieve Secured by Design certification prior to occupation.

Consultation Responses

The consultation responses have been considered and addressed within the body of the report.

Equalities and Human Rights

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 there would not be interference with Convention rights. Officers have also taken into account the mitigation measures governed by planning conditions and the associated section 106 Planning Obligation to be entered into.

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.

The proposal has been designed to achieve a 'Lifetime Neighbourhood' within the site and the proposal, subject to matters that can be controlled through conditions of planning permission, would meet adopted policy requirements for Lifetime Homes and wheelchair adaptable homes. It would create a new community and employment opportunities and, through Planning Obligations and CIL contributions, would mitigate impacts upon, and help to improve, infrastructure in the wider area. It is therefore considered that the proposal would achieve a high level of inclusive access and would contribute positively to social cohesion.

CONCLUSION

It is noted that there has been some local opposition to the proposed development. Clearly, some residents, together with CBHE, are concerned about a range of issues and impacts that may arise from the development, including the loss of the car park, design and visual impact, its effect on neighbours and the current and future traffic and congestion problems on the local highway network.

However, officers consider that the proposed redevelopment of the site would provide a high quality residential development which would be a positive contribution to the town centre environment, whilst also responding appropriately to the more suburban environment to the east. The site is currently occupied by an under utilised car park a, derelict former library site and a block of flats with no architectural merit and is of low value in terms of its contribution to the surrounding environment. The redevelopment of the site would significantly enhance the urban environment in terms of material presence, attractive streetscape, well-defined routes, access and new public open space.

The proposed buildings are considered to be of high quality architectural merit and the development as a whole displays a high quality approach to its design. It would introduce an exciting new landmark towards the approach to Harrow town centre, helping to reaffirm the Metropolitan Centre status of the town, and would make a significant contribution to economic development and regeneration objectives.

The proposed mix of uses and form of development would be broadly consistent with the terms of the allocated site identified as Site 22 in the Harrow & Wealdstone Area Action Plan (2013). The density of the proposed development together with the restrained provision of on-site car parking is considered to be appropriate in this location of very high public transport accessibility.

The proposal would secure the provision of onsite affordable housing and promote housing choice through a range and mix of unit types, including family sized units and 72 private rented units which are identified as a key priority in the London Plan (2015). Overall, the number of units proposed would positively add to the Council's housing delivery targets. The development would also generate new community and employment space.

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.

For all these reasons and weighing up the development plan policies and proposals and other material considerations, it is recommended that planning permission be granted subject to the completion of a Planning Obligation under section 106 of the Town and Country Planning Act 1990 (as amended) and the following conditions:

CONDITIONS

General Conditions

1 The development hereby approved shall be begun before the expiration of three years from the date of this planning permission.

REASON: To comply with the provisions of section 91 of the Town and Country Planning Act 1990.

2 Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the approved drawings and documents.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Local Plan (2013).

Pre-Commencement Conditions

3 No development shall take place, including any works of demolition, until a demolition and construction logistics plan has first been submitted to, and agreed in writing by, the local planning authority. The plan shall detail the arrangements for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in construction the development;
- d) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- e) wheel washing facilities; and
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- g) measures for the control and reduction of dust
- h) measures for the control and reduction of noise and vibration.

The demolition and construction of the development shall be carried out in accordance with the plan so agreed.

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, in accordance with Policies 7.14 and 7.15 of the London Plan (2015) and Policy DM1 of the Local Plan (2013) and 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). To ensure that measures are agreed and in place to manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts 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 construction and site waste management plan, setting out arrangements for the handling of excavation, demolition and construction waste arising from the development, and to make provision for the recovery and re-use of salvaged materials wherever possible, has been

submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plan or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure that waste management on the site is addressed from construction stage and to promote waste as a resource, in accordance with Policy CS1 X of the Core Strategy (2012). 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 construction management strategy, to include details of cranes and other tall construction equipment (including obstacle lighting) has been submitted to, and agreed in writing by, the local planning authority. The construction of the development shall be carried out in accordance with the strategy so agreed.

REASON: To ensure that construction work and construction equipment associated with the development does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter and receiver systems, in accordance with Policy 7.7 of the London Plan (2015). To ensure that measures are agreed and in place to avoid any obstruction to air traffic and to safeguard the integrity of air traffic operational systems during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

6 No development shall take place, other than works of demolition, until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include measures to prevent water pollution and details of SuDS and their management and maintenance. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited, in accordance with London Policies 5.13 & 5.15 of the London Plan (2015) and Policy AAP 9 of the Local Plan (2013). To ensure that measures are agreed and built-in to the development to manage and reduce surface water run-off, this condition is a PRE-COMMENCEMENT condition.

7 No development shall take place, other than works of demolition, until a foul water drainage strategy, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the agreed drainage strategy has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, in accordance with Policy 5.14 of the London Plan (2015) and Harrow Core Strategy Policy CS1, and to ensure that the development would be resistant and resilient to foul water flooding in accordance with Policy AAP 9 of the Local Plan (2013). To ensure that measures are agreed and put in place to dispose of foul water arising from the development, this condition is a PRE-COMMENCEMENT condition.

8 No development shall take place, other than works of demolition, until a detailed Method Statement for removing the Japanese Knotweed on site has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To safeguard the ecology and biodiversity of the area, in accordance with the

requirements of the National Planning Policy Framework (2012) , London Plan policy 7.19 and Core Strategy policy CS1. To ensure that measures are agreed and put in place to remove Japanese Knotweed and to prevent further contamination on and off site, this condition is a PRE-COMMENCEMENT condition.

9 No site works or development shall commence (other than demolition works) until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, have been submitted to, and agreed in writing by the local planning authority. The development shall be carried out in accordance with the details so agreed.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with Policies AAP 1, AAP 4, AAP 9, and AAP19 of the Harrow and Wealdstone Area Action Plan (2013) and policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013). To ensure that appropriate site levels are agreed before the superstructure commences on site, this condition is a PRE-COMMENCEMENT condition.

10 The development hereby permitted shall not be commenced (other than works of demolition) until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- Provide details on all structures
- Accommodate the location of the existing London Underground structures
- Demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- Demonstrate that there will at no time be any potential security risk to our railway, property or structures.
- Accommodate ground movement arising from the construction thereof
- Mitigate the effects of noise and vibration arising from the adjoining operations within the structures.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with table 6.1 of The London Plan (2015) and 'Land for Industry and Transport' Supplementary Planning Guidance 2012. To ensure that all underground works, including the basement and foundations that must be undertaken in the early part of the works would not impact on transport infrastructure, this condition is a PRE-COMMENCEMENT condition.

11 The development hereby permitted shall not be commenced (other than works of demolition) until details of the cycle parking spaces on the site and their phased delivery alongside the development has been submitted to and approved in writing by The Local Planning Authority. The cycle parking shall be implemented on site for the sole use of the development in accordance with the phasing details and shall be retained for the lifetime of the development.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy 6.9B of The London Plan 2015 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013). To ensure that cycle parking facilities would be available for all users of the site on immediate occupation of any of the buildings, this is a PRE-COMMENCEMENT condition.

12 The development hereby permitted shall not be commenced (other than works of demolition) until details have been submitted and approved in writing by the local planning authority for all Non-Road Mobile Machinery (NRMM) to be used on the development site. All NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIB equipment is not available. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.

REASON: To ensure that the development would not result in a deterioration of air quality in accordance with policy 7.14 of The London Plan, policy DM1 of the Harrow Development Management Policies Local Plan (2013) and policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013). To ensure that suitable vehicles would be used during the construction process, this is a PRE-COMMENCEMENT CONDITION.

13 Prior to the commencement of development (other than works of demolition) detailed elevations of the substation shall be submitted and approved in writing by the local planning authority.

REASON: To ensure that this aspect of the development would have an acceptable impact on the character and appearance of the area and visual amenities of the neighbouring occupiers in accordance with Policies 7.4 and 7.6 of the London Plan (2015) and policies DM 1 and AAP 4 of the Local Plan (2013). To ensure the details are agreed before the structure is built on site, this is a PRE COMMENCEMENT CONDITION.

Progression Point Conditions

14 Notwithstanding the details shown on the approved drawings, the development shall not progress beyond damp proof course level until samples of the materials (or appropriate specification) to be used in the construction of the external surfaces noted below have been submitted to, and agreed in writing by, the local planning authority:

- a) facing materials for the buildings
- b) windows/ doors
- c) Inset and projecting balconies including privacy screens
- d) porches
- e) boundary treatment including all pedestrian/ access gates
- f) ground surfacing

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 is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Local Plan (2013).

15 The development hereby approved shall not progress beyond damp proof course level until two x 1:1 sample mock-ups of the single storey bay, to include windows opening and two brick piers to be used in the external faces of the buildings have been erected on site (or at such other location(s) as may be agreed in writing by the local

planning authority) and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details, samples and drawings so agreed and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Local Plan (2013).

16 The development hereby approved shall not progress beyond damp proof course level until details of any extraction flues, ventilation systems, and rainwater disposal systems (including downpipes) have been submitted to and approved in writing by the Local Planning Authority before the commencement of any work above DPC level of the buildings hereby permitted is carried out. The application shall be implemented in full accordance with such details and be maintained thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Local Plan (2013).

17 The development hereby approved shall not progress beyond damp proof course level until a specification of the combined heat and power plant, and arrangements for testing the emissions from the plant, have been submitted to, and agreed in writing by, the local planning authority. The aforementioned arrangements shall include a timetable for testing the plant and for reporting the test results to the local planning authority for the authority's approval in writing. The combined heat and power plant shall be installed and thereafter retained in accordance with the specification so agreed, and the testing shall be carried out in accordance with the arrangements so agreed. In the event that the local planning authority does not approve the test results, such remedial action as shall be specified in writing by the local planning authority shall be carried out no later than a date as shall be specified in writing by the local planning authority.

REASON: To ensure that the emissions from the combined heat and power system comply with the standards published at Appendix 7 of the Mayor of London's Sustainable Design & Construction supplementary planning document (2014) (or such appropriate standards as may supersede them) and that the development is consistent with the provisions of Policy 7.14 of the London Plan (2015).

18 The development hereby approved shall not progress above damp proof course level until a specification and drawings of the external part of the flue of the combined heat and power system has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the external part of the flue of the combined heat and power system complies with the standards published at Appendix 7 of the Mayor of London's Sustainable Design & Construction supplementary planning document (2014) (or such appropriate standards as may supersede them) in accordance with the provisions of Policy 7.14 of the London Plan (2015), and to ensure that flue would not be detrimental to the design and appearance of the development or detrimental to the amenity of future occupiers of the development in accordance with the provisions of Policy DM 1 of the Local Plan (2013).

19 The development hereby approved shall not progress beyond basement level until details of privacy screens to be installed to the balconies/terraces and roof top terraces and their locations across the development have first been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in

accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings, in accordance with Policy 7.6 of the London Plan (2015) and Policy DM 1 of the Development Management Policies Local Plan (2013).

20 The development hereby approved shall not progress beyond basement level until a report identifying those residential premises within the development that require mitigation of external noise levels and detailing the mitigation required to achieve satisfactory noise levels within those premises (and to their private balcony areas, where relevant) has first been submitted to, and agreed in writing by, the local planning authority. The report shall also detail the arrangements for ventilating the residential premises so identified. The development shall be carried out in accordance with the report so agreed, and shall be retained as such thereafter.

REASON: To ensure that potential adverse noise impacts to residential premises within the development are mitigated in accordance with Policy 7.15 of the London Plan (2015), and to ensure a high standard of amenity for future occupiers in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

21 The development hereby approved shall not progress beyond basement level until details of the lighting of all public realm and other external areas (including buildings) within the site has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of residential quality in accordance with Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013) and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with policy DM 20 of the Harrow Development Management Policies Local Plan (2013).

22 The development hereby approved shall not progress beyond basement level until a scheme for the hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, raised planters and external seating, has been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacture. The hard and soft landscaping details shall demonstrate how they would contribute to privacy between the approved private terraces and the public pedestrian route, and communal garden/open space areas. The scheme shall also include proposed finished levels, means of enclosure circulation areas, minor artefacts and structures (such as play equipment, furniture, temporary refuse storage area and signs). The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy 7.4B of The London Plan (2015), policy CS.1B of the Harrow Core Strategy (2012) and policies AAP 1 and AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

23 The development hereby approved shall not progress beyond basement level until proposals for increasing the availability of bird nesting places and bat boxes within the site have been submitted to, and agreed in writing by, the local planning authority. Bird nesting places shall cater for bird species identified in Table 6 of the Harrow Biodiversity Action Plan 2015-2020. The development shall be carried out in accordance with the proposals so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the Heart of Harrow, in accordance with Policies AAP 12 and DM 21 of the Local Plan (2013).

24 The development hereby approved shall not progress beyond basement level until details of the provision of green/biodiverse roofs within the development have been submitted to, and agreed in writing by, the local planning authority. The green/biodiverse roofs shall be designed to contribute to the creation of appropriate habitats targeted in London Plan Table 7.3 and/or the Harrow Biodiversity Action Plan 2015-2020 and the details to be submitted shall comprise:

- a) identification of the roof areas to be used for the provision of green/biodiverse roofs;
- b) details of the planting to be used; and
- c) details of the maintenance including irrigation.

The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the Heart of Harrow, in accordance with Policies AAP 12 and DM 21 of the Local Plan (2013).

25 The development hereby permitted shall not progress beyond basement level until details of ecological enhancement measures within the site, in accordance with the recommendations of the Ecological Appraisal prepared by Aspect Ecology (dated April 2016), have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the Heart of Harrow, in accordance with Policies AAP 12 and DM 21 of the Local Plan (2013).

26 The development hereby approved shall not progress beyond basement level until a strategy for the efficient use of mains water within the residential parts of the development, pursuant to a water consumption limit of 110 litres per person per day, has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the strategy so agreed and shall be retained as such thereafter.

REASON : To ensure that the development makes efficient use of mains water in accordance with Policy 5.13 of the London Plan (2015) and Policy DM 10 of the Local Plan (2013).

27 Within 1 month following completion of measures identified in the remediation scheme set out in the contaminated land report, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with

Policy 5.21 of the London Plan 2015 and Policy DM 15 of the Harrow Development Management Policies Local Plan 2013.

28 The development hereby approved shall not progress above podium slab level until a report evaluating the risk of glare from the development and proposing any necessary mitigation has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with any necessary mitigation so agreed, and shall be retained as such thereafter.

REASON : To ensure that the tall buildings on the site do not adversely affect their surroundings in terms of glare, in accordance with Policy 7.7 of the London Plan (2015).

Pre-Occupation Conditions

29 The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the soft landscaping within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with the Heart of Harrow, in accordance with Policies DM22, AAP 7 and AAP 12 of the Local Plan (2013), and to ensure a high standard of design, layout and amenity in accordance with Policy DM1 of the Local Plan.

30 The non-residential premises hereby approved shall not be first occupied and used without the local planning authority's prior agreement, in writing, of the following details:

- a) a scheme for the projection of amplified sound to customers, neighbouring residents (including future occupiers) and other members of the public inside and (where relevant) outside of the building;
- b) any externally situated plant and/or other machinery;
- c) any externally situated temporary or permanent furniture, means of enclosure and other equipment associated with the extension of commercial activity outside of the building.

The occupation and use of the ground floor, including any part thereof, shall be carried out in accordance with the notification and details so agreed until such time as a material change of use occurs that is authorised either by any statutory instrument, local development order or by the local planning authority granting of planning permission.

REASON: To ensure that the operation of the ground floor uses and any associated equipment, plant, machinery and/or outdoor activity is compatible with residential and visual amenity, in accordance with Policies AAP 18, DM 1 and DM 41 of the Local Plan (2013).

31 The residential premises hereby approved shall not be occupied until play equipment has been installed on the site in accordance with the play strategy contained within the approved Design and Access Statement Addendum and Landscape Strategy that shall first have been submitted to, and agreed in writing by, the local planning authority. Such details shall comprise: a specification of all play equipment to be installed including provision for children with disabilities and special sensory needs; a specification of the surface treatment within the play areas; and arrangements for ensuring the safety and

security of children using the play areas.

REASON: To ensure that the development makes appropriate provision for play and informal recreation in accordance with Policy 3.6 of the London Plan (2015) and Policies AAP 11 and DM 28 of the Local Plan (2013).

32 The residential premises hereby approved shall not be occupied until a Parking Management Plan has first been submitted to, and agreed in writing by, the local planning authority. The plan shall: identify the electric vehicle charging point spaces that are to be provided within the basement car park as 'active' spaces and those as 'passive' spaces; detail the allocation of a disabled person's parking space within the basement car park to each wheelchair home within the development; detail the allocation of general parking spaces within the development; detail the management of general vehicle access across the site and detail the provision of cycle parking for staff/visitors of the non-residential premises and visitors to the development. The development shall be carried out in accordance with the plan so agreed and shall be retained as such thereafter.

REASON: To ensure that the development provides sufficient electric vehicle charging points and adequate, secure and (where appropriate) weather protected cycle parking in accordance with London Plan Policies 6.9 and 6.13 and Local Plan Policy AAP 19, and contributes to the achievement of a lifetime neighbourhood in accordance with London Plan Policy 7.1 and Policy DM 2 of the Local Plan (2013).

33 The non-residential premises hereby approved shall not be first occupied until a Delivery and Servicing Plan has first been submitted to, and agreed in writing by, the local planning authority. Use of the non-residential premises shall adhere to the plan so agreed.

REASON: To ensure that the transport network impact of deliveries associated with non-residential uses within the development is managed in accordance with Policy 6.3 of the London Plan (2015).

34 The development shall be undertaken in accordance with the approved Sustainability Statement and Energy Strategy. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Energy Statement (dated 14 January 2016) (including addendum one (Ref: EMS100, dated 22nd March 2016) and addendum two (Ref: EMS100, dated 1st April 2016) by Silver) which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework 2012, policies 5.2.B/C/D/E of The London Plan (2015) and policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

35 Prior to the first occupation of any part of Building A, details of access control to the raised external amenity space within the 'working yard' landscaped space, as identified in the approved Landscape Strategy, shall be submitted and approved in writing by the local planning authority.

REASON: To prevent loss of privacy and to ensure that the development achieves a high standard of amenity for the adjacent future occupiers, in accordance with Policy 7.6 of the London Plan (2015), policy AAP4 of the Harrow and Wealdstone Area Action Plan (2013) and Policy DM 1 of the Local Plan (2013).

36 Prior to first occupation of the development, details of pedestrian, cycle and vehicle signage and wayfinding within the development shall be submitted and approved in

writing by the local planning authority.

REASON: To ensure the public realm within the development provides an inclusive, legible environment for all users in accordance with policy 7.1 of The London Plan and policy DM 2 of the Harrow Development Management Policies Local Plan (2013).

37 The development shall be carried out and completed in accordance with the details specified in the Crime Impact Statement. Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted and approved in writing by the local planning authority. The development shall be retained in accordance with the approved details.

REASON : In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policies 7.3 and 7.13 of the London Plan (2015) and Policy AAP 4 of the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

38 Prior to the first occupation of the development, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON : To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces in accordance with Policy 7.4 of the London Plan (2015), Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013) and DM 49 of the Development Management Policies Local Plan (2013), and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

Other Conditions

39 The pedestrian gates located between buildings A and B and buildings B and C shall remain fully open between the hours of 06:00 and 23:00 hours.

REASON: To safeguard the appearance and character of the surrounding area and to maximise opportunities to increase pedestrian permeability, in accordance with policy 7.4.B of The London Plan 2015 and ensure a high standard of residential quality in accordance with Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

40 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing plans.

REASON: To safeguard the appearance and character of the surrounding area, in accordance with policy 7.4.B of The London Plan 2011 and ensure a high standard of residential quality in accordance with Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

41 Notwithstanding the provisions of Part 16 (Communications) to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and replacing that Order with or without modification, no development that would otherwise be permitted by that part of the Order (or the equivalent provisions of any replacement Order) shall be carried out without planning permission having first been

obtained by the local planning authority.

REASON: To ensure that the development preserves the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4 and AAP 6 of the Harrow and Wealdstone Area Action Plan (2013).

42 Any telecommunications apparatus, extraction plant, air conditioning units and any other plant or equipment that is required on the exterior of the buildings shall be installed in accordance with details that shall first have been submitted to, and agreed in writing by, the local planning authority. The details shall include: proposals for communal provision of television receiving equipment, wherever possible; siting; appearance; any arrangements for minimising the visual impact; and any arrangements for mitigating potential noise and vibration.

REASON : To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2015) and Policies AAP 4, AAP 6 and DM 49 of the Local Plan (2013), to safeguard the setting of the Harrow-on-the-Hill and the Harrow Weald Ridge in accordance with Policy AAP 8 of the Local Plan, and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with Policy DM 1 of the Local Plan (2013).

43 If the development hereby permitted commences during the bird breeding season (March to August) inclusive trees and buildings in the vicinity of the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be located, time must be allowed for birds to fledge and the nest should not be disturbed during building works.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policies DM 21 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

44 The residential premises hereby approved shall each be provided with a storage space in accordance with standard 4.7.1 of the Mayor of London's Housing SPG (2012) unless otherwise agreed in writing by the local planning authority.

REASON : To ensure that the development achieves a high standard of residential quality for future occupiers of the development in accordance with Policy 3.5 of the London Plan (2015) and Policies AAP 4 and DM 1 of the Local Plan (2013).

45 Unless otherwise agreed in writing by the local planning authority, the non-residential premises hereby approved shall only be open to the public between: 7am and 11pm on Mondays to Fridays; 7am, to 12am on Saturdays; and 8.30 am and 10.30pm on Sundays and Bank Holidays.

REASON : To ensure that the operation of the ground floor uses is compatible with residential amenity, in accordance with Policies AAP 18, DM 1 and DM 41 of the Local Plan (2013).

46 Deliveries to any non-residential uses within the development shall take place only between the hours of 06:30 and 23:00 on Mondays to Saturdays and between the hours of 08:30 and 22:00 on Sundays and Bank Holidays, unless otherwise agreed in writing by the local planning authority.

REASON : To ensure that the noise impact of deliveries associated with non-residential uses within the development is minimised and that the development achieves a high standard of amenity for future and the neighbouring occupiers, in accordance with Policy

7.15 of the London Plan (2015) and Policy DM 1 of the Local Plan (2013).

47 Any rollershutters, gates and other means of controlling access to the basement car park shall not be first installed until details of their appearance and measures for mitigating noise associated with their operation have first been submitted to, and agreed in writing by, the local planning authority. Such rollershutters, gates and other means of controlling access to the basement shall be installed in accordance with the details so agreed and shall be retained as such thereafter.

REASON : To ensure that the development achieves a high standard of design, that the noise impact of any rollershutters, gates and other means of controlling access to the basement car park and loading bay is minimised and that the development achieves a high standard of amenity for future and the neighbouring occupiers, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM 1 of the Local Plan (2013).

48 All hard landscaping shall be carried out prior to the occupation of any part of the development or in accordance with a programme first agreed in writing by the local planning authority. All soft landscaping works including planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out no later than the first planting and seeding season following the final occupation of the residential parts of the buildings, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged, diseased or defective, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON : To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with the Heart of Harrow, in accordance with Policies DM22, AAP 7 and AAP 12 of the Local Plan (2013), and to ensure a high standard of design, layout and amenity in accordance with Policy DM1 of the Local Plan.

49 No more than 30% of the mixed flexible space within the ground floor of building A hereby approved shall be used for A3 purposes.

REASON: To ensure that the development would be primarily used for B1 and D1 purposes in accordance with the requirements of the site allocation 22 within the Harrow and Wealdstone Action Plan (2013).

50 The rating level of noise emitted from any plant, machinery and equipment on the site, including within the electrical substation, 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 BS 4142:2014. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation. Before any plant is used, 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 be approved in writing by the Local Planning Authority.

REASON : To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings, in accordance with Policy 7.6 of the London Plan (2015) and Policy DM 1 of the Local Plan (2013).

51 The development shall be carried out and completed in accordance with the

recommendations of the approved Noise Report Ref: GA-2013-0064-R1-Rev A (dated 12th January 2016) by Grant Acoustics and all internal building spaces shall meet the noise predictions identified within the Noise Report.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of the development, in accordance with Policy 7.6 of the London Plan (2015) and Policy DM 1 of the Local Plan (2013).

52 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 5.21 of the London Plan 2015 and Policy DM 15 of the Harrow Development.

53 A minimum of 10% of the units shall be built in accordance with Building Regulation standard M4 (3) 'Wheelchair User Dwellings'. All other residential units in this development, as detailed in the submitted and approved drawings, shall be built to Building Regulation Standard M4 (3) 'Accessible and adaptable dwellings'. The development shall be thereafter retained to those standards.

REASON : To ensure provision of 'Wheelchair and Accessible and adaptable' housing in accordance with policies 3.8 and 7.2 of The London Plan (2015), Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013) and the Council's adopted Supplementary Planning Document: Accessible Homes (2010).

INFORMATIVES

1 INFORMATIVE: SUMMARY OF REASONS FOR GRANT OF PLANNING

PERMISSION:

The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and-or the Harrow Local Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan: 2.13, 2.15, 3.3, 3.4, 3.5, 3.6, 3.8, 3.11, 3.12, 3.16, 4.7, 4.8, 4.9, 5.1, 5.2, 5.3, 5.5, 5.6, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.18, 5.21, 6.1, 6.3, 6.9, 6.10, 7.1, 7.4, 7.5, 7.6, 7.7, 7.8, 7.13, 7.14, 7.15, 7.18, 7.19, 7.21, 8.2.

Harrow Core Strategy: CS1, CS2;

Area Action Plan: AAP 1, AAP 4, AAP 6, AAP 5, AAP 7, AAP 8, AAP 9, AAP 10, AAP 11, AAP 12, AAP 13, AAP 19, AAP 20, AAP Site Allocation 22;

Development Management Policies: DM 1, DM 2, DM 3, DM 6, DM 7, DM 10, DM 12, DM 14, DM 13, DM 15, DM 19, DM 21, DM 22, DM 28, DM 41, DM 42, DM 43, DM 44, DM 45, DM 46 DM 49, DM 50, Schedule 3.

Supplementary Planning Guidance:

Supplementary Planning Document – Access for All (2006)

Supplementary Planning Document - Accessible Homes (2010)

Supplementary Planning Document – Planning Obligations (2013)

2 INFORMATIVE:

Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract a liability payment of **£1,067,640** 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 **£1,067,640** for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of **30,503 sqm**.

You are advised to visit the [planningportal](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

3 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 **£3,350,560**

4 INFORMATIVE:

The applicant is encouraged to liaise with the Council during the construction of the development to ensure, insofar as possible, that the wheelchair homes are fitted-out to meet the needs of their first occupiers.

5 INFORMATIVE:

Thames Water advises that, with regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommend that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Servicers will be required. They can be contacted on 0800 009 392.

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 is advised to contact London Underground Infrastructure Protection in advance of the preparation of detailed designs and method statements pursuant to condition 7. In particular, with regard to: demolition; drainage; excavation; construction methods; use of tall plant; security; boundary treatment; safety barriers; landscaping and lighting.

8 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.

9 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.

10 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.

11 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

12 INFORMATIVE:

The relevant traffic order will impose a restriction making residential occupiers of this building ineligible for resident's parking permits in the surrounding controlled parking zone.

13 INFORMATIVE:

Notwithstanding the note on your submitted plan(s), this decision has been made on the basis of measurements scaled from the plan(s), unless a dimensioned measurement overrides it.

14 INFORMATIVE:

The developer shall ensure that prior to first occupation of any of the residential buildings and the flexible community/commercial space, the on-site arrangements (including the provision of suitable collection containers) for the disposal of general waste and recyclable materials shall be available and operative.

15 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.

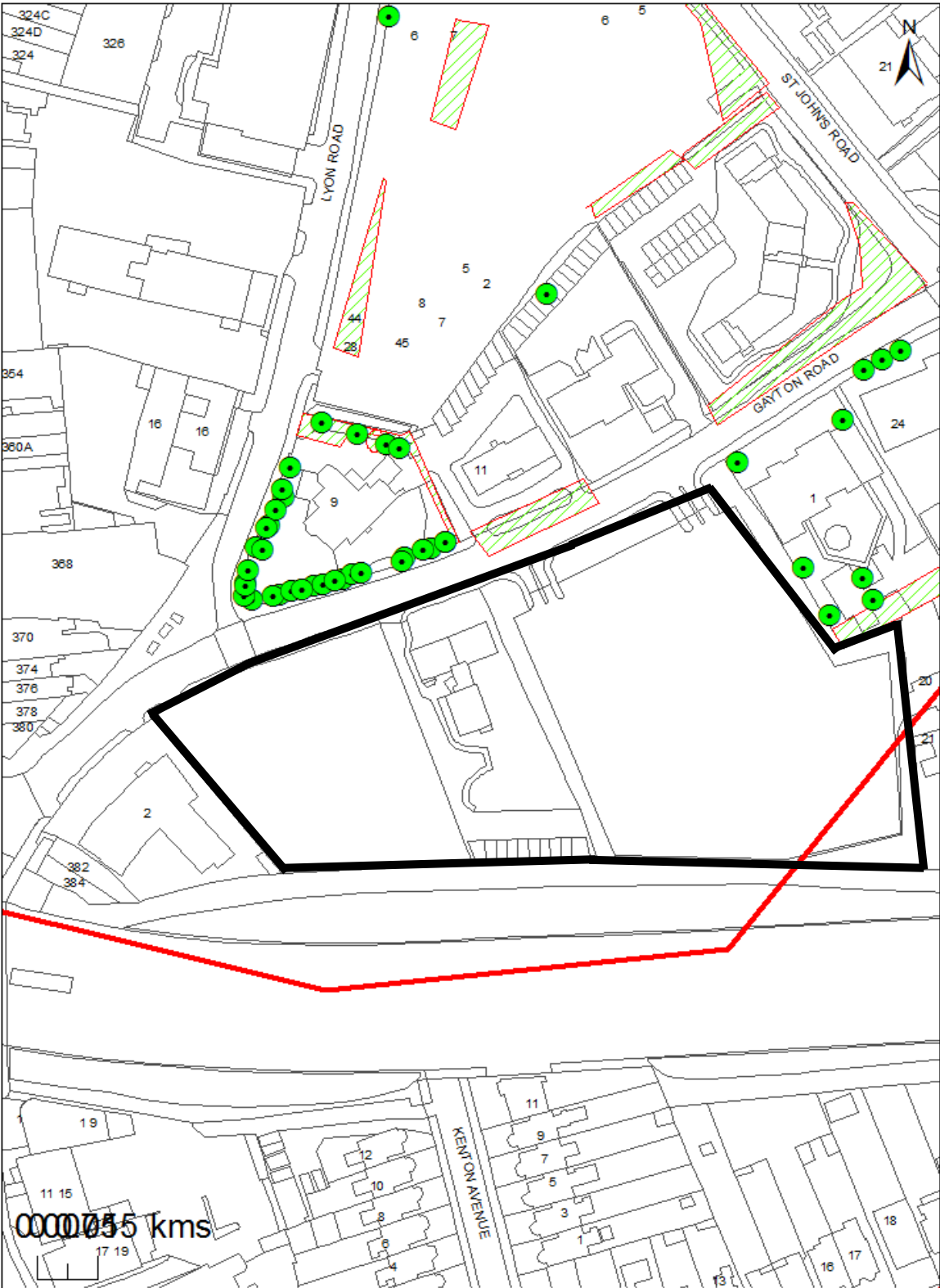
16 INFORMATIVE:

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.

Plan Nos: MLUK-461-A-P-XX-0100; MLUK-461-A-P-XX-0120; MLUK-461-A-P-XX-01250; MLUK-461-A-P-XX-0140 Rev A; MLUK-461-A-P-XX-0145; MLUK-461-A-P-XX-1099 Rev A; MLUK-461-A-P-XX-1100 Rev A; MLUK-461-A-P-XX-1101 Rev A; MLUK-461-A-P-XX-1102 Rev A; MLUK-461-A-P-XX-1103 Rev A; MLUK-461-A-P-XX-1104 Rev A; MLUK-461-A-P-XX-1105; MLUK-461-A-P-XX-1106; MLUK-461-A-P-XX-1107; MLUK-461-A-P-XX-1108; MLUK-461-A-P-XX-1109; MLUK-461-A-P-XX-1110; MLUK-461-A-P-XX-1111; MLUK-461-A-P-AX-1120 Rev A; MLUK-461-A-P-AX-1121; MLUK-461-A-P-AX-1122; MLUK-461-A-P-AX-1123; MLUK-461-A-P-AX-1124; MLUK-461-A-P-AX-1125 Rev A; MLUK-461-A-P-AX-1126; MLUK-461-A-P-AX-1127; MLUK-461-A-P-AX-1128; MLUK-461-A-P-BX-1140 Rev A; MLUK-461-A-P-BX-1141; MLUK-461-A-P-BX-1142; MLUK-461-A-P-BX-1143; MLUK-461-A-P-BX-1144; MLUK-461-A-P-BX-1145; MLUK-461-A-P-BX-1146 Rev A; MLUK-461-A-P-BX-1147; MLUK-461-A-P-BX-1148; MLUK-461-A-P-BX-1149; MLUK-461-A-P-BX-1150; MLUK-461-A-P-BX-1151; MLUK-461-A-P-CX-1159 Rev A; MLUK-461-A-P-CX-1160 Rev A; MLUK-461-A-P-CX-1161; MLUK-461-A-P-CX-1162; MLUK-461-A-P-CX-1163; MLUK-461-A-P-CX-1164; MLUK-461-A-P-CX-1165; MLUK-461-A-P-CX-1166 Rev A; MLUK-461-A-P-CX-1167; MLUK-461-A-P-CX-1168; MLUK-461-A-P-CX-1169; MLUK-461-A-P-CX-1170; MLUK-461-A-P-CX-1171; MLUK-461-A-P-DX-1179 Rev A; MLUK-461-A-P-DX-1180 Rev A; MLUK-461-A-P-DX-1181 Rev A; MLUK-461-A-P-DX-1182 Rev A; MLUK-461-A-P-DX-1183 Rev A; MLUK-461-A-P-DX-1184 Rev A; MLUK-461-A-P-DX-1185; MLUK-461-A-P-DX-1186; MLUK-461-A-P-DX-1187; MLUK-461-A-P-DX-1188; MLUK-461-A-P-AX-3120; MLUK-461-A-P-AX-3121 Rev A; MLUK-461-A-P-AX-3122 Rev A; MLUK-461-A-P-BX-3140 Rev A; MLUK-461-A-P-BX-3141 Rev A;

MLUK-461-A-P-BX-3142 Rev A; MLUK-461-A-P-BX-3143 Rev A; MLUK-461-A-P-CX-3160; MLUK-461-A-P-CX-3161 Rev A; MLUK-461-A-P-CX-3162 Rev A; MLUK-461-A-P-CX-3163 Rev A; MLUK-461-A-P-CX-3164 Rev A; MLUK-461-A-P-DX-3180 Rev A; MLUK-461-A-P-DX-3181 Rev A; MLUK-461-A-P-DX-3182 Rev A; MLUK-461-A-P-DX-3183 Rev A; MLUK-461-A-P-XX-3800; MLUK-461-A-P-XX-3801; MLUK-461-A-P-XX-3802; MLUK-461-A-P-XX-3803; MLUK-461-A-P-XX-3804; MLUK-461-A-P-XX-3805 Rev A; MLUK-461-A-P-XX-3806; MLUK-461-A-P-XX-3807; MLUK-461-A-P-XX-3808 Rev A; MLUK-461-A-P-XX-4009 Rev A; MLUK-461-A-P-XX-4010 Rev A; MLUK-461-A-P-XX-4019 Rev A; MLUK-461-A-P-XX-4020 Rev A; MLUK-461-A-P-XX-4029 Rev A; MLUK-461-A-P-XX-4030 Rev A; MLUK-461-A-P-XX-4039 Rev A; MLUK-461-A-P-XX-4040 Rev A; MLUK-461-A-P-XX-4049 Rev A; MLUK-461-A-P-XX-4050 Rev A; MLUK-461-A-P-XX-5100; MLUK-461-A-P-XX-5131; MLUK-461-A-P-XX-5160; MLUK-461-A-P-XX-5300; MLUK-461-A-P-XX-5330; MLUK-461-A-P-XX-5360; MLUK-461-A-P-XX-5190; MLUK-461-A-P-XX-5191; MLUK-461-A-P-XX-5390; 268_001; 268_002; 268_003; Landscape Strategy Report by Adams & Sutherland; Air Quality Assessment Ref: 773458-REP-ENV-001 Rev 0 (dated January 2016) by MLM Environmental; Arboricultural Report by Ian Keen Ref: JTK/8883/so; Archaeological Desk Based Assessment by CgMs (dated July 2015) Ref: DH/KB/17146; Daylight & Sunlight Report (dated 14th January 2016) by CHP Surveyors; Geotechnical and Geoenvironmental interpretative report including Appendices A to K (dated January 2016); Energy Statement by Silver (dated 14th January 2016); Addendum to Energy Statement Ref: EMS100, dated 22nd March 2016; Energy Addendum 2 Response to GLA Ref: EMS100 (dated 1st April 2016); Flood Risk Assessment (dated January 2016) by Aecom; Heritage Impact Assessment Ref : 14893/IR/And by Nathaniel Lichfield & Partners; Acoustic Report Ref: GA-2013-0064-R1-Rev A (dated 12th January 2016) by Grant Acoustics; Statement of Community Involvement by Curtain & Co (dated January 2016); Transport Assessment (including Appendices) A-G by AECOM (dated January 2016); Site Travel Plan by AECOM (dated January 2016); Townscape and Visual Impact Assessment & Appendices 2A & 2B (dated January 2016) by Nathaniel Lichfield & Partners; Waste Management Statement Rev 0 (dated January 2016); Design and Access Statement by Maccreanor Lavington (dated January 2016); Ecological Appraisal by Aspect Ecology Ref: ECO4352.EcoApp.vf2 (dated April 2016); Sustainability Statement by Silver (dated 14th January 2016); FNH366/07/100 Rev B; Planning Statement by Fairview Homes, dated April 2016); MLUK-461-SK-160509-001

SONIA COURT, GAYTON ROAD CAR PARK, FORMER LIBRARY SITE, GAYTON ROAD, HARROW



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SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

ITEM NO: 2/01
ADDRESS: 92-108 GREENFORD ROAD, HARROW
REFERENCE: P/1141/16
DESCRIPTION: REPLACEMENT OUTBUILDING (DEMOLITION OF OUTBUILDING)
WARD: HARROW-ON-THE-HILL
APPLICANT: MR SIMON GORRINGE (W. HANSON HARROW LTD)
AGENT: OAKMAN ARCHITECTURE LTD
CASE OFFICER: GRAHAM MANSFIELD
EXPIRY DATE: 11TH MAY 2016

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to condition(s).

INFORMATION

This application is reported to planning committee due to the site area being 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: Minor

Council Interest: None

Gross Existing Floorspace: Approx 350sqm

Net additional Floorspace: Approx -75sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A

Harrow CIL: N/A

Site Description

- The application site is a 0.2 hectare site located on the south east side of Greenford Road which currently operates as a builders merchant known as W Hanson (Harrow) ltd.
- The site has been historically been used as industrial and commercial purposes since the 1940's.
- The site is predominately open but contains a variety of outbuildings used for storage of materials and an ancillary building used as a shop and office
- The site is bounded by another builders yard to the south west currently operated by Travis Perkins PLC, the rear of properties on New Road to the North East and Sudbury Hill Playing Fields (controlled by the London Borough of Brent) to the South West.

- The character of the area is mixed with Victorian terraces fronting Greenford Road to the north and a mixture of 1930's and 1960's purpose built residential blocks on the north west side of Greenford Road
- The site is not located within a conservation area and there are no other site constraints

Proposal Details

- It is proposed to demolish and replace the existing single storey outbuilding located in the North East corner of the application site, adjacent to the rear boundaries of properties on New Road
- The replacement outbuilding would occupy a similar footprint to the existing outbuilding on site and would be located approximately 40.0m from the front of the site.
- The existing outbuilding is 14.5m in width and 25.6m in depth. The replacement outbuilding would be 24.0m in length and 11.4m in width.
- The height of the outbuilding would be higher than the existing building on site which is 4.3m high and would maintain a hipped style roof which would be 4.7m to the eaves and a total height of 6.1m.
- The proposed materials would match the existing building on site and would be composed of a green prefabricated metal.

Revisions to Previous Application

- N/A

Relevant History

LBH/11295/1

Erection of Two Single Storey Buildings for Office, Shop and Store

GRANTED -15/04/1976

LBH/21368

Retention of Buildings and Continued Use as Builders Yard

GRANTED - 07/10/1982

WEST/15/94/FUL

Replacement Detached Warehouse Building

GRANTED - 19/04/1994

WEST/601/97/FUL

Detached Warehouse Building

GRANTED - 13/11/1997

Applicant Submission Documents

- Design and Access Statement

Summary of Design and Access Statement

- Proposed building is to be used as B8 Storage and Distribution
- There is a decrease in overall floorspace of 75sqm
- Scale and layout of building would be similar to what is already on site

Consultations

- London Borough of Brent – No Response

- Highways – No Objections

Advertisement

- Site Notice – Expiry Date: 25/04/2016

Notifications

Sent: 12

Replies: 0

Expiry: 10/05/2016

Addresses Consulted

90 Greenford Road, Harrow, HA1 3QL

92 Greenford Road, Harrow, HA1 3QL

94 Greenford Road, Harrow, HA1 3QL

Travis Perkins Plc 112-114 Greenford Road, Harrow, HA1 3QL

110 Greenford Road, Harrow, HA1 3QL

Flats 1 to 3 St. Michaels Court, New Road, Harrow, HA1 3QY

7 New Road, Harrow, HA1 3QJ

9 and 9a New Road, Harrow, HA1 3QJ

11 New Road, Harrow, HA1 3QJ

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.’

In this instance, the Development Plan comprises The London Plan 2015, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

The policies relevant to this application and themes are set below and at the end of this report at Informative 1.

MAIN CONSIDERATIONS

Principle of Development - *DMP: DM31*

Character and Appearance of the Area - *LP: 7.4, 7.6, DMP: DM1, SPD: Residential Design Guide*

Residential Amenity - *LP: 7.6, DMP: DM1*

Critical Drainage - *DMP: DM10*

Traffic & Parking - *DMP: DM42*

Equality and Human Rights

Crime and Disorder Act - *LP: 7.3, DMP: DM1*

Consultation Responses

Principle of Development

Policy DM 31 a supports proposals for the intensification, renewal and modernisation of

existing industrial and business floor space where the development complies with other relevant policy considerations and the new industrial or business floorspace allows for future flexibility for small businesses. The proposed development would be acceptable in regards to policy DM31.

Character and Appearance of the Area

The National Planning Policy Framework 2012 advises at paragraph 58 that 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 proposed outbuilding would largely replicate the footprint of the existing building. However, the replacement building would be slightly smaller resulting in a loss of floorspace of approximately 75sqm. The proposed outbuilding would be higher than the existing outbuilding on site, it is considered that the building would be proportionate and of a character that is typical of this type of land use. It is noted that similar buildings exist within the application site and the neighbouring building merchants located to the south east.

The Design and Access statement confirms that the materials of the proposed outbuilding would be identical to what already exists on site, being a pre-fabricated metal of a green colour. A condition has been attached to this permission requiring the materials of the replacement outbuilding to match the existing and surrounding buildings on site.

Given the above considerations, the proposed development, by reason of its satisfactory design, massing, bulk and height, would constitute a visually harmonious feature. As such, it is considered that the proposal would accord with policies 7.4.B and 7.6.B of The London Plan (2015), policy CS1.B/D of The Harrow Core Strategy 2012, policies DM1 of the Harrow Development Management Policies Local Plan 2013.

Residential Amenity

Policy 7.6B, subsection D, of The London Plan (2015) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Following on from this, Policy DM1 of the Development Management Policies Local Plan states that 'all development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted'.

As highlighted in Section One above the proposed replacement outbuilding would result in a net decrease in area by 75sqm. The replacement outbuilding would be 1.1m higher at the eaves and 1.8m at the maximum ridge height.

It is considered that the modest increase in height of the building would not be demonstrably worse than the existing relationship between the rear elevations of properties on New Road and the application site.

Due to the separation distances and the land uses to the south (neighbouring builders' merchants) and east (Sudbury Hill Playing Fields) it is considered that there would be little impact in terms of amenities.

In summary, the proposal respects the amenities of the neighbouring occupiers in accordance with Policy 7.6B of The London Plan (2015), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and guidance contained in the council's adopted Supplementary Planning Document: Residential Design Guide (2010).

Critical Drainage

The application site is located in a critical drainage area of Harrow. DM10 was introduced to address surface water run-off and flood risk from developments. The application would result in a net decrease in development footprint and therefore the potential for surface water run off rates would be neutral. Notwithstanding this sustainable surface water drainage systems are encouraged and as such an informative has been attached to this permission.

Traffic and Parking

The proposal has been considered by the Highways Department and it is deemed that the proposal would not impact upon the existing parking arrangements. Furthermore the proposal would not impact on Highway safety.

Therefore, it is considered that the proposed development would not unduly impact on the surrounding area in terms of traffic and parking.

Human Rights and Equalities

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

In determining this planning application the Council has regard to its equalities obligations under section 149 of the Equalities Act 2010. For the purposes of this report there are no adverse equalities issues arising from this proposal. However, it is noted that equality impact assessments play an important role in the formulation of planning policies; however their use in respect of this specific application is very much the exception rather than the norm. Taking proper account of the guidance contained in the London Plan Supplementary Guidance on Planning for Equality and Diversity in London (and in particular paragraph 2.6) the Council considers that there is no requirement for a Race Equalities Impact Assessment.

S17 Crime & Disorder Act

It is considered that the proposed development would not adversely impact upon community safety issues

Consultation Responses

N/A

CONCLUSION

The development would provide the existing business with improved facilities whilst maintaining the character and appearance of the site and the character of the area. Furthermore, the development would have a reasonable impact on the amenity of the neighbouring occupiers.

For all the reasons considered above, and weighing up the development plan policies and proposals and other material considerations, this application is recommended for **grant**. Appropriate conditions have been attached to ensure that the proposed extension would maintain the appearance of the surrounding Conservation Area.

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 shall match the existing materials used in the existing outbuilding and shall thereafter be retained.

REASON: To ensure the external materials of the development match those used in the existing outbuilding and site in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

3 The development hereby permitted shall be carried out in accordance with the following approved plans: Design & Access Statement; 001;002;101;102

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

National Planning Policy Framework 2012

The London Plan (2015)

7.2 An inclusive environment

7.4.B Local Character

7.6.B Architecture

The Harrow Core Strategy 2012

CS1.B Local Character

CS1D Local Character

Harrow Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

DM10 On Site Water Management & Surface Water Attenuation

DM31 Supporting Economic Activity and Development

DM 42 Parking Standards

Adopted Supplementary Planning Documents

Supplementary Planning Document Residential Design Guide 2010

2 INFORM_PF2

Grant without pre-application advice

Statement under Article 31 (1) (cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow has a pre-application advice service and actively encourages applicants to use this service.

Please note this for future reference prior to submitting any future planning applications.

3 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. (Include on all permissions involving building works where they could affect a public highway).

4 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 building
 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 SUDS

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 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 that the outbuilding hereby approved shall be used in connection with the builders merchants on site only. Please note a builders merchant use is Sui Generis and not Use Class B8 as stipulated in the planning application form.

Plan Nos: Design & Access Statement; 001;002;101;102

92-108 GREENFORD ROAD, HARROW



ITEM NO: 2/02

ADDRESS: JOHN LYON SCHOOL, MIDDLE ROAD, HARROW

REFERENCE: P/1020/16

DESCRIPTION: MODIFICATION TO SECTION 106 PLANNING OBLIGATION RELATING TO PLANNING PERMISSION WEST/695/94/FUL DATED 23RD JUNE 1995 (PRINCIPAL AGREEMENT) TO INCREASE THE NUMBER OF PUPILS ON ROLL FROM 525 TO 710 (PREVIOUSLY MODIFIED BY DEED OF VARIATION DATED 24.09.2007

WARD: HARROW ON THE HILL

APPLICANT: THE KEEPERS & GOVERNORS OF THE FREE GRAMMAR SCHOOL

AGENT: GATELEV PLC

CASE OFFICER: CATRIONA COOKE

EXPIRY DATE: 26/04/2016

RECOMMENDATION

APPROVE modification to the principal Section 106 Agreement dated 23rd June 1995 relating to the limitations of students numbers subject to the completion of a Deed of Variation. Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Deed of variation and to agree any minor amendments to the conditions or the legal agreement. The Deed of Variation would cover the following matters:

1. Under Second Schedule, paragraph 2 replace the limit on pupil numbers 525 (previously modified by deed of variation dated 24.09.2007 to 600 pupils) with 710.
2. To submit to the Council on an annual basis a plan indicating credible gradual improvement in the School Travel Plan [STP] performance.
3. The School to achieve a STP capable of Gold Status within 4 years.
4. Enhanced Travel Plan Enforcement
5. Payment of reasonable Legal Fees in the preparation of the legal agreement.

INFORMATION

This application is reported to the Committee as the Council has received a number of objections to the application, and it is in the opinion of the Divisional Director of Planning Services that the application is of significant public interest. It therefore falls outside of proviso E of the Scheme of Delegation.

Statutory Return Type: Other
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 comprises several School buildings located on the top end of Middle Road (both sides).
- The School provides secondary level education for boys between 11 to 18 years of age.
- The site is bounded by residential development to the east, south and west and by Metropolitan Open Land to the North.
- The site is located within Roxeth Hill Conservation Area and Harrow on the Hill Area of Special Character.

Proposal Details

- The application proposes to increase the number of pupils for full time education from its current roll of 600 to 710 pupils.
- The expansion would be undertaken within the demise of the existing buildings on the School site.

Revision to current application

- Submission of a Transport Assessment
- Revision to the Schedule of modifications to enable enforcement of the School Travel Plan.

Revisions to Previous Application

- N/A

Relevant History

The site has an extensive planning history. However, the following applications are most relevant to this current application:

WEST/695/94/FUL

Part single storey, 2, 3 and 4 storey building to provide sports hall, swimming pool and library and ancillary areas alterations to existing building and parking.

GRANTED 26-JUN-95

P/3995/13 (Land Rear of 76 West Street, Harrow, Middlesex HA1 3HB)

Use of vacant land at rear as car park (sui generis); new railings to front car park

GRANTED 31-JUL-2014

P/4247/14 - Modification to section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23rd June 1995 (principal agreement) to increase the number of pupils on roll from 525 to 710 (previously modified by deed of variation dated 24.09.2007
REFUSED – 24/02/2015

Reason for refusal

The proposed modification to the principal Section 106 Agreement dated 23rd June 1995, as varied by the deed of variation dated 24th September 2007, relating to the limitations of students numbers, would result in an unacceptable level of noise, disturbance and traffic movements, to the detriment of the residential amenities in Middle Road, Lower Road, Byron Hill Road, Crown Street, Chartwell Place, Clonmel Close and surrounding areas, contrary to policy 7.15 of The London Plan (2011) and policy DM1 of the Harrow

Applicant Submission Documents

- Schedule of Modifications Application one – February 2016 and updated May 2016
- Supporting Statement – February 2016
- The John Lyon School Travel Plan 2015
- Traffic Flow and Parking Survey Analyses – February 2016
- Transport Assessment- May 2016
- Noise Impact Assessment – February 2016
- Planning Report in Respect of Amenity – February 2016

Consultations

Highways Authority:

The Travel Plan is approved as it would meet Harrow's and Transport for London (TFL) criteria.

Harrow on the Hill Trust:

The Trust finds it difficult to understand what is going on. There are three separate applications. One talks of increase to 710, another of an increase to 660. They all talk of an 'enhanced travel plan', two talk of an 'enforcement mechanism' the third doesn't. One talks of 'Star Performance Management' the other two don't.

The unfortunate effect of this plethora of applications is it leads to lack of confidence in any of them.

The main traffic problem, as the residents know, is created by pupils in their last year or so driving their own cars to school and parking on adjacent streets. The problem gets worse through the school year as an increasing number of pupils reach the age at which they have passed the driving test. At a meeting at the school last autumn, i.e at the beginning of the school year, the School indicated that it could solve this problem, but we are not yet into the Summer Term. It seems a trifle early from the residents' point of view to reply on these assurances. Indeed the suspicious might think that the School wanted to get the applications in and approved before the Summer Term arrived and the assurance could be checked.

The applications have two substantially different target numbers, one for a ten percent increase, others for an eighteen percent increase. This attitude of "let's try it on and see what happens" permeates this bunch of applications, so much that, however much may wish the school well, we must ask that this portfolio of application is refused and the position sorted out.

Byron Hill Residents' Association:

There is still "daily chaos" notwithstanding the traffic marshalling.

The Bellamy Roberts report is flawed in relevant respects.

The School should not have submitted further applications without there being any reduction in noise disturbance and traffic movement in the locality.

Advertisement

General Notification

Posted: 17.03.2016

Expired: 07.04.2016

Notifications

Sent: 131
Replies: 26
Expiry: 29/03/2016

Second Notification (amended details):

Sent: 131
Replies: Awaiting
Expiry: 25/05/2016

Addresses Consulted

1 - 4 Ortygia Lower Road, Harrow, HA2 0DA
Flat 1 – 4, Roxeth Mead, Chartwell Place, Harrow, HA2 0HF
Roxeth Mead, Chartwell Place, Harrow, HA2 0HF
1 – 7 Chartwell Place, Harrow, HA2 0HE
12, 14, 14a, 20, 20a, 22, 24, 26, 28, Lower Road, Harrow, HA2 0DA
29, 29a, Lower Road, Harrow, HA2 0DE
Flats 1 – 3, 12 Lower Road, Harrow, HA2 0DA
29, 31, Middle Road, Harrow, HA2 0HW
60, 60a, 62, 62a, 64, 66, 68, Middle Road, Harrow, HA2 0HL
32 – 40 Byron Hill Road, Harrow, HA2 0HY
23, 29, 31, 32, 34, 36, Byron Hill Road, Harrow, HA2 0JD
1 – 9 Chartwell Place, Harrow, HA2 0HE
1 – 14 Greville House, Lower Road, Harrow, HA2 0HB
48 Crown Street, Harrow, HA2 0HR
50 – 60 Crown Street, Harrow, HA2 0HR
55 – 65 Crown Street, Harrow, HA2 0HX
Byron House, Clonmel Close, Harrow, HA2 0JZ
The Penthouse, The Garden House, and 1 – 3 Clonmel Close, Harrow, HA2 0JZ
Street Record, Clonmel Close, Harrow
1 – 3 Clonmel Close, Harrow, HA2 0JZ
The Garden House, 4 Clonmel Close, Harrow, HA2 0JZ
1 – 15 Pavilion Lodge, Lower Road, Harrow Council
15 West Street, HA1 3ED
Roxeth Mead School, 25 Middle Road, Harrow, HA2 0HW
Harrow School Cricket Ground South Side, West Street, Harrow.
Cricket Field Cottage, Middle Path, Middle Road, Harrow, HA2 0HP
Charmouth, Middle Path, Middle Road, Harrow, HA2 0HP
Welsh Congregationalist Church, Lower Road, Harrow, HA2 0DE
First Floor Flat, and White Horse Public House, 50 Middle Road, Harrow, HA2 0HL
Red house And School Buildings, Middle Road, Harrow, HA2 0HW
2a, Ortygia, Lower Road, HA2 0DA

Summary of Responses

- Car has been “bashed and scraped on two separate occasions” coinciding with increased parental activity e.g. parents’ evenings.
- The Hill is an environment of narrow streets – not comparable to the Avanti House School area.
- To increase pupil numbers will increase traffic, litter and noise pollution.
- Would the School be prepared to offer resident’s parking on the School site during

parents' evenings /School events?

- Parking – severe shortage.
- Congestion – Middle Road has two Schools in it.
- Consultants are not familiar with the area – Middle Road is subject to 20 mph not 30 mph. They fail to consider the effects and not just the impacts.
- The School is a “quart in a pint pot”.
- Parents will still drop off pupils on Byron Hill Road irrespective of the travel plan.
- Concerned about increased traffic and parking – a complete re-think is necessary – the School has land which could accommodate this type of facility
- Clonmel Close/Byron Hill Road is sandwiched between 3 Schools ...and there are office premises ...All of which contribute to excessive traffic and parking problems
- Gridlock is created by parents in the morning peak.
- The one way system is not enforced and pupils parking all day is a problem not prevented by the School.
- The plans promise to address two major problems that so far JLS have failed singularly to do
- I have no objection per se to increasing numbers
- Noise – traffic movements figure is flawed as it ignores additional staff – all traffic movements are noise events worsening residential amenity.
- Traffic – the School causes 641 traffic movements over the “Peak two morning and afternoon”. An increase in pupil numbers to 710 would cause an additional 118 traffic movements.
- There ought to be parking data for 0930 to 1545 hours.
- JTS Report – this is a series of unjustified opinions.
- There are no free parking spaces as Bellamy Roberts suggest however.
- Middle Road cannot cope.
- Parents from John Lyon park on double yellow lines whilst waiting to collect their sons.
- Outside the Cricket Montessori School, the vast number of vans to transport the boys are left running.
- The School has no intention of doing anything to alleviate the already unacceptable congestion.
- The proposal will cause chaos.
- The School should only be allowed to increase number “if they can provide ample car parking space within their grounds along with clear access to that parking and off-road drop-off zones”.
- The traffic flow and parking survey analysis is inaccurate/misleading.
- Gridlock (which already exists at certain times of the day) will make it impossible for any emergency vehicles to have access to any parts of Harrow-on-the-Hill for far longer periods of time.
- In 1995, the original s106 agreement was signed limiting pupil number to 525. Documentation from the planning committee meeting that approved the variation to the s106 in 2004 referred to “a clear sanction in that if (traffic) reductions are not achieved, the numbers would revert back to these previously approved”. This did not happen.
- Traffic has become intolerable.
- The applications rely on the School’s own data from 2013 and 2014, both of which “significantly breach what was supposed to be the base line figure of 175 car journeys”.
- HLBC and TJLS have undertaken to monitor the situation on an annual basis, but this has not taken place.

- It is disingenuous to believe that the increase in traffic will be marginal, and that no further building work will be required.
- Independent evidence is needed that the School can maintain the base line figure of 175 car journeys for at least 2 years before any increase in pupils can be considered.
- Trying to leave premises for those living in Lower Road is almost impossible to ask due to parents using scarce parking facilities to pick up or to leave their sons from the school.
- Parents park without respect / consideration, including trespassing on their premises. The School should move to another area.

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.'

In this instance, the Development Plan comprises The London Plan 2015 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

MAIN CONSIDERATIONS

Principle of the Development (Modification) and Impact on Traffic and Parking

Equalities Impact

S17 Crime & Disorder Act

Consultation Responses

Principle of the Development (Modification) and Impact on Traffic and Parking

Paragraph 72 of the National Planning Policy Framework (2012) sets out 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. It goes on to state that the LPA's 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.

Policy 3.18C of The London Plan (2011) will support development proposals which enhance education and skills provision, which includes new build, expansion of existing facilities or change of use to educational purposes. This is further emphasised under policy DM46 of the Development Management Policies Local Plan (2013). Policy DM43 in the case for major development sites will require a Transport Assessment to be undertaken. It goes onto state that any impact identified in the Transport Assessment should be mitigated through the implementation of Travel Plans which should include the desirability of achieving modal shift away from private car use towards sustainable modes of transport.

The principal planning agreement dated 23 June 1995 (WEST/695/94/FUL) imposed a student number limitation of 525. This principal agreement was subsequently modified by a deed of variation dated 24 September 2007 to increase the number of students on roll

to 600. This deed of variation now seeks to modify the deed further by increasing the number of students on roll to 710.

Alongside this proposed expansion, the School will be aiming to achieve a higher status for sustainable transport and travel arrangements for all its pupils in accordance with the 'Sustainable Travel: Active Responsible, Safe' (STARS) programme administered by TFL. It is noted that the John Lyon School has been awarded a bronze STARS status in July 2014. The School's current roll for this academic year (according to the accompanying Planning Statement) is 585, which is below the maximum threshold of 600.

As part the obligations set out under the 2007 deed of variation, the School was required to submit a travel plan prior to the implementation of the modification. The Council's records show that such a Travel Plan had indeed been submitted by the School which was subsequently approved by the Council's Travel Plan Officer. Whilst there was no further obligation under the deed of variation dated 24 September 2007 to provide an annual updated Travel Plan to the Council for monitoring purposes, the School has on an ad-hoc basis submitted further Travel Plans in 2010, 2012 and 2014 (in addition to the original 2007 Travel Plan).

The current proposal to vary the legal agreement to increase pupil numbers would introduce a number of mechanisms to mitigate the proposed uplift in pupil numbers and consequent impacts on the surrounding area. It includes the following measures:

- Requirement to comply and fully implement the travel plan;
- pay a contribution towards local highway network measures in the event of a breach
- maintain in-post a Travel Plan Coordinator
- use reasonable endeavours to ensure that the Travel Plan is complied with and that each of the targets contained in the Travel Plan are met
- to carry out a baseline travel survey with all pupils and staff within 6 months
- revise the School Travel Plan in light of the travel survey and relevant consultation and resubmit the School Travel Plan to the Council and obtain approval to the same from the Council within the same academic year
- express requirement for annual community engagement
- carry out annual monitoring in accordance with Transport for London's standardised approach to monitoring within the same calendar month as the travel survey.

It is noted that the John Lyon School is a fee paying school and therefore, its selection criteria is not based on local catchment but on the basis of individual academic ability and potential. As such, a large proportion of its student population travel to and from the School by use of some form of transport mode rather than walking. It is acknowledged that local residents have raised strong concerns in terms of traffic generation during drop off and pick up period. Residents have also raised concern with older students driving to school and parking on local roads. This is recognised by the School and they are actively seeking through the implementation of a more enhanced and robust Travel Plan to reduce journeys to and from School by car and seeking to encourage more sustainable modes of travel. The School is actively working with Parents and Students to move towards more sustainable modes of transportation. Whilst inevitably there will still remain some form of car dominance given that a large proportion of Students are not from the local area.

It is also noted that local residents have raised concerns with regard to the implementation of the past Travel Plans and the various commitment made by the School to tackle parking and congestion in the nearby road. Reference has also been made with

regard to the meetings of the development management meeting held in May 2004 which states that should the traffic generation is not significantly reduced over the 5 year period then the School would agree to phased reduction over a further 3 years back to the agreed level of 525. The formal deed of variation was issued over 3 years from the date of this meeting and on the basis that the annual Travel Plans being submitted by the School showed an improvement to the traffic and adherence to the Travel Plan. It is noted that there was no such clause within the signed deed of variation that required the reversion of the roll numbers to 525 over a phased period.

In addition to the above the School has in place a dedicated school bus service, which is funded by the school and operated by Brent Community Transport and has six routes operating. The site is well serviced by TFL Bus Services and within walking distance of South Harrow Underground Station and Harrow on the Hill Station.

The proposed expansion would be limited to only increasing the student number limit and putting in place an appropriate Travel Plan framework. There is no proposal for further building work on this site to accommodate this expansion. This will be met through the reorganising of the existing internal layout of the buildings on the site which do not require permission.

The applicant has submitted a an updated Travel Plan for the proposed school expansion (2015 version), which takes its baseline figures from the 2014 version and sets out the new objectives and targets to move towards a more sustainable mode of transportation. These include the aim to reduce the student car travel by 2% by March 2016, aim to increase the percentage of student parking and striding by 1% by March 2016 and the aim to increase the percentage of children cycling to and from the school by 1% by March 2016. Whilst it is noted that the highest percentage of students travel to School by car, it is considered that the School's objective to reduce travel by car and move towards more sustainable modes of travel can be achieved through a more pro-active partnership between the School and the Council though the annual monitoring of the Travel Plan, which would be secured under this deed of variation.

In addition to the above, the School has submitted a Travel Plan Programme – Gradual Improvement Plan which sets out the keys tasks that the School will undertake to reduce the numbers of students arriving by car and reducing traffic/ congestion on nearby residential roads.

The School, as part of the firm commitment to reduce car dependency and traffic movement in the locality, would enter into a modified deed of variation which would include a 'Nil Detriment' Clause that would allow the LPA to sanction measures to revert the student roll number back to 600 (on a phased basis) should the School not adhere to the targets set out in the enhanced Travel Plan.

Officers consider that the option of a phased 'roll back' is more realistic form of sanction rather than seeking financial contributions and would provide confidence to local residents that the School is seeking to seriously reduce car dependency in favour for more sustainable modes of travel and to reduce overall traffic flow in the locality. Should the School not adhere to its targets then the LPA would be in it rights to serve an injunction (once it has served the appropriate compliance notices prior to such action) and request the School to phase the number of students on roll back to 600 over a 3 year period.

The Council's Travel Plan Officer considers that notwithstanding the proposed uplift in

pupil numbers, the more robust Travel Plan and mechanisms secured through the legal agreement would be sufficient to mitigate the impact of the development on the surrounding road network. The legal mechanisms would introduce robust deterrents to breaching the legal agreement, and drafted in the manner proposed, would provide more express enforcement provisions (in comparison with previous deeds) on which the LPA could act were the legal agreement to be breached.

On balance then, whilst taking note of local resident's existing frustration with the existing traffic and parking situations, it is considered that an enhanced Travel Plan would see the reduction in car reliance over time and a move towards more sustainable travel options. The proposed expansion in school population is considered acceptable with regards to the above stated policies, subject to the completion of the deed of variation in line with the obligations set out above. The proposal is therefore considered acceptable.

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 and policy DM2 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 proposal is considered not to give rise to any conflict with regards to the above stated policies.

Consultation Responses

- Car has been "bashed and scraped on two separate occasions" coinciding with increased parental activity e.g. parents' evenings.
- The Hill is an environment of narrow streets – not comparable to the Avanti House School area.
- To increase pupil numbers will increase traffic, litter and noise pollution.
- Would the School be prepared to offer resident's parking on the School site during parents' evenings /School events?
- Parking – severe shortage.
- Congestion – Middle Road has two Schools in it.
- Consultants are not familiar with the area – Middle Road is subject to 20 mph not 30 mph. They fail to consider the effects and not just the impacts.
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- Parents will still drop off pupils on Byron Hill Road irrespective of the travel plan.

- Concerned about increased traffic and parking – a complete re-think is necessary – the School has land which could accommodate this type of facility
- Clonmel Close/Byron Hill Road is sandwiched between 3 Schools ...and there are office premises ...All of which contribute to excessive traffic and parking problems
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- Trying to leave premises for those living in Lower Road is almost impossible to ask due to parents using scarce parking facilities to pick up or to leave their sons from the school.

- Parents park without respect / consideration, including trespassing on their premises. The School should move to another area.

Officer Response

The representations received can generally be summarised as related to three main themes: 1) issues relating to highway convenience and parking availability in the surrounding area currently; 2) inconsiderate parking in the surrounding area; 3) whether the proposed measures can be implemented and enforced properly.

Each of these points is reasonable and fair. The baseline situation is material to this application. However, the test of appropriateness for this application in relation to surrounding impacts is whether the development would have a neutral or enhance effect on the surrounding area. Even if effects are worse than neutral on the surrounding area, the LPA must consider the application in the planning balance, and acknowledge that an uplift in the number of pupils who could use the school is a positive in terms of provision of school places in the Borough. This positive impact must be weighed against any negative impact on the surrounding area, if there is one.

In assessing the impact of development on the surrounding road network, officers have robust and critically analysed the information provided and the mechanisms that would be secured, which are not currently available. The proposed deed of variation would introduce a suite of measures not currently available intended to improve and reduce the level of car dependency for access to the school as well as introduced robust and express punitive measures to discourage any failure to deliver the targets set out. Officers consider that the approach is fair, reasonable and achievable. It would therefore achieve a neutral or better impact on the surrounding area. Even if it would not, any adverse impact in comparison with the existing situation would only be short-lived as the punitive mechanisms within the revised legal agreement could be enforced. The mechanisms proposed are wholly appropriate, proportionate and deliverable. For these reasons, and coupled with the benefits associated with the additional provision of school places, officers are recommending that the application be granted.

CONCLUSION

Having regard to the policies and proposals in the NPPF, The London Plan 2015, the Harrow Core Strategy 2012 and the Development Management Policies Local Plan 2013, it is considered that the impact of the proposed increase in pupil numbers in terms of traffic generation and parking can be mitigated through the provision of an enhanced Sustainable Travel Plan working towards a Transport for London Gold Status and associated traffic mitigation measures.

INFORMATIVES

- 1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2015):

Policies 3.18, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.13

The Harrow Core Strategy (2012)

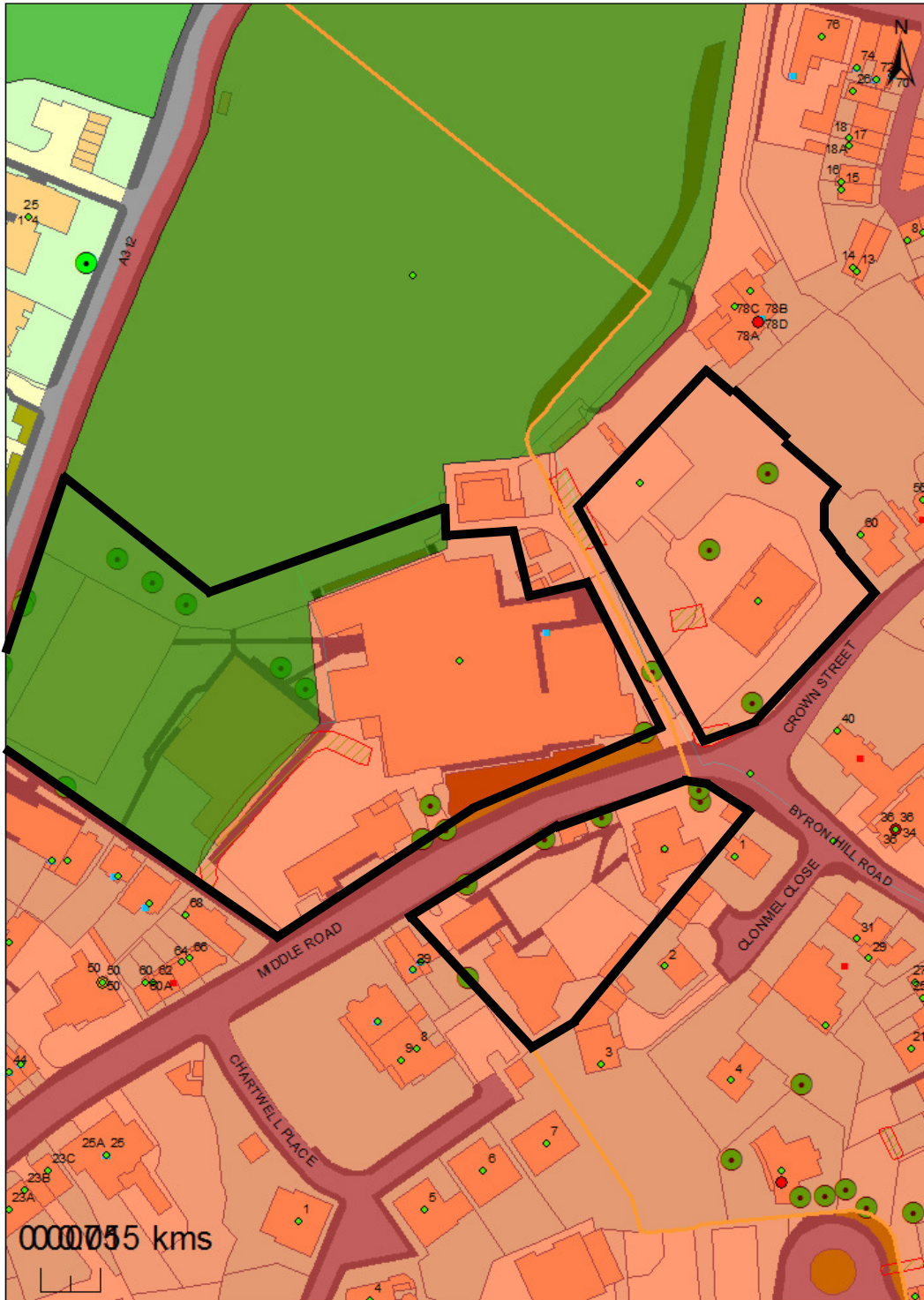
Core Policies CS1

Development Management Policies Local Plan (2013)

Policies DM2, DM43, DM46

Plan Nos: Schedule of Modifications Application one – February 2016 and updated May 2016; Supporting Statement – February 2016; The John Lyon School Travel Plan 2015; Traffic Flow and Parking Survey Analyses – February 2016; Transport Assessment- May 2016; Noise Impact Assessment – February 2016; Planning Report in Respect of Amenity – February 2016

JOHN LYON SCHOOL, MIDDLE ROAD, HARROW



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ITEM NO: 2/03
ADDRESS: JOHN LYON SCHOOL, MIDDLE ROAD, HARROW
REFERENCE: P/1014/16
DESCRIPTION: MODIFICATION TO SECTION 106 PLANNING OBLIGATION RELATING TO PLANNING PERMISSION WEST/695/94/FUL DATED 23RD JUNE 1995 (PRINCIPAL AGREEMENT) TO INCREASE THE NUMBER OF PUPILS ON ROLL FROM 525 TO 660 (PREVIOUSLY MODIFIED BY DEED OF VARIATION DATED 24.09.2007
WARD: HARROW ON THE HILL
APPLICANT: THE KEEPERS & GOVERNORS OF THE FREE GRAMMAR SCHOOL
AGENT: GATELEV PLC
CASE OFFICER: CATRIONA COOKE
EXPIRY DATE: 26/04/2016

RECOMMENDATION

APPROVE modification to the principal Section 106 Agreement dated 23rd June 1995 relating to the limitations of students numbers subject to the completion of a Deed of Variation. Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Deed of variation and to agree any minor amendments to the conditions or the legal agreement. The Deed of Variation would cover the following matters:

1. Under Second Schedule, paragraph 2 replace the limit on pupil numbers 525 (previously modified by deed of variation dated 24.09.2007 to 600 pupils) with 660.
2. To submit to the Council on an annual basis a plan indicating credible gradual improvement in the School Travel Plan [STP] performance.
3. The School to achieve a STP capable of Gold Status within 4 years.
4. Enhanced Travel Plan Enforcement
5. Payment of reasonable Legal Fees in the preparation of the legal agreement.

INFORMATION

This application is reported to the Committee as the Council has received a number of objections to the application, and it is in the opinion of the Divisional Director of Planning Services that the application is of significant public interest. It therefore falls outside of proviso E of the Scheme of Delegation.

Statutory Return Type: Other

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 comprises several School buildings located on the top end of Middle Road (both sides).
- The School provides secondary level education for boys between 11 to 18 years of age.
- The site is bounded by residential development to the east, south and west and by Metropolitan Open Land to the North.
- The site is located within Roxeth Hill Conservation Area and Harrow on the Hill Area of Special Character.

Proposal Details

- The application proposes to increase the number of pupils for full time education from its current roll of 600 to 660 pupils.
- The expansion would be undertaken within the demise of the existing buildings on the School site.

Revision to current application

- Submission of a Transport Assessment
- Revision to the Schedule of modifications to enable enforcement of the School Travel Plan.

Revisions to Previous Application

- N/A

Relevant History

The site has an extensive planning history. However, the following applications are most relevant to this current application:

WEST/695/94/FUL

Part single storey, 2, 3 and 4 storey building to provide sports hall, swimming pool and library and ancillary areas alterations to existing building and parking.

GRANTED 26-JUN-95

P/3995/13 (Land Rear of 76 West Street, Harrow, Middlesex HA1 3HB)

Use of vacant land at rear as car park (sui generis); new railings to front car park

GRANTED 31-JUL-2014

P/4247/14 - Modification to section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23rd June 1995 (principal agreement) to increase the number of pupils on roll from 525 to 710 (previously modified by deed of variation dated 24.09.2007

REFUSED – 24/02/2015

Reason for Refusal

The proposed modification to the principal Section 106 Agreement dated 23rd June 1995, as varied by the deed of variation dated 24th September 2007, relating to the limitations of students numbers, would result in an unacceptable level of noise, disturbance and traffic movements, to the detriment of the residential amenities in Middle Road, Lower Road, Byron Hill Road, Crown Street, Chartwell Place, Clonmel Close and surrounding areas, contrary to policy 7.15 of The London Plan (2011) and policy DM1 of the Harrow

Applicant Submission Documents

- Schedule of Modifications Application one – February 2016 and updated May 2016
- Supporting Statement – February 2016
- The John Lyon School Travel Plan 2015
- Traffic Flow and Parking Survey Analyses – February 2016
- Transport Assessment- May 2016
- Noise Impact Assessment – February 2016
- Planning Report in Respect of Amenity – February 2016

Consultations

Highways Authority:

The Travel Plan is approved as it would meet Harrow's and Transport for London (TFL) criteria.

Harrow on the Hill Trust:

The Trust finds it difficult to understand what is going on. There are three separate applications. One talks of increase to 710, another of an increase to 660. They all talk of an 'enhanced travel plan', two talk of an 'enforcement mechanism' the third doesn't. One talks of 'Star Performance Management' the other two don't.

The unfortunate effect of this plethora of applications is it leads to lack of confidence in any of them.

The main traffic problem, as the residents know, is created by pupils in their last year or so driving their own cars to school and parking on adjacent streets. The problem gets worse through the school year as an increasing number of pupils reach the age at which they have passed the driving test. At a meeting at the school last autumn, i.e at the beginning of the school year, the School indicated that it could solve this problem, but we are not yet into the Summer Term. It seems a trifle early from the residents' point of view to reply on these assurances. Indeed the suspicious might think that the School wanted to get the applications in and approved before the Summer Term arrived and the assurance could be checked.

The applications have two substantially different target numbers, one for a ten percent increase, others for an eighteen percent increase. This attitude of "let's try it on and see what happens" permeates this bunch of applications, so much that, however much may wish the school well, we must ask that this portfolio of application is refused and the position sorted out.

Byron Hill Residents' Association:

There is still "daily chaos" notwithstanding the traffic marshalling.

The Bellamy Roberts report is flawed in relevant respects.

The School should not have submitted further applications without there being any reduction in noise disturbance and traffic movement in the locality.

Advertisement

General Notification

Posted: 17.03.2016

Expired: 07.04.2016

Notifications

Sent: 131

Replies: 26

Expiry: 29/03/2016

Second Notification (amended details):

Sent: 131

Replies: Awaiting

Expiry: 25/05/2016

Addresses Consulted

1 - 4 Ortygia Lower Road, Harrow, HA2 0DA

Flat 1 – 4, Roxeth Mead, Chartwell Place, Harrow, HA2 0HF

Roxeth Mead, Chartwell Place, Harrow, HA2 0HF

1 – 7 Chartwell Place, Harrow, HA2 0HE

12, 14, 14a, 20, 20a, 22, 24, 26, 28, Lower Road, Harrow, HA2 0DA

29, 29a, Lower Road, Harrow, HA2 0DE

Flats 1 – 3, 12 Lower Road, Harrow, HA2 0DA

29, 31, Middle Road, Harrow, HA2 0HW

60, 60a, 62, 62a, 64, 66, 68, Middle Road, Harrow, HA2 0HL

32 – 40 Byron Hill Road, Harrow, HA2 0HY

23, 29, 31, 32, 34, 36, Byron Hill Road, Harrow, HA2 0JD

1 – 9 Chartwell Place, Harrow, HA2 0HE

1 – 14 Greville House, Lower Road, Harrow, HA2 0HB

48 Crown Street, Harrow, HA2 0HR

50 – 60 Crown Street, Harrow, HA2 0HR

55 – 65 Crown Street, Harrow, HA2 0HX

Byron House, Clonmel Close, Harrow, HA2 0JZ

The Penthouse, The Garden House, and 1 – 3 Clonmel Close, Harrow, HA2 0JZ

Street Record, Clonmel Close, Harrow

1 – 3 Clonmel Close, Harrow, HA2 0JZ

The Garden House, 4 Clonmel Close, Harrow, HA2 0JZ

1 – 15 Pavilion Lodge, Lower Road, Harrow Council

15 West Street, HA1 3ED

Roxeth Mead School, 25 Middle Road, Harrow, HA2 0HW

Harrow School Cricket Ground South Side, West Street, Harrow.

Cricket Field Cottage, Middle Path, Middle Road, Harrow, HA2 0HP

Charmouth, Middle Path, Middle Road, Harrow, HA2 0HP

Welsh Congregationalist Church, Lower Road, Harrow, HA2 0DE

First Floor Flat, and White Horse Public House, 50 Middle Road, Harrow, HA2 0HL

Red house And School Buildings, Middle Road, Harrow, HA2 0HW

2a, Ortygia, Lower Road, HA2 0DA

Summary of Responses

- Car has been “bashed and scraped on two separate occasions” coinciding with increased parental activity e.g. parents’ evenings.
- The Hill is an environment of narrow streets – not comparable to the Avanti House School area.
- To increase pupil numbers will increase traffic, litter and noise pollution.

- Would the School be prepared to offer resident's parking on the School site during parents' evenings /School events?
- Parking – severe shortage.
- Congestion – Middle Road has two Schools in it.
- Consultants are not familiar with the area – Middle Road is subject to 20 mph not 30 mph. They fail to consider the effects and not just the impacts.
- The School is a “quart in a pint pot”.
- Parents will still drop off pupils on Byron Hill Road irrespective of the travel plan.
- Concerned about increased traffic and parking – a complete re-think is necessary – the School has land which could accommodate this type of facility
- Clonmel Close/Byron Hill Road is sandwiched between 3 Schools ...and there are office premises ...All of which contribute to excessive traffic and parking problems
- Gridlock is created by parents in the morning peak.
- The one way system is not enforced and pupils parking all day is a problem not prevented by the School.
- The plans promise to address two major problems that so far JLS have failed singularly to do
- I have no objection per se to increasing numbers
- Noise – traffic movements figure is flawed as it ignores additional staff – all traffic movements are noise events worsening residential amenity.
- Traffic – the School causes 641 traffic movements over the “Peak two morning and afternoon”. An increase in pupil numbers to 710 would cause an additional 118 traffic movements.
- There ought to be parking data for 0930 to 1545 hours.
- JTS Report – this is a series of unjustified opinions.
- There are no free parking spaces as Bellamy Roberts suggest however.
- Middle Road cannot cope.
- Parents from John Lyon park on double yellow lines whilst waiting to collect their sons.
- Outside the Cricket Montessori School, the vast number of vans to transport the boys are left running.
- The School has no intention of doing anything to alleviate the already unacceptable congestion.
- The proposal will cause chaos.
- The School should only be allowed to increase number “if they can provide ample car parking space within their grounds along with clear access to that parking and off-road drop-off zones”.
- The traffic flow and parking survey analysis is inaccurate/misleading.
- Gridlock (which already exists at certain times of the day) will make it impossible for any emergency vehicles to have access to any parts of Harrow-on-the-Hill for far longer periods of time.
- In 1995, the original s106 agreement was signed limiting pupil number to 525. Documentation from the planning committee meeting that approved the variation to the s106 in 2004 referred to “a clear sanction in that if (traffic) reductions are not achieved, the numbers would revert back to these previously approved”. This did not happen.
- Traffic has become intolerable.
- The applications rely on the School's own data from 2013 and 2014, both of which “significantly breach what was supposed to be the base line figure of 175 car journeys”.

- HLBC and TJLS have undertaken to monitor the situation on an annual basis, but this has not taken place.
- It is disingenuous to believe that the increase in traffic will be marginal, and that no further building work will be required.
- Independent evidence is needed that the School can maintain the base line figure of 175 car journeys for at least 2 years before any increase in pupils can be considered.
- Trying to leave premises for those living in Lower Road is almost impossible to ask due to parents using scarce parking facilities to pick up or to leave their sons from the school.
- Parents park without respect / consideration, including trespassing on their premises. The School should move to another area.

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.'

In this instance, the Development Plan comprises The London Plan 2015 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

MAIN CONSIDERATIONS

Principle of the Development (Modification) and Impact on Traffic and Parking

Equalities Impact

S17 Crime & Disorder Act

Consultation Responses

Principle of the Development (Modification) and Impact on Traffic and Parking

Paragraph 72 of the National Planning Policy Framework (2012) sets out 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. It goes on to state that the LPA's 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.

Policy 3.18C of The London Plan (2011) will support development proposals which enhance education and skills provision, which includes new build, expansion of existing facilities or change of use to educational purposes. This is further emphasised under policy DM46 of the Development Management Policies Local Plan (2013). Policy DM43 in the case for major development sites will require a Transport Assessment to be undertaken. It goes onto state that any impact identified in the Transport Assessment should be mitigated through the implementation of Travel Plans which should include the desirability of achieving modal shift away from private car use towards sustainable modes of transport.

The principal planning agreement dated 23 June 1995 (WEST/695/94/FUL) imposed a

student number limitation of 525. This principal agreement was subsequently modified by a deed of variation dated 24 September 2007 to increase the number of students on roll to 600. This deed of variation now seeks to modify the deed further by increasing the number of students on roll to 660.

Alongside this proposed expansion, the School will be aiming to achieve a higher status for sustainable transport and travel arrangements for all its pupils in accordance with the 'Sustainable Travel: Active Responsible, Safe' (STARS) programme administered by TFL. It is noted that the John Lyon School has been awarded a bronze STARS status in July 2014. The School's current roll for this academic year (according to the accompanying Planning Statement) is 585, which is below the maximum threshold of 600

As part the obligations set out under the 2007 deed of variation, the School was required to submit a travel plan prior to the implementation of the modification. The Council's records show that such a Travel Plan had indeed been submitted by the School which was subsequently approved by the Council's Travel Plan Officer. Whilst there was no further obligation under the deed of variation dated 24 September to 2007 to provide an annual updated Travel Plan to the Council for monitoring purposes, the School has on an ad-hoc basis submitted further Travel Plans in 2010, 2012 and 2014 (in addition to the original 2007 Travel Plan).

The current proposal to vary the legal agreement to increase pupil numbers would introduce a number of mechanisms to mitigate the proposed uplift in pupil numbers and consequent impacts on the surrounding area. It includes the following measures:

- Requirement to comply and fully implement the travel plan;
- pay a contribution towards local highway network measures in the event of a breach
- maintain in-post a Travel Plan Coordinator
- use reasonable endeavours to ensure that the Travel Plan is complied with and that each of the targets contained in the Travel Plan are met
- to carry out a baseline travel survey with all pupils and staff within 6 months
- revise the School Travel Plan in light of the travel survey and relevant consultation and resubmit the School Travel Plan to the Council and obtain approval to the same from the Council within the same academic year
- express requirement for annual community engagement
- carry out annual monitoring in accordance with Transport for London's standardised approach to monitoring within the same calendar month as the travel survey.

It is noted that the John Lyon School is a fee paying school and therefore, its selection criteria is not based on local catchment but on the basis of individual academic ability and potential. As such, a large proportion of its student population travel to and from the School by use of some form of transport mode rather than walking. It is acknowledged that local residents have raised strong concerns in terms of traffic generation during drop off and pick up period. Residents have also raised concern with older students driving to school and parking on local roads. This is recognised by the School and they are actively seeking through the implementation of a more enhanced and robust Travel Plan to reduce journeys to and from School by car and seeking to encourage more sustainable modes of travel. The School is actively working with Parents and Students to move towards more sustainable modes of transportation. Whilst inevitably there will still remain some form of car dominance given that a large proportion of Students are not from the local area.

It is also noted that local residents have raised concerns with regard to the

implementation of the past Travel Plans and the various commitment made by the School to tackle parking and congestion in the nearby road. Reference has also been made with regard to the meetings of the development management meeting held in May 2004 which states that should the traffic generation is not significantly reduced over the 5 year period then the School would agree to phased reduction over a further 3 years back to the agreed level of 525. The formal deed of variation was issued over 3 years from the date of this meeting and on the basis that the annual Travel Plans being submitted by the School showed an improvement to the traffic and adherence to the Travel Plan. It is noted that there was no such clause within the signed deed of variation that required the reversion of the roll numbers to 525 over a phased period.

In addition to the above the School has in place a dedicated school bus service, which is funded by the school and operated by Brent Community Transport and has six routes operating. The site is well serviced by TFL Bus Services and within walking distance of South Harrow Underground Station and Harrow on the Hill Station.

The proposed expansion would be limited to only increasing the student number limit and putting in place an appropriate Travel Plan framework. There is no proposal for further building work on this site to accommodate this expansion. This will be met through the reorganising of the existing internal layout of the buildings on the site which do not require permission.

The applicant has submitted a an updated Travel Plan for the proposed school expansion (2015 version), which takes its baseline figures from the 2014 version and sets out the new objectives and targets to move towards a more sustainable mode of transportation. These include the aim to reduce the student car travel by 2% by March 2016, aim to increase the percentage of student parking and striding by 1% by March 2016 and the aim to increase the percentage of children cycling to and from the school by 1% by March 2016. Whilst it is noted that the highest percentage of students travel to School by car, it is considered that the School's objective to reduce travel by car and move towards more sustainable modes of travel can be achieved through a more pro-active partnership between the School and the Council though the annual monitoring of the Travel Plan, which would be secured under this deed of variation.

In addition to the above, the School has submitted a Travel Plan Programme – Gradual Improvement Plan which sets out the keys tasks that the School will undertake to reduce the numbers of students arriving by car and reducing traffic/ congestion on nearby residential roads.

The School, as part of the firm commitment to reduce car dependency and traffic movement in the locality, would enter into a modified deed of variation which would include a 'Nil Detriment' Clause that would allow the LPA to sanction measures to revert the student roll number back to 600 (on a phased basis) should the School not adhere to the targets set out in the enhanced Travel Plan.

Officers consider that the option of a phased 'roll back' is more realistic form of sanction rather than seeking financial contributions and would provide confidence to local residents that the School is seeking to seriously reduce car dependency in favour for more sustainable modes of travel and to reduce overall traffic flow in the locality. Should the School not adhere to its targets then the LPA would be in it rights to serve an injunction (once it has served the appropriate compliance notices prior to such action) and request the School to phase the number of students on roll back to 600 over a 3 year

period.

The Council's Travel Plan Officer considers that notwithstanding the proposed uplift in pupil numbers, the more robust Travel Plan and mechanisms secured through the legal agreement would be sufficient to mitigate the impact of the development on the surrounding road network. The legal mechanisms would introduce robust deterrents to breaching the legal agreement, and drafted in the manner proposed, would provide more express enforcement provisions (in comparison with previous deeds) on which the LPA could act were the legal agreement to be breached.

On balance then, whilst taking note of local resident's existing frustration with the existing traffic and parking situations, it is considered that an enhanced Travel Plan would see the reduction in car reliance over time and a move towards more sustainable travel options. The proposed expansion in school population is considered acceptable with regards to the above stated policies, subject to the completion of the deed of variation in line with the obligations set out above. The proposal is therefore considered acceptable.

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 and policy DM2 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 proposal is considered not to give rise to any conflict with regards to the above stated policies.

Consultation Responses

- Car has been "bashed and scraped on two separate occasions" coinciding with increased parental activity e.g. parents' evenings.
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- Parents park without respect / consideration, including trespassing on their premises. The School should move to another area.

-

Officer Response

The representations received can generally be summarised as related to three main themes: 1) issues relating to highway convenience and parking availability in the surrounding area currently; 2) inconsiderate parking in the surrounding area; 3) whether the proposed measures can be implemented and enforced properly.

Each of these points is reasonable and fair. The baseline situation is material to this application. However, the test of appropriateness for this application in relation to surrounding impacts is whether the development would have a neutral or enhance effect on the surrounding area. Even if effects are worse than neutral on the surrounding area, the LPA must consider the application in the planning balance, and acknowledge that an uplift in the number of pupils who could use the school is a positive in terms of provision of school places in the Borough. This positive impact must be weighed against any negative impact on the surrounding area, if there is one.

In assessing the impact of development on the surrounding road network, officers have robust and critically analysed the information provided and the mechanisms that would be secured, which are not currently available. The proposed deed of variation would introduce a suite of measures not currently available intended to improve and reduce the level of car dependency for access to the school as well as introduced robust and express punitive measures to discourage any failure to deliver the targets set out. Officers consider that the approach is fair, reasonable and achievable. It would therefore achieve a neutral or better impact on the surrounding area. Even if it would not, any adverse impact in comparison with the existing situation would only be short-lived as the punitive mechanisms within the revised legal agreement could be enforced. The mechanisms proposed are wholly appropriate, proportionate and deliverable. For these reasons, and coupled with the benefits associated with the additional provision of school places, officers are recommending that the application be granted.

CONCLUSION

Having regard to the policies and proposals in the NPPF, The London Plan 2015, the Harrow Core Strategy 2012 and the Development Management Policies Local Plan 2013, it is considered that the impact of the proposed increase in pupil numbers in terms of traffic generation and parking can be mitigated through the provision of an enhanced Sustainable Travel Plan working towards a Transport for London Gold Status and associated traffic mitigation measures.

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2015):

Policies 3.18, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.13

The Harrow Core Strategy (2012)

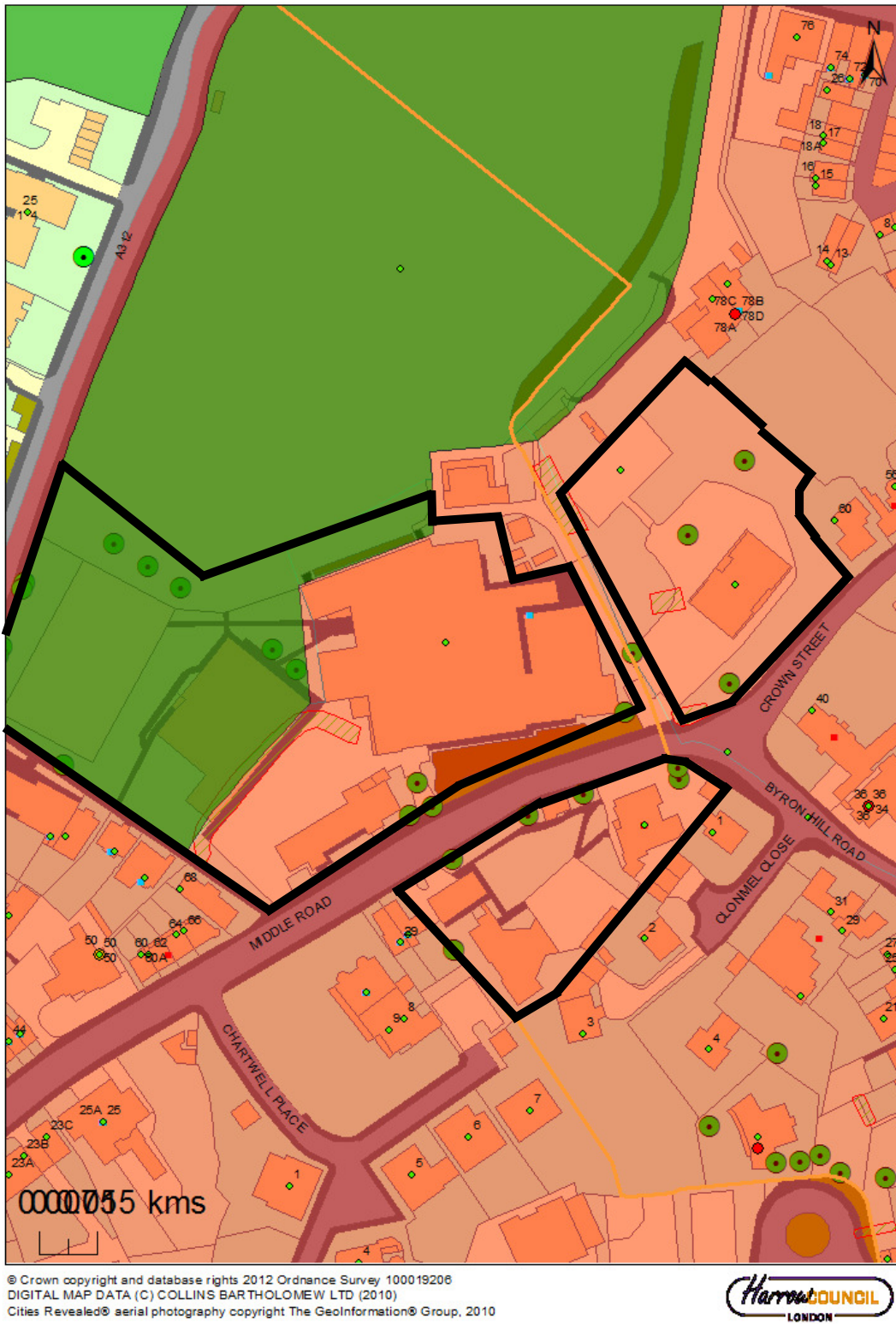
Core Policies CS1

Development Management Policies Local Plan (2013)

Policies DM2, DM43, DM46

Plan Nos: Schedule of Modifications Application one – February 2016 and updated May 2016; Supporting Statement – February 2016; The John Lyon School Travel Plan 2015; Traffic Flow and Parking Survey Analyses – February 2016; Transport Assessment- May 2016; Noise Impact Assessment – February 2016; Planning Report in Respect of Amenity – February 2016

JOHN LYON SCHOOL, MIDDLE ROAD, HARROW



ITEM NO: 2/04
ADDRESS: 88-98 COLLEGE ROAD, HARROW
REFERENCE: P/0312/16
DESCRIPTION: ADDITION OF FOURTH FLOOR TO PROVIDE EIGHT FLATS;
EXTERNAL ALTERATIONS TO EXISTING BUILDING
WARD: GREENHILL
APPLICANT: ONKAR INTERNATIONAL LTD
AGENT: PRESTON BENNETT HAMPTONS
CASE OFFICER: JUSTINE MAHANGA
EXPIRY DATE: 31/03/2016

RECOMMENDATION

GRANT permission subject to authority being delegated to the Divisional Director of Regeneration and 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) The development hereby approved shall be carried out simultaneously with prior approval P/4480/15, granted 28 October 2015.
- ii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

REASON

The proposed scheme seeks to provide 8 residential units within a single storey extension to the existing property. The proposed residential units would contribute to a strategically important part of the housing stock of the borough, in accordance with paragraph 3.55 of the London Plan (2015). Furthermore, the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.

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.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 25th June 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 legal agreement to ensure the development hereby approved is carried out subject to the conversion of the lower floors to residential, would fail to secure an adequate standard of accommodation for future residents, contrary to DM 1, DM42 and DM46 of the Harrow Development Management Policies Local Plan (2013).

INFORMATION:

This application is reported to Planning Committee as it would provide in excess of 6 residential units. The application is therefore referred to the Planning Committee as it does fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 29 May 2013.

Statutory Return Type: 13: Minor Dwellings

Council Interest: None

Net Additional Floorspace: 490sqm

GLA Community Infrastructure (CIL) Contribution: £17,150.00

Harrow Community Infrastructure (CIL) Contribution: £53,900.00

Site Description

- This application relates to a four-storey mid-terrace, 1960's commercial building located on the northern side of College Road.
- The existing building includes a T-shape footprint, extending 22.6m across the width of the site and 36.7m in depth.
- Following the grant of planning permission P/2839/07, the lawful use of the ground floor is class A2.
- The upper floors (first, second and third) benefit from prior approval (P/4480/15) to convert the Class B1 office floor space into 29 residential units. Works associated with this conversion have not yet commenced.
- Access to the rear of the site is provided via an undercroft on the eastern side of the building.
- 22 car parking spaces, an electrical substation and a refuse storage area are located at the rear of the site.
- The northern boundary of the site adjoins a multi-storey car park (Kings House) that is accessed via Headstone Road.
- The adjoining properties to the east and west are both commercial buildings of a similar architecture style.
- The site is located within the Harrow town centre and has public transport accessibility (PTAL) of 6a.
- The site forms part of site 15: College Road West, as allocated by the Harrow and Wealdstone Area Action Plan (2013).
- The site is located within a critical drainage area.

Proposal Details

- Construction of a single storey extension atop of the existing building to provide residential accommodation.
- The additional floor would provide 5 x studio flats, 2 x 1 bedroom flats and a 2bedroom (3 person) flat.
- The additional floor would be accessed via a centrally located lift and stairwell.

- The proposed fourth floor would be setback 2.0m from the front elevation of the original building and would increase the height of the building by 3.3m.
- The proposed extension would be finished in brickwork and powder-coated aluminium windows.
- The existing building would be re-clad with white rendered panels and dark grey powder-coated aluminium windows.
- The existing ribbon windows would be replaced with individual, vertically aligned windows which include obscured glass on the lower half.
- The proposal plans demonstrate the inclusion of 42 cycle parking spaces at the rear of the building.
- The capacity of the existing refuse and recycling storage area would be increased to accommodate the additional units.

Relevant History

P/2839/07

Change of use of shop to estate agents office (Class A2)

GRANTED: 23/10/07

P/4480/15

Prior approval: Conversion of offices at first, second and third floors (Class B1a) to provide 29 self-contained flats (Class C3)

GRANTED: 29/10/15

Pre-Application Discussion (Ref)

- N/A

Applicant Submission Documents

- Design and Access Statement

Consultations

- Highways Authority (Parking): An additional 9 cycle parking spaces are required to serve the additional flats in accordance with London Plan Standards. While the increase in flats may increase parking demand, given the PTAL is excellent at this location, it is assumed that there would not be a high level of car ownership.

Site Notice:

Posted: 10/02/2016

Notifications

Sent: 13

Replies: 0

Expiry: 26/02/2016

Summary of Comments;

- 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 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 Development

Character and Appearance of the Area

Residential Amenity

Accessibility

Traffic and Parking

Equalities

S17 Crime & Disorder Act 1998

Consultation Response

Principle of Development

The application site is located within the Harrow Metropolitan Town Centre and is identified as an intensification area as set out in the Harrow Core Strategy (2012) and The London Plan (2015). The detailed area plan is set out in the adopted Harrow and Wealdstone Area Action Plan (AAP) (2013) and therefore any redevelopment and changes of use proposed within this area will be considered against the policies contained within the AAP alongside the adopted Development Management Policies Local Plan (DMP) (2013).

The application site falls within the sub area of Harrow Town Centre as set out in the AAP. The site also forms part of allocated development site 15 'College Road West' as defined within the Harrow and Wealdstone Area Action Plan (2013). Site 15 includes the parade of commercial buildings from no. 76-118 Station Road. The AAP indicates an indicative quantum of residential development for the allocated site of 140 homes within buildings of 5-7 storeys.

London Plan Policy 2.15 inter alia requires that planning decisions should ensure that development would sustain and enhance the vitality and viability of the centre, and to accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations. It is acknowledged that the proposal site is identified as forming part of an allocated development site within a town centre. In this respect, the proposed scheme to provide residential accommodation through an extension of the existing building, is considered acceptable in principle and would not frustrate the delivery of the allocated site.

Notwithstanding this, while the proposal to introduce residential units at the site is considered acceptable in principle, this is subject to compliance with the Area Action Plan, relevant development plan policies and supplementary planning guidance which requires all development to respond positively to the local and historic context, seeks to provide a high quality residential development and protect the amenity of surrounding occupiers.

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.'

Policies AAP1 and AAP4 of the AAP seeks to provide a high standard of development within the Harrow Town Centre and throughout the Heart of Harrow. Policy AAP1 states that development within all three sub areas of Harrow town centre will be required to strengthen its character, legibility and role as a Metropolitan Centre.

Policy AAP6 (A) indicates that the appropriate height of Allocated Sites within the Heart of Harrow will be guided by the parameters set out for each site. In this respect, the site allocation indicates building heights of 5-7 storeys.

The application property forms part of a parade of 1960s commercial buildings which are characterised by flat roofs with aligned ribbon windows. Materials vary from white render and brickwork. Some of the buildings also include significant fascia signage.

In terms of building heights, the adjoining parade varies from 4 to 5 storeys. Specifically, while the majority of the buildings within the parade are currently 4 storeys in height, the adjoining property to the east at 76-80 College Road and also further west at no. 118 College Road are both five storeys. Planning permission was recently granted for an additional storey at no. 102 College Road (P/5573/15) and no. 116 College Road (P/4111/15). In this respect, there is an emerging precedent to extend the height of the buildings within the parade. Within the wider context of the site, building heights extend to 9 storeys. Accordingly, in this respect, it is considered that the additional storey at the application property would not be out of character with the pattern and proportions of established and emerging development and would meet the intent of the site allocation.

The design of the extension ensures that the proposed fourth floor appears as a subservient addition. Specifically, the footprint of this level has been set back approximately 2.0m from the front elevation. In this context, the proposed fourth floor would appear as a recessive element which would not dominate the appearance of the building within the streetscene. The reduced prominence of the fourth floor, in urban design terms, is considered to be an appropriate mechanism to address the prominence of the additional storey.

The proposed alterations to the front facade at first, second and third floor are also considered acceptable. Specifically, the proposal intends to replace the existing ribbon windows, which are generally characteristic of commercial buildings, with individual windows. The replacement windows have been designed to align horizontally with the fenestration of the adjoining building to the west. The arrangement of the glazed panels also reflects that of the surrounding ribbon windows. In this respect, the proposed alterations have sufficient regard to the pattern and grain of the adjoining parade.

In terms of materials, the principal external material to the front elevation would be white

render with dark grey powder-coated aluminium. Given there is a presence of both brick and render within the surrounding area, there is no objection to the use of white render in this respect. While the applicant has indicated that the additional level would be finished in brickwork, the proposal plans appear to demonstrate the use of metal cladding, which is generally utilised in this form of extension. A condition of approval will require the submission of further details relating to materials to confirm this discrepancy.

Accordingly, the design approach for the front elevation is considered to satisfactorily relate to the surrounding development, while the appropriate proportions of the additional storey would ensure this level sits comfortably within its surroundings. The proposal would therefore accord with policies 7.4.B and 7.6.B of the London Plan, policy CS1.B of the CS and policy AAP 1, 4 and 6 of the AAP.

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.

There are no specific policies within the AAP which deal with safeguarding residential amenity but eludes that development proposals would be required to meet policy DM1 of the Development Management Policies Local Plan (2013), which seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.

Impact of the development on Neighbouring Amenity

The proposed development would introduce 8 residential units to the existing building. It is likely that up to a maximum of 12 people would occupy the proposed flats. Given the mixed character of the surrounding area, the location of the site within the town centre and the scale of the proposal, it is considered that the proposed development would not unacceptably exacerbate any existing levels of noise and disturbance experienced within the area. In this respect, any potential amenity impacts of the proposed development would be limited to the scale and siting of the proposed extension.

To the east the application property adjoins a five storey commercial building located at 76-80 College Road. This building includes a similar footprint and architectural style to the application premises, whereby the main rear elevations align and a multilevel rear projecting element with undercroft car parking extends towards the rear of the site. To the west the application site adjoins a four storey commercial building located at 100 College Road. A review of the planning history for these properties indicates that they do not benefit from prior approval to convert into residential units. Accordingly, given the commercial use of both neighbouring properties, there would be no unacceptable loss of amenity as a result of the proposal.

Given the rear of the property adjoins Kings House car park, no loss of amenity would result in this respect.

Accordingly, it is considered that the proposed development would not unacceptably harm the amenities of surrounding occupiers through a loss of light, privacy, overlooking or perception of overlooking and would therefore accord with the aims and objectives of policies 7.4B and 7.6B of The London Plan (2015), Core Policy CS1B of the Harrow

Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Plan (2013), and the adopted SPD: Residential Design Guide (2010).

Future Occupiers

Room Size and Layout

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 and policy AAP13 of the AAP. Further detailed room standards are set out in the Mayors Housing Supplementary Planning Guidance 2012.

On 25 March 2015 through a written ministerial statement, the Government introduced new technical housing standards in England and detailed how these would be applied through planning policy.

The national standards came into effect on 1st October and therefore an application submitted at this site would be considered against the new national standards instead of the current London Plan standards. Furthermore, the imposition of any conditions requiring compliance with specific policy standards relating to new housing would need to be considered against the national standards.

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. This is also set out in the draft Interim Housing SPG.

Therefore from October 2015, policy 3.2 (c) requires that table 3.3 to be substituted with Table 1 of the nationally described space standards, which is set out in the table below. Policy 3.8 (c) of the London Plan relating to Housing Choice, from the 1 October should be interpreted as 90% of homes should meeting building regulations M4 (2) – 'accessible and adopted dwellings'. Policy 3.8 (d) will require 10% of new housing to meeting building regulations M4 93) – 'wheelchair user dwellings'.

Bedrooms	Bed spaces	Minimum GIA (sq m)			Built – in storage (sqm)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

*Where a studio has a shower room instead of a bathroom, the floor area may be reduced from 39sqm to 37 sqm.

Proposed Flats	Gross Internal floor Area
Flat 1 (studio flat)	50sqm (39sqm)
Flat 2 (studio flat)	46sqm (39sqm)
Flat 3 (one bedroom, 2 person)	53sqm (50sqm)
Flat 4 (studio flat)	46sqm (39sqm)
Flat 5 (two bedroom, 3 person)	61sqm (61sqm)
Flat 6 (studio flat)	38sqm (39sqm)
Flat 7 (studio)	40sqm (39sqm)
Flat 8 (one bedroom, 2 person)	59sqm (50sqm)

As demonstrated within the above table, the proposed flats meet the minimum floorspace standards as required by national housing standards. Each flat would also meet the requirements for built in storage.

While the proposed units would be single aspect, given the limited depth, appropriate layout and amount of windows serving the units, it is considered that each of the proposed flats would be served by an adequate level of natural light.

Given the application site and surrounding properties were originally established as commercial buildings, it is considered that the outlook from the rear facing windows is limited. Specifically, the buildings generally extend the depth of the site parallel to each other, with car parking and servicing provided at ground floor. This relationship between the buildings also results in some degree of mutual overlooking to the adjoining commercial properties. Notwithstanding this, while it is noted that the character of the area does not lend itself to provide a high standard of accommodation in terms of

outlook and privacy, on balance, given the units are adequately lit and achieve an acceptable space and layout, on balance, the units provide an acceptable level of accommodation.

While it is noted that prior approval had been granted for the conversion of the existing commercial floorspace to 29 residential units (P/4480/15), this has not yet been implemented on site and as such, has not been demonstrated on the proposal plans. Accordingly, for the purposes of this application, the current lawful use of the first-third floors is considered to be commercial (Class B1).

In this context, the proposal would provide one access point for the residential and commercial units. The upper floors would also be accessed via a single lift and stairwell. Given the scale of the commercial floorspace, which occupies the entire first, second and third floor, the use of one lift / access to the commercial and residential units is not considered to adequately address secured by design principles. Concern is raised in regards to the sense of security experienced by the future occupiers of the residential units as a result of the shared access to all floors. While it is acknowledged that commercial and residential uses are able to function well within mixed-use schemes, it is generally preferred that a separate access provides access to the residential floorspace. Where this cannot be achieved, the applicant should explore alternative secured by design principles.

The proposal has not provided justification as to how the proposed residential units would be introduced to the commercial building without detrimentally impacting the standard of the residential units or the continued functioning of the established commercial use. Notwithstanding this, the applicant has agreed to enter into a legal agreement whereby the approved scheme can only be implemented subject to the conversion of the lower levels in accordance with planning permission P/4480/15. In this respect, there would be no conflict of uses which would impact upon the standard of accommodation of the future occupiers.

Given the above, it is considered that the proposal would have no significant adverse implications for host and neighbouring residential amenities, and would accord with policies 7.4B and 7.6B of The London Plan (consolidated with alterations since 2011)(2015), policies DM1 and DM30 of the DMP and the Council's adopted Supplementary Planning Document 'Residential Design Guide (2010)' in that respect.

Accessibility

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (consolidated with alterations since 2011)(2015) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document *Accessible Homes* 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'.

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (consolidated with alterations since 2011)(2015) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document *Accessible Homes 2010* (SPD) outlines the necessary criteria for a 'Lifetime Home'.

While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'.

The proposal plans indicate that step free access is available at the front of the site. The proposed residential units share the existing stair and lift that will be extended to serve the proposed floors. The applicants design and access statement indicates that all units have been designed to be adaptable and seek to meet Part M of the Building Regulations.

Notwithstanding this, a condition of approval is required to ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

Accordingly, subject to compliance with this condition, it is considered that the proposed accommodation would be satisfactory and as such would comply with policy 3.5 of The London Plan (consolidated with alterations since 2011)(2015), standard 5.4.1 of the Housing SPG (2012).

Traffic, Parking and Refuse

Access Arrangements, Parking and Cycle Provision

Policy AAP 19 of the AAP also seeks to limit on site car parking and development proposals to support the use of sustainable modes of transport, in particular in areas that have a high level of public transport accessibility.

The application site is located within an area with a PTAL (Public transport Accessibility Level) of 6a, which is considered to be an excellent level of accessibility to public transport nodes and community facilities. It is considered that a number of users will utilise the very good public transport links to the site. It is also noted that the surrounding area includes extensive parking controls. Accordingly, while the proposal would not introduce any additional parking spaces at the site, this is considered acceptable.

Condition 1 of prior approval P/4480/15 requires that 30 secure and accessible parking spaces are provided onsite to serve the 29 units. In addition to this, 8 spaces should be provided to serve the proposed units. In accordance with this requirement, 40 cycle spaces have been provided at the rear of the building within double-stacked covered racks.

This provision accords with current London Plan standards. The proposed location and storage of the cycles is acceptable.

Refuse Arrangements

The existing servicing arrangements for the building are proposed to continue. Specifically, refuse and recycling storage would be provided to the rear of the building. Three additional bins have been provided adjacent the rear boundary. A condition of approval will require further details to be submitted regarding the bin shelter.

A condition of development would ensure that the bins are kept in the designated stores

which would ensure that there would be no adverse impacts on the amenities of neighbouring occupiers of the character of the area.

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 new build would not adversely impact upon community safety issues and as such, would comply with policy 7.3 of The London Plan (2015) or Policy DM2 of the Harrow Development Management Policies Local Plan (2013).

Consultation Responses

N/A

CONCLUSION

It is considered that the proposed scheme for 8 residential units would contribute to a strategically important part of the housing stock of the borough, in accordance with paragraph 3.55 of the London Plan (2015). Furthermore, the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.

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 92 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following documents and plans:

00; 100; 101; 102; 104; 200 Rev B; 201; 202 Rev A; 204 Rev B; Design & Access Statement.

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

3 Notwithstanding the details shown on the approved plans, the development hereby

permitted shall not proceed above ground floor damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted, provided at the application site, and approved in writing by, the local planning authority:

a: External materials of the proposed cladding and new extension

b: external materials of the proposed bin storage

REASON : The development shall be carried out in accordance with the approved details and shall thereafter be retained.

4 The refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan (consolidated with alterations since 2011)(2015) and policy DM1 of The Development Management Policies Local Plan 2013.

5 The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards in accordance with policies 3.5 and 3.8 of The London Plan, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

INFORMATIVES:

1 INFORMATIVE:

The following national, regional and local planning policies and guidance are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2015):

Policies 3.1, 3.5, 3.8, 3.12, 5.1,5.2, 5.3, 5.7, 5.9, 5.10, 5.12, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.8, 7.15

The Harrow Core Strategy (2012)

Core Policies CS1

Harrow and Wealdstone Area Action Plan (2013)

AAP1, AAP2, AAP4, AAP8, AAP9, AAP13, AAP16, AAP17, AAP18, AAP19, AAP20

Development Management Policies Local Plan (2013)

Policies DM1, DM2, DM10, DM24, DM27, DM31, DM42, DM45.

Supplementary Planning Document – Residential Design Guide (2010)

Supplementary Planning Document – Accessible Homes (2010)

Supplementary Planning Document – Access for All (2006)

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008).

Housing: Supplementary Planning Guidance (2012)

2 INFORM_PF2

Grant without 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. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3 INFORMATIVE:

Please be advised that this application attracts a liability payment of £17,150.00 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 £17,150.00 for the application, based on the levy rate for Harrow of £35/sqm and the residential floor area of 490sqm.

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: £53,900.00

5 CONSIDERATE CONTRACTOR CODE OF PRACTICE

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working

6 PARTY WALL ACT:

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building

work which involves:

1. work on an existing wall shared with another property;
 2. building on the boundary with a neighbouring property;
 3. excavating near a neighbouring building,
- and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from:
Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB
Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7 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.

8 Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

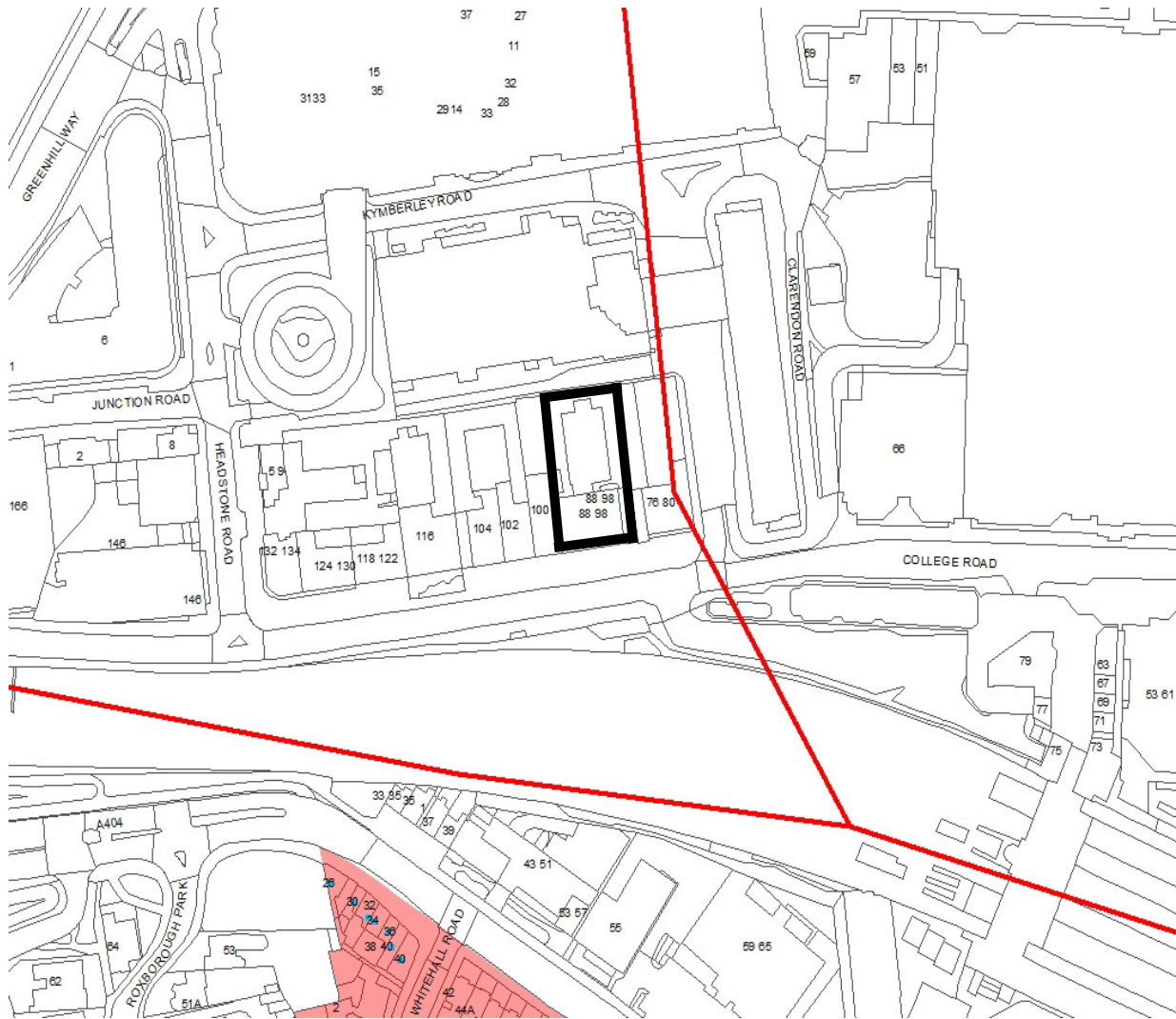
All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

Plan No.'s: 00; 100; 101; 102; 104; 200 Rev B; 201; 202 Rev A; 204 Rev B; Design & Access Statement.

88-98 COLLEGE ROAD, HARROW



ITEM NO: 2/05
ADDRESS: 20 ELMWOOD AVENUE, HARROW
REFERENCE: P/0347/16
DESCRIPTION: CONVERSION OF EXISTING CARE HOME (USE CLASS C2) TO RESIDENTIAL (USE CLASS C3) COMPRISING THREE FLATS; PART SINGLE / PART TWO STOREY SIDE EXTENSION; SINGLE STOREY REAR EXTENSION; NEW VEHICLE CROSSOVER AND ASSOCIATED CAR PARKING AND LANDSCAPING.
WARD: GREENHILL
APPLICANT: MR NAJI AL-DHAN
AGENT: JANE DUNCAN ARCHITECTS
CASE OFFICER: JUSTINE MAHANGA
EXPIRY DATE: 18/03/2016

RECOMMENDATION

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

INFORMATION:

This application is reported to Planning Committee under Proviso E of the Scheme of Delegation, dated 29th May 2013, as there has been significant public interest in this application.

Statutory Return Type: 13: Minor Dwellings

Council Interest: None

Net Additional Floorspace: 83.67sqm

Gross Floorspace: 293.22sqm (existing floorspace not in use)

GLA Community Infrastructure (CIL) Contribution: £10,262.70

Harrow Community Infrastructure (CIL) Contribution: £32,254.20

Site Description

- The subject site is located on the western side of Elmwood Avenue, close to the junction with Gerard Road.
- The site is occupied by a two-storey detached property, which has been extended by way of a single storey side and rear extension.
- The lawful use of the property is a care home (Class C2). The property was purchased from the NHS approximately 5 years ago and has since been vacant.
- At the time of officer site visits (November 2015 & February 2016), the property was vacant and in a state of disrepair.
- The existing building is constructed of red brick and white render.

- One informal car parking space is provided to the front of the dwelling.
- Elmwood Avenue is generally characterised by two-storey detached and semi-detached dwellings with car parking provided within front forecourts.
- While the surrounding development generally follows a 1930's metroland design, there is no significant commonality in the detailed design or materials of the buildings.
- The site is not located within the setting or a listed building, nor is it within a conservation area.

Proposal Details

- It is proposed to convert the existing vacant care home (Class C2) to three self-contained flats (Class C3).
- Proposed flat 1 (3 bed, 6 person) would occupy the entire ground floor and would have a gross internal area (GIA) of 138sqm.
- The ground floor flat would be served by a 155sqm private garden at the rear of the property. This space would be accessed internally via the flat and also externally, via the north-western side of the building.
- Proposed flat 2 (1 bed, 2 person) would be a split level flat with a GIA of 72sqm (excludes floorspace with a ceiling height lower than 1.5m).
- Proposed flat 3 (1 bed, 2 person) would be located at first floor and would have a GIA of 55sqm.
- Proposed flats 2 & 3 would be served by a communal garden located at the rear of the site.
- The proposed conversion involves extensions to the existing building.
- At ground floor the existing pitched roof, single storey side extension (original garage) and existing chimney would be replaced with a two-storey side extension.
- At ground floor the extension would have a width of 4.0m and depth of 12.2m.
- The extension would be set back 1.4m from the original front elevation of the property (excluding bay windows).
- At the rear the proposal would extend 400mm beyond the established rear elevation for a width of 8.0m.
- At first floor the extension would measure 4.0m in width and 7.8m in depth.
- The 1.4m front setback would be retained and the extension would align with the established first floor rear elevation.
- The extension would be finished with a hipped roof, set approximately 300mm lower than the main ridge height.
- A lean-to extension located at the rear of the property on the western side of the building would be removed.
- It is also proposed to alter the existing fenestration at the rear of the property and include additional front and rear facing windows at loft level.
- The area to the front of the dwelling would include two parking spaces and an area for bin storage on collection days.
- The existing vehicle crossover, located at the south-eastern end of the frontage would be replaced with a double-width crossover, located centrally on the frontage.
- Cycle parking and refuse storage for proposed flat 1 would be provided within the private amenity space.
- Cycle parking (4 spaces) and refuse storage for proposed flats 2 & 3 have been provided at the rear of the property.
- A bin storage area has been provided at the front of the site, for storage on collection days only.

- Materials include painted render, brickwork and timber window / door frames to match existing.

Revisions to Current Application

Following the submission of this application the following minor amendments have been made:

- First floor rear extension was removed;
- Proposed flat 2 reduced from a 2 bedroom (4 person) flat to single bedroom (2 person) unit;
- Proposed bedroom of flat 3 was enlarged to meet minimum floorspace standards (11.5sqm);
- Bin storage and cycle parking for proposed flat 1 has been included in the private amenity space;
- Bin storage for proposed flats 2 & 3 has been increased to 3 bins per flat; and,
- Bin storage area at front of site increased to accommodate 9 flats.

Relevant History

HAR/1726/B

Erection of additional garage

GRANTED : 12.02.62

HAR/1726

Erection of garage and repairs to wall (applicant: Brent & Harrow Health Authority).

GRANTED : 18.07.49

EAST/93/94/FUL

Alterations and single storey rear and side extension with ramp at side

GRANTED : 05.04.94

P/1673/15

Conversion of existing care home (Class C2) to residential (Class C3) comprising four flats; two storey side extension; front dormer; single and two storey rear extension; external alterations.

WITHDRAWN based on officer recommendation.

Pre-Application Discussion (Ref: P/3206/15/PREAPP)

- In accordance with Policy DM29, any application should provide evidence in regards to the long-term vacancy of the care home. Should this be satisfactorily demonstrated, the use of the land for residential units is acceptable in principle.
- Concerns regarding the ability of the site to accommodate 4 flats; recommended that the site should accommodate 3 flats maximum.
- Any two-storey side extension to the property should have a subordinate roof form to minimise its impact on the original building, street scene and neighbouring property to the south.
- At first floor, the proposed two-storey side extension should align with the rear elevation of no. 18a to protect the amenity of this neighbour.
- The ground floor rear extension should be reduced to 4.0m in depth.
- The use of a multitude of steps in the rear building line at ground floor is inappropriate; a single step would be acceptable.
- The first floor rear extension should be reduced in width.
- No more than two parking spaces should be provided within the front forecourt.

Applicant Submission Documents

- N/A

Consultations

- Elmwood Area Residents Association: The proposal represents an overdevelopment of the site that would result in a detrimental impact to the surrounding residents.
- Drainage Engineer: Recommended conditions of approval.
- Highways Officer: No objection to this proposal. Cycle parking needs to comply with London Plan (2015) standards.
- The proposed new vehicle crossover will be subject to a further application via Highways should this proposal be granted. If a second crossing is approved, it may be possible to re-provide the permit bay elsewhere in the street. Notwithstanding this, whilst a space may be lost on street, the provision of off-street counterbalances the loss as it means that there would be one less car parking on-street in any case.
- Adult Social Care Officer: No objection to loss of care home.

Notifications

Site Notice:

Posted: 19/02/2016

Initial consultation:

Sent: 42

Expiry: 18/02/2016

Re-consultation based on revisions to plans:

Sent: 42

Replies: 19

Expiry: 11/04/2016

Summary of Comments;

- The proposal is an overdevelopment of the site and is not appropriate for the neighbourhood as it would introduce 3 flats in an area of single family dwellings. The flats would place a strain on amenities and local services;
- The proposed occupancy would result in noise and disturbance;
- The extensions are excessive and out of character with other properties in the area;
- The extensions would significantly reduce the space between the property and adjoining neighbours;
- The rear extension is excessive and would result in a loss of garden;
- The proposed gable roof is out of character with surrounding properties;
- The proposed extensions would have an adverse impact on the outlook and privacy of surrounding residents;
- The proposed extension would result in a loss of light to no. 18a;
- The parking provision is inadequate. There are already issues with parking in the area;
- The proposed crossover would result in a loss of on-street parking.
- The proposed accommodation is cramped;
- The subject application seeks very minor amendments to the previous scheme which do not address previous objections;
- The plans do not demonstrate the required amount of bins. The requirements to bring the bins forward on collection day would cause noise and disturbance;

- The proposal would have serious adverse impacts on ground stability and drainage;
- Concerns have been received in regards to the consultation of the application and technical errors which have been preventing surrounding residents from commenting on the application.

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) and the Local Development Framework (LDF). The LDF comprises The Harrow Core Strategy 2012, Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (DMP) 2013, the Site Allocations Local Plan (SALP) 2013 and Harrow Local Area Map (LAP) 2013.

MAIN CONSIDERATIONS

Principle of Development
 Character and Appearance of the Area
 Residential Amenity
 Accessibility
 Traffic and Parking
 Flood Risk and Drainage
 Equalities
 S17 Crime & Disorder Act 1998
 Consultation Response

Principle of Development

A review of the planning history indicates that a planning application was not received by the LPA to change the use of the premises. However, the most recent applications on the site, HAR/1726 & EAST/93/94/FUL confirm this use. This indicates that the care home use was established.

Policy DM 29(b) 'Sheltered Housing, Care Homes and Extra Care Housing' requires the following:

The loss of care homes or sheltered housing will only be supported where it can be reasonably demonstrated there is no longer a demand for that use on the site.

In August 2014 the applicant purchased the property from the NHS. The applicant has provided proof of purchase in support of this application. Since the time of purchase the property has remained vacant and in a state of disrepair. It is considered that the lawful use of the property remains to be a care home, within Class C2.

It is considered that the long-term vacancy of the care home and the sale of the property by the NHS reasonably demonstrates there is no longer a demand for the use on the site. Furthermore, the Council's Adult Social Care department has confirmed there is no

objection to the loss of the care home, particularly in light of the fact that it has not been in operation for years.

The Council's Community, Health and Wellbeing team emailed the applicant to state that the proposal to change the use of the property for a residential use would not have any detriment on nursing care provision in the borough. This information has been submitted as evidence to support the applicant's case.

In this context, the LPA raise no objections in principle to the loss of the existing vacant care home. Furthermore, the use of the land for residential purposes would accord with one of the objectives of the Core Strategy which seeks to deliver a minimum of 6,050 net additional homes between 2009 and 2026. The development would therefore provide an effective and efficient use of land resources within the borough whilst the use of the land for residential uses would fit in with the surrounding pattern of development and land uses.

Character and Appearance of the Area

Policy and Site Context

Policy DM1 of the DMP requires all new development to provide a high standard of design and layout, respecting the context, siting and scale of the surrounding environment. This policy broadly reflect policies 7.4.B and 7.6.B of The London Plan 2015 and gives effect to policy CS1.B of the Harrow Core Strategy 2012, policies which seek to ensure that development respects local character and provide architecture of proportion, composition and scale that enhances the public realm.

The surrounding area on Elmwood Avenue is generally characterised by large two-storey semi-detached and detached dwellings. While the majority of the properties can be characterised as 1930's metroland dwellings, there is no significant commonality in the detailed design or materials. Specifically, the immediate surrounding area includes a mix of brickwork, pebbledash, and painted rendered buildings.

The southern end of Elmwood Avenue, close to the junction with Kenton Road, is located within the Kenton District Centre and includes higher density residential development, such as Kenton Court a three-storey mansion block. Eastwards onto Kenton Road, includes a variety of commercial and retail buildings, many of which include residential units above.

Accordingly, while it is acknowledged that concerns have been raised by surrounding residents in regards to the conversion of the property into three residential units, given the close proximity to the Kenton District Centre and the highly sustainable location of the site, it is considered that the application premises is a suitable location for the proposed density.

Furthermore, while specific concerns regarding the design and appearance of the proposed flatted development have also been raised by surrounding residents, it is considered that the scale and form of the proposed extensions are appropriate for a detached residential property.

The scale, siting and design of the proposed extensions have been assessed against the requirements of the Residential Design Guide SPD as follows:

Scale, Siting and Design

The proposal seeks to replace the existing single storey side extension with a two-storey side extension. The proposed extension would extend 4.0m in width from the original flank elevation of the property. Concerns have been raised in regards to the reduction in space between the property and the adjoining neighbours. However, it is noted that the proposed extension would only sit 800mm closer to the common boundary with no 18a than the existing side extension and as such, would maintain a distance of 1.2m to the common boundary. In accordance with paragraph 6.42 of the Residential Design Guide SPD, the extension would also be setback from the original front elevation at ground and first floors and would be finished with a hipped roof, set lower than the main ridge. Accordingly, when viewed within the street scene, the proposed extension would appear as a proportionate, yet subservient extension to the property.

The architectural design, fenestration and use of materials of the proposed side extension follows the form of the original building and would therefore provide a harmonious extension. Furthermore, given there is no significant commonality in the detailed design or materials of the buildings within the surrounding area, the proposed side extension, which would preserve the original character of the property, is considered to relate satisfactorily to the surrounding development.

When viewed from the rear, it is considered that the proposed extensions would sit comfortably within the site and would maintain the character of the original dwelling. Specifically, at first floor, the proposed extension would align with the principal rear elevation. At ground floor, an existing lean-to extension would be removed and a single storey extension would infill the south-eastern corner of the property. While concerns have been raised in regards to the scale of the extensions and the resultant loss of garden space, the proposed rear extensions comply with the depth of projection and building height detailed within the Residential Design Guide SPD. In this case, the site has sufficient depth to accommodate the rear projection and maintains adequate space around the proposed building to provide an appropriate setting and ensure that a sufficient amenity space would be retained at the rear of the property. Furthermore, it is noted the proposal would not extend beyond the existing rear building line established by the single storey lean-to extension, and would generally align with the rear building lines of adjoining properties.

In terms of architectural design, the proposed removal of the lean-to and extension of the ground floor would provide for a more uniform, rear building line. Furthermore, while the existing fenestration within the rear elevation currently lacks coherence and results in large areas void of openings, the proposal would provide for a generous window pattern with a level of detailing which contributes to the overall articulation of the rear façade of the building.

The proposed use of facing brickwork and render with brick detailing would ensure that the proposed development sits comfortably within the established character of the property. Accordingly, overall, it is considered that the use of materials, the proposed fenestration and detailing results in a coherent and legible face to the building.

Landscaping and Layout

The area to the front of the building would include two parking spaces, a refuse storage area for collection days and areas of soft landscaping. Whilst it is acknowledged that the area available for soft landscaping is limited, it is considered that the proposed development would enhance the overall appearance of the front of the property. Furthermore, a review of the surrounding area indicates that due to the provision of

parking within front forecourts, landscaping within the front gardens is limited. In this context, the proposed arrangement is considered acceptable.

Notwithstanding this, conditions of approval will require the submission of further details relating to landscaping and levels.

Accordingly, while the surrounding resident's concerns regarding the overall scale and appearance of the extensions are acknowledged, the design approach for the proposed development are considered to provide for extensions of appropriate proportions which would sit comfortably within the host property and its surroundings. It is therefore considered that the building proposed would accord with policies 7.4.B and 7.6.B of the London Plan, policy CS1.B of the CS and policy DM1 of the DMP.

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".

Impact of the development on Neighbouring Amenity

Various objections from surrounding residents of Elmwood Avenue raise concerns in regards to the conversion of a single family home to three flats. Specifically, this conversion is considered to represent an overdevelopment of the site which would lead to increased noise and disturbance in the area, strain on surrounding amenities, services and on-street parking.

While the objections refer to the existing property as a single family dwelling house, the planning history of the site indicates the lawful use of the property to be a care home (Class C2). Accordingly, while the concerns regarding the increased occupancy and overdevelopment of the premises are acknowledged, it is considered that the use of the site as a care home has previously established a higher density residential use at the application premises.

Notwithstanding this, as the property has been vacant for a significant period, it is considered that the proposed use of the property as three flats, with a maximum occupancy of 10 persons, would result in an increase in comings and goings from the site from what has recently been established. However, given the residential use of the property would be compatible with the surrounding character on Elmwood Avenue, which includes large two-storey properties, the maximum occupancy of 10 persons is not considered to unacceptably exacerbate any existing levels of noise and disturbance experienced within the area. Furthermore, given the close proximity to the Kenton District Centre, the established higher density residential development towards the junction with Kenton Road and the highly sustainable location of the site, it is considered that the application site could suitably accommodate three flats.

In this respect, any potential amenity impacts of the proposed development would be limited to the scale and siting of the proposed extension. It is noted that comments have

been received from both adjoining neighbours, raising concerns in regards to the potential loss of light, outlook and privacy.

18a Elmwood Avenue

The southern boundary of the site adjoins no. 18a Elmwood Avenue, a two-storey detached dwelling. Due to the architectural design detailing of the building and the width of the site, it appears that this property is an infill development which has been severed from an adjoining neighbour. This property includes a two-storey rear outrigger which extends adjacent to the common boundary with the application site. It is noted that due to the slope of the road, the application premises sits marginally higher than no.18a.

At ground floor, the proposed side extension would maintain a distance of 1.2m to the common boundary with this neighbour and 2.3m to the flank elevation. The rear of the ground floor extension would then align with the rear elevation of the two-storey outrigger located adjacent the common boundary, while the first floor side extension would not project reward of the main rear wall of this neighbour.

In assessing the impact on no. 18a, it is noted that the proposed two storey side extension would not intercept the 45 degree horizontal splay taken from the nearest corner of the two-storey outrigger at this property. Furthermore, although the ground floor extension would sit higher than this neighbour due to the change in ground level, no undue loss of light or outlook would occur due to the separation provided between the properties and also given the extension would not project beyond the rear elevation of this property. While it is noted that this neighbouring property includes first floor, north facing windows in the flank elevation, these windows either serve non-habitable rooms or are secondary windows to a habitable room. Accordingly, while the side extension would restrict some light and outlook to these windows, these windows are not protected windows and are not required to be tested under the BRE guidelines.

In terms of overlooking it is acknowledged that the proposal would introduce rear facing and flank wall windows oriented towards this neighbouring property. Due to the siting and footprint of the proposal, any overlooking from the rear windows would largely be restricted to the rear amenity area of this property. Given the relationship between the properties, some degree of mutual overlooking to the rear of the properties is accepted. Furthermore, it is noted that the proposed windows in the flank elevation would serve non-habitable rooms and as such, could include obscured glazing to mitigate any impact. Accordingly, subject to a condition recommending that the flank windows facing this property are obscured, the degree of overlooking or loss of privacy to this neighbour would not be unreasonable.

22 Elmwood Avenue:

The northern site boundary adjoins a two-storey semi-detached property. A 3.1m separation is currently provided between the flank wall of the application property and the flank wall of this adjoining neighbour. At present, the existing two-storey rear outrigger and lean-to extension project beyond the rear elevation of this neighbour. Given the proposed extensions would extend along the southern side of the property, no undue loss of light or outlook would occur to no. 22.

In terms of overlooking, it is noted that the existing property includes various flank wall windows facing this property. While it is proposed to infill some of these windows, 3 windows would remain at ground floor and a single window at first floor. It is noted that these windows would serve stairwells, a store room and a kitchen. Given these windows

are established at the property and would not serve habitable rooms, it is not considered that a significant degree of overlooking would occur.

Accordingly, it is considered that the proposed development would not unacceptably harm the amenities of surrounding occupiers through a loss of light, privacy, overlooking or perception of overlooking and would therefore accord with the aims and objectives of policies 7.4B and 7.6B of The London Plan (2015), Core Policy CS1B of the Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Plan (2013), and the adopted SPD: Residential Design Guide (2010).

Future Occupiers

Room Size and Layout

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 and policy AAP13 of the AAP. Further detailed room standards are set out in the Mayors Housing Supplementary Planning Guidance 2012.

On 25 March 2015 through a written ministerial statement, the Government introduced new technical housing standards in England and detailed how these would be applied through planning policy.

The national standards came into effect on 1st October and therefore an application submitted at this site would be considered against the new national standards instead of the current London Plan standards. Furthermore, the imposition of any conditions requiring compliance with specific policy standards relating to new housing would need to be considered against the national standards.

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. This is also set out in the draft Interim Housing SPG.

Therefore from October 2015, policy 3.2 (c) requires that table 3.3 to be substituted with Table 1 of the nationally described space standards, which is set out in the table below. Policy 3.8 (c) of the London Plan relating to Housing Choice, from the 1 October should be interpreted as 90% of homes should meeting building regulations M4 (2) – 'accessible and adopted dwellings'. Policy 3.8 (d) will require 10% of new housing to meeting building regulations M4 93) – 'wheelchair user dwellings'.

Bedrooms	Bed spaces	Minimum GIA (sqm)			Built – in storage (sqm)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

*Where a studio has a shower room instead of a bathroom, the floor area may be reduced from 39sqm to 37 sqm

Proposed Flats	Gross Internal floor Area
Flat 1 (3 bedroom, 6 person)	138qm (95sqm)
Flat 2 (1 bedroom, 2 person)	72sqm (70sqm)
Flat 3 (1 bedroom, 2 person)	55sqm (50sqm)

As demonstrated within the above table, the proposed flats exceed the minimum floorspace standards as required by national housing standards. Furthermore, in accordance with notes to table 3.3, more than 75% (61sqm) of proposed flat 2 includes a minimum ceiling height of 2.3m. It is also noted that each flat would also meet the requirements for built in storage.

Proposed flat 1 would provide a family sized unit with access to private amenity space at the rear. The layout and outlook of this unit is considered to be appropriate and would provide an adequately lit flat, which would be dual aspect.

Proposed flat 2 would be split over the first floor and proposed loft space. While the majority of the habitable space would be provided at first floor, a double bedroom would be included within the loft. While it is noted that areas within the proposed loft do not achieve the minimum floor-to-ceiling height, that part of the room over 2.3m in height would exceed the required minimum floorspace for a double bedroom of 11.5sqm. On balance, the level of outlook and natural light to this unit is acceptable.

Proposed flat 3 would provide a dual aspect single bedroom flat. The layout of this unit would provide an adequately lit unit with a sufficient level of outlook.

Proposed flats 2 & 3 would have access to a shared amenity space at the rear of the property. This area would be accessed via the south-eastern side of the building.

Despite some minor conflicts identified between the horizontal and vertical stacking of the units, on balance, the layout of the proposed additional floors is considered to provide an acceptable level of accommodation for the future occupiers of the property.

Given the above, it is considered that the proposal would have no significant adverse implications for host and neighbouring residential amenities, and would accord with policies 7.4B and 7.6B of The London Plan (consolidated with alterations since 2011)(2015), policies DM1 and DM30 of the DMP and the Council's adopted Supplementary Planning Document 'Residential Design Guide (2010)' in that respect.

Accessibility

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (consolidated with alterations since 2011)(2015) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document *Accessible Homes* 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'.

While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'.

The applicant has not provided any information demonstrating compliance with Part M of the National Standards.

A review of the plans indicates that step-free access to the property could be obtained on the southern side of the proposed car parking area. Furthermore, given the acceptable layout and generous size of the ground floor unit, it is considered that this unit could be easily adapted to wheelchair users. In this respect, the proposal meets the minimum 10% wheelchair homes set out in the Mayor of London Wheelchair Standard Housing Design Guide and the Category 3 dwellings from Part M of the Building Regulations (adopted October 2015).

Notwithstanding this, given the restricted layout and size of the upper floor flats, especially proposed flat 2 which includes floorspace at loft level, it is considered that a revised internal layout of these flats is required to demonstrate compliance with part M. Accordingly, a condition of approval is required to ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

Accordingly, subject to compliance with this condition, it is considered that the proposed accommodation would be satisfactory and as such would comply with policy 3.5 of The London Plan (consolidated with alterations since 2011)(2015), standard 5.4.1 of the Housing SPG (2012).

Traffic, Parking & Servicing

Policies DM26 and DM42 of the DMP give 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 application site is located within an area with a PTAL (Public transport Accessibility Level) of 5, which is considered to be a very good level of accessibility to public transport nodes and community facilities.

At present the application site is served by a single parking space to the front of the property. Access to this area is via a single crossover located at the southern end of the Elmwood Avenue frontage.

It is proposed to replace the existing vehicle crossover with a centrally located double-width crossover (approximately 7.6m). It is noted that there is currently a precedent for a double-width crossover. Accordingly, while the proposed crossover is accepted in principle, this is subject to a further application to the Council's Highways Department following the grant of Planning Permission.

While it is noted that surrounding residents have raised concerns in regards to the potential loss of an on-street parking space as a result of the proposed crossover, comment from the Council's Highways officer indicated that it may be possible to re-provide any loss of permit parking elsewhere in the street. Notwithstanding this, whilst a space may be lost on street, the provision of an additional off-street space counterbalances the loss.

In terms of the proposed provision of parking spaces, the proposal seeks to provide two wheelchair accessible spaces to the front of the property. Comments from surrounding residents indicate that the provision of two on-site parking spaces would not be adequate to serve the three flats and would lead to further congestion on street parking. However, in accordance with The London Plan standards 2015 and also considering the site's PTAL rating of 5, the proposal should be aiming for less than 1 space per unit. In this respect, the proposal to provide two parking spaces is accepted. The Highways Authority have not raised any objections to the layout or provision of parking.

Secure and readily accessible cycle parking is provided, at one space per room, in line with the The London Plan (consolidated with alterations since 2011)(2015) requirements. This has been provided on site in the rear garden and is therefore acceptable.

It is therefore considered that the development would not result in any significant increase in traffic movements from the site or unreasonable impacts on highway safety and convenience would therefore accord with policies DM26 and DM42 of the DMP (2013).

Refuse Arrangements

Refuse and recycling for the proposed flats would be stored within designated shelters in the rear garden. On collection days the bins would be brought forwards to a management area towards the front. This collection area is located within 10m of the refuse collection vehicle in line with the Council's Refuse Code of Practice. While residents raised concerns regarding the number of bins provided for each flat, the proposal plans have been amended to demonstrate three bins for each flat, in line with the British Standards Waste Management in Buildings.

Concerns have also been raised by surrounding residents regarding the proposed

arrangements for refuse storage. Specifically, there is concern that the relocation of the bins to the front of the property on collection days would result in noise and disturbance for surrounding properties. However, it is noted that this is an accepted arrangement for new developments and flat conversions when it is considered that refuse storage could not be suitably accommodated within the front garden. In this case, given the layout and scale of the front forecourt, it is considered that the permanent storage of the bins within this area would reduce the visual amenity of the site within the streetscene.

A condition of development would ensure that the bins are kept in the designated stores which would ensure that there would be no adverse impacts on the amenities of neighbouring occupiers of the character of the area.

Flood Risk & Drainage

The site is located within a Critical Drainage Area and therefore, the Council's Drainage Team has advised that the detail drainage design be secured by condition. In this regard, and subject to the imposition of suitable conditions, the proposal would give rise to no conflict with the above stated policies.

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 new build would not adversely impact upon community safety issues and as such, would comply with policy 7.3 of The London Plan (2015) or Policy DM2 of the Harrow Development Management Policies Local Plan (2013).

Consultation Responses

- *The proposal is an overdevelopment of the site and is not appropriate for the neighbourhood as it would introduce 3 flats in an area of single family dwellings. The flats would place a strain on amenities and services.*

Given the close proximity to the Kenton District Centre and the highly sustainable location of the site, it is considered that the application premises is a suitable location for the proposed residential density. Please refer to section 1 of this report for further detail.

- *The proposed occupancy would result in noise and disturbance.*

The proposed residential use of the property is compatible with the character of the surrounding area. The use of the property as 3 flats would not result in excessive noise and disturbance to surrounding residents. Please refer to section 3 of this report for further detail.

- *The extensions are excessive and are out of character with other properties in the area.*

The proposed extensions meet the requirements of the Residential Design Guide SPD 2013. Please refer to section 2 of this report for further detail.

- *The extensions would significantly reduce the space between the property and adjoining neighbours.*

The proposed extension would only sit 800mm closer to the common boundary with no 18a than the existing side extension and as such, would maintain a distance of 1.2 to the common boundary. This distance is considered acceptable in maintaining a sufficient gap between the application premises and the adjoining neighbour.

- *The rear extension is excessive and would result in a loss of garden.*

The proposed rear extensions would not extend beyond the established ground floor rear building line. Furthermore, the proposed rear building elevation would generally align with the building line of adjacent properties.

- *The proposed gable roof is out of character with surrounding properties.*

The proposed two-storey extension would be finished with a hipped roof in accordance with the requirements of the Residential Design Guide SPD.

- *The proposed extensions would have an adverse impact on the outlook and privacy of surrounding residents.*

- *The proposed extension would result in a loss of light to no. 18a.*

A full assessment of the impacts on residential amenity has been undertaken within section 3 of this report. The proposed development would not unacceptably harm the amenities of surrounding occupiers through a loss of light, privacy, overlooking or perception of overlooking

- *The parking provision is inadequate. There are already issues with parking in the area.*

The proposed parking provision complies with The London Plan requirements. The Council's Highways Officer has not raised an objection to the proposal.

- *The proposed crossover would result in a loss of on-street parking.*

The proposed new vehicle crossover will be subject to a further application via Highways. Notwithstanding this, the principle of established a double-width crossover at the property is acceptable.

- *The proposed accommodation is cramped.*

The proposed flats exceed the minimum floorspace standards as required by national housing standards. Please refer to section 3 of this report for further detail.

- *The subject application seeks very minor amendments to the previous scheme which do not address previous objections.*

The applicant submitted a revised proposal based on recommendations from the LPA. The requested amendments generally related to the layout of the proposed flats.

- *The plans do not demonstrate the required amount of bins. The requirements to bring the bins forward on collection day would cause noise and disturbance.*

The proposal has been amended to ensure each unit is served by 3 bins.

- *The proposal would have serious adverse impacts on ground stability and drainage.*
The Council's Drainage officer has not objection to the proposal subject to standard drainage conditions.

- *Concerns have been received in regards to the consultation of the application and technical errors which have been preventing surrounding residents from commenting on the application.*

Various correspondence has been received from surrounding residents regarding the consultation process for this application. Upon validation of this application, neighbour consultation letters were sent to adjoining property and a notice was erected at the site. This exceeds the statutory requirements for consultation. Following minor amendments to the scheme, additional letters and a site notice were produced to inform residents of the changes. While residents were concerned that their submissions had not been received by the Local Authority, it was confirmed that these comments had in fact been received. In response to the amount of public interest and objections received, the Local Authority made the decision to report the application to committee for final decision.

CONCLUSION

It is considered that the proposed scheme for 3 residential units would contribute to a strategically important part of the housing stock of the borough, in accordance with paragraph 3.55 of the London Plan (2015). Furthermore, the proposed development would have a *satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.*

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 92 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following documents and plans:

DEA 520-3.00 Rev D; DEA 520-3.01 Rev F; DEA 520-3.02 Rev D; DAT/9.0; DAT/9.1 Rev A; DAT/9.2 Rev A; unnumbered plan showing proposed crossover and front garden layout.

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

3 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

4 The refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan (consolidated with alterations since 2011)(2015) and policy DM1 of The Development Management Policies Local Plan 2013.

5 The windows in the flank elevations hereby approved shall be obscured glazing and non-opening below 1.7m above the floor of the room and maintained in that form thereafter.

REASON: To maintain the privacy of the neighbouring occupiers, in accordance with policy DM1 of the Development Management Policies Local Plan 2013.

6 The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

7 Notwithstanding the details shown on the approved drawings, the development hereby approved shall not commence until revised floor plans demonstrating compliance with "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 have been submitted to, and agreed in writing, by the local planning authority. The development shall be built in accordance with the approved plans and shall thereafter be retained.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards in accordance with policies 3.5 and 3.8 of The London Plan, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013. Details are required prior to commencement to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

8 The development hereby approved shall not commence beyond 150mm above ground level, until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include green roofs, storage tanks, investigation of (and, if feasible, proposals for) rainwater harvesting and measures to prevent water pollution. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that opportunities drainage measures that contribute to biodiversity and the efficient use of mains water are exploited, in accordance with London Policies 5.11, 5.13 & 5.15 of the London Plan (2015) and Policy AAP 9 of the Harrow and Wealdstone Area Action Plan (2013). Details are required **PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL** to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

9 The development hereby approved shall not commence beyond 150mm above ground level until a foul water drainage strategy, detailing any on and/or off site works that may be needed to dispose of foul water from the development and to safeguard the development from foul water flooding, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the drainage

strategy, including any on and/or off site works so agreed, has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, in accordance with Policy 5.14 of the London Plan (2015) and Harrow Core Strategy Policy CS1, and to ensure that the development would be resistant and resilient to foul water flooding in accordance with Policy AAP 9 of the Harrow and Wealdstone Area Action Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

10. The development hereby approved shall not progress beyond 150mm above ground level until a scheme for the hard and soft landscaping of the development, to include details of the planting and hard surfacing materials, has been submitted to, and agreed in writing by, the local planning authority.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy 7.4B of The London Plan (2015), policy CS.1B of the Harrow Core Strategy (2012) and policies AAP 1 and AAP 4 of the Harrow and Wealdstone Area Action Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building, 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 ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy 7.4B of The London Plan (2015), policy CS.1B of the Harrow Core Strategy and policies AAP 1 and AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

12 No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, have been submitted to, and agreed in writing by the local planning authority. The development shall be carried out in accordance with the details so agreed.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with Policies AAP 1, AAP 4, AAP 9, and AAP19 of the Harrow and Wealdstone Area Action Plan (2013) and policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

INFORMATIVES:

1 INFORMATIVE:

The following national, regional and local planning policies and guidance are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2015):

Policies 3.1, 3.5, 3.8, 5.1, 5.2, 5.3, 5.7, 5.9, 5.10, 5.12, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.15

The Harrow Core Strategy (2012)

Core Policies CS1

Development Management Policies Local Plan (2013)

Policies DM1, DM2, DM10, DM24, DM27, DM29, DM42, DM45.

Supplementary Planning Document – Residential Design Guide (2010)

Supplementary Planning Document – Accessible Homes (2010)

Supplementary Planning Document – Access for All (2006)

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008).

Housing: Supplementary Planning Guidance (2012)

2 INFORM_PF2

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. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3 INFORMATIVE:

Please be advised that this application attracts a liability payment of £20,303.50 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 £10,262.75 for the application, based on the levy rate for Harrow of £35/sqm and the residential floor area of 293.22sq.m.

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: 32,254.20

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 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.

9 Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

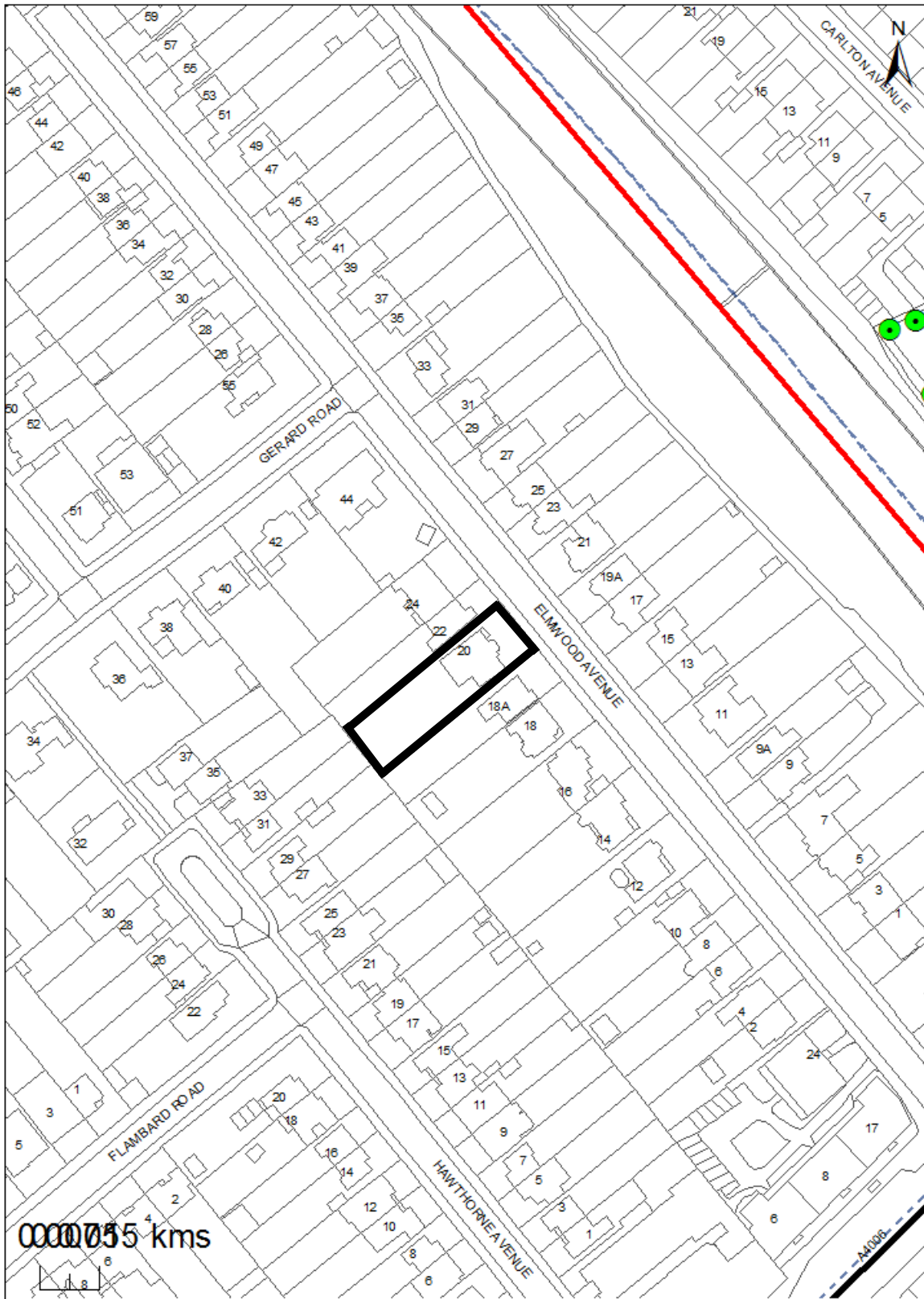
All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

Plan Nos: DEA 520-3.00 Rev D; DEA 520-3.01 Rev F; DEA 520-3.02 Rev D; DAT/9.0; DAT/9.1 Rev A; DAT/9.2 Rev A; unnumbered plan showing proposed crossover and front garden layout.

20 ELMWOOD AVENUE, HARROW



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ITEM NO: 2/06
ADDRESS: 87 SANDRINGHAM CRESCENT, HARROW
REFERENCE: P/0865/16
DESCRIPTION: CONVERSION OF SINGLE DWELLING TO TWO FLATS WITH NEW ACCESS; PARKING, SEPARATE AMENITY SPACE, BIN / CYCLE STORAGE
WARD: ROXBOUNE
APPLICANT: MRS VIJITHA VIJAYAKUMAR
AGENT: BUILDING DESIGN CONSULTANCY UK LTD
CASE OFFICER: KIMRY SCHLACTER
EXTENDED EXPIRY DATE: 01/06/2016

RECOMMENDATION

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

INFORMATION:

This application is reported to Planning Committee under Proviso E of the Scheme of Delegation, dated 29th May 2013, as there has been significant public interest in this application.

Statutory Return Type: 13. Minor Dwellings
Council Interest: None
Net additional Floorspace: 0m²
GLA CIL (provisional): N/A
Harrow CIL (provisional): N/A

Site Description

- Two storey end-of-terrace dwelling located on the northern side of Sandringham Crescent, at the beginning of a curve in the road.
- No. 85, to the south-east, is the attached mid-terrace property; no. 89 is the adjoining property to the west.
- The site's rear boundary backs onto the Roxbourne River.
- The property has been previously extended with a rear dormer. A rear ground floor extension 6.0m deep with patio and a small side extension were under construction at the time of the site visit.
- There are changes in site levels from the front to the rear of the property, and parts of the garden of no. 89 are lower than that of no. 87.
- The site lies within a critical drainage area, and includes a 1-in-100yr flood zone

area. A 1-in-30yr surface water flood zone is adjacent to the rear boundary.

Proposal Details

- It is proposed to convert the existing dwelling into two self-contained flats.
- The ground floor is proposed as a 2-bedroom, 3-person flat. The first and loft floor is proposed as a 1-bedroom, 2-person maisonette.
- The rear garden would be divided into two amenity spaces, with timber fencing.
- A new vehicle access is proposed, with two new off-street parking spaces. Two secure cycle brackets are proposed in the front garden.
- Four refuse and recycling bins are proposed to be located on the side access path, and one additional in each of the private rear garden areas (Six in total).

Revision to This Application

- N/A

Revisions to Previous Application

- N/A

Submitted Documents:

- Flood Risk Assessment
- Design & Access Statement

Relevant History

P/3525/15 – Prior Approval Notification of Intention: Single Storey Rear Extension:
Extending 6m deep, 3.45m maximum height, 2.9m high to the eaves
NOB – 01/09/2015

P/4487/15 – First Floor Extension
REFUSED – 17/12/2016

Reason for Refusal:

The proposed first floor rear extension, in addition to the existing extensions to the dwellinghouse, by reason of the unduly disproportionate scale of extension and unsympathetic juxtaposition of additions, would result in obtrusive and incongruous extensions of the property, to the detriment of the dwellinghouse and the character and appearance of the surrounding area, contrary to policy 7.4B of The London Plan (2015), policy CS1.B of the adopted Harrow Core Strategy (2012), and policy DM1 of the Development Management Policies (2013).

Consultations

Waste Management:

- No comments received

Drainage:

- Details were requested as to whether the proposed hardstanding in the forecourt is permeable. Additional details were submitted and deemed satisfactory.
- Proposed vehicular access should be maximum 3.6m wide as per highways requirements

Traffic & Highways:

- Parking for this location is very poor, PTAL is low at 2; therefore off-street parking is preferable.

- One (1) parking space is required for The London Plan 2015 maximum parking standards.
- Width of the forecourt is only just wide enough to accommodate two cars, which would be a problem for use by disabled drivers. As one space is required and a single car can more comfortably be accommodated, ideally no more than one space should be provided.
- Cycle parking needs to be a minimum of 3 spaces (1 for the 1-bed unit, 2 for the 2-bed).
- No record of a previous application for vehicle cross-over at this address. The site is located on a bend, however high traffic volumes or speeds would not be anticipated so no problems anticipated for a future cross-over application.

Advertisement

- None

Neighbour Notifications

Sent: 2

Replies: 2

Expiry: 24/03/2016

Summary of Responses

Summary of comments received:

- Enough flats already existing on this street; do not want more
- Concerns that more flats on this street (in addition to those existing) will devalue other properties.
- Concerns that additional flats will exacerbate parking situation, given that parking is already very limited.
- Does not seem feasible that two car parking spaces and a cycle shed can be accommodated within the space available.
- Unemployment statistics are high; and therefore concern regarding what additional effects flats may have on the area.
- Several instances of bad neighbours needing to be evicted in the past.

Summary of comments received via petition (dated 12-4-16, with 16 signatures) from residents of Sandringham Crescent:

- Believe application should be rejected on the basis that flats would drastically change the character of the street as a small, quiet, and neighbourly place
- Demand for parking in Sandringham Crescent is high due to several double lines, fewer home owners being allowed to drop kerbs due to trees, and given that there are already several flats on the street. Development would likely result in further increases in parking demand on an already congested street.
- Plans for two off-street parking spaces do not seem achievable in the space available.
- Proposal would give rise to further flat developments which will ruin the street.

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.'

In this instance, the Development Plan comprises The London Plan 2015, The Harrow

Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

The policies relevant to this application and themes are set below and at the end of this report at Informative 1.

MAIN CONSIDERATIONS

Principle of Development - LP: 3.3 3.4, 3.8, HCS: CS1.I, DMP: DM24

Design, Layout, Character of the Area and Amenity - LP: 3.5, 3.8, 7.4, 7.6, HCS: CS1.B, CS1.K, DMP: DM1, DM22, DM27, DM26, SPD: Residential Design Guide, SPG:

Housing

MALP: Housing Standards

Residential Amenity - LP: 7.6, DMP: DM1, DM2, DM26, SPD: Residential Design Guide
SPG: *Housing*

Accessibility - LP: 7.1, 7.2, HCS: CS1.K, DMP: DM2, SPD: Accessible Homes

Traffic and Parking - LP: 6.9, 6.13, HSC1.R, DMP: DM26, DM42, SPG: *Housing*

Development and Flood Risk - DMP: DM10,

Equalities Implications

Crime and Disorder Act - LP: 7.3, DMP: DM1

Consultations Responses

Principle of the Development

Policy 3.8 of The London Plan (2015) encourages the borough to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Further to this, Core Policy CS1.I states that 'New residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities'. Having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed conversion would constitute an increase in housing stock within the borough in terms of unit numbers and tenure types, and would therefore be acceptable in principle.

Character and Appearance of the Area

The proposed conversion of the existing dwellinghouse to flats would involve no external alterations to the dwellinghouse itself (notwithstanding those dealt with under other applications), however will include alterations to the rear garden amenity space and to the forecourt (addressed below).

Internal Design and Layout of New Dwellings

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 2016.

On 25 March 2015 through a written ministerial statement, the Government introduced

new national technical housing standards in England and detailed how these would be applied through planning policy. As of March 2016, the Mayor has adopted the new standards through The London Plan Housing Standards Minor Alteration to the London Plan.

Therefore from March 2016, policy 3.5C refers to table 3.3 as set out in the 2016 Housing Standards, which is set out in the table below. Policy 3.8B(c) of the London Plan relating to Housing Choice, from the 1 October should be interpreted as 90% of homes should meeting building regulations M4 (2), – ‘accessible and adopted dwellings’ Policy 3.8B(d) will require 10% of new housing to meeting building regulations M4 93) – ‘wheelchair user dwellings’. However, this does not generally apply to dwellings resulting from a conversion.

Table 3.3

Bedrooms	Bed spaces	Minimum GIA (sqm)			Built – in storage (sqm)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0

Notes to Table 3.3

1. * Where a one person dwelling has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed.
2. The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls¹ that enclose a dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. GIA should be measured and denoted in square metres (m²).
3. The nationally described space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.

Note that space less than 1.5m ceiling height cannot be counted for gross internal area unless used solely for storage. The figure for the upper floor maisonette does include non-storage floor space in the loft floor living area, and this has been subtracted from the figure below.

	Gross Internal Floor Area	Storage	Bedroom (national space standards)
Minimum Floor Area Required	2b 3p = 61 sqm 1b 2p = 58 sqm	2b 3p = 2.0 sqm 1b 2p = 1.50 sqm	Double (11.5sq m) Single (7.5 sqm)
Ground Floor Flat 2b 3p	66 sqm	0.5 sqm	12.6 sqm (double) 8.8 sqm (single)
Upper Floor Flat 1b 2p	59 sqm	0 sqm	12.1 sqm (single)

The proposed conversion would result in 1 x 2 bedroom (3 person) flat on the ground floor and 1 x 1 bedroom (2 person) maisonette on the upper floors. The overall gross internal floor area of the house would meet the required standards, however inadequate storage is provided in both units. There is sufficient space to allow potential revisions which could address this issue in both units, however. A condition required amended plans for a revised layout including a minimum standard of storage space is therefore attached to this permission.

As part of the conversion of the existing dwellinghouse into two flats it is proposed to convert the existing loft space into a living room and a bathroom. Nationally described standards require a minimum of 2.3 metres ceiling height for a least 75% of the dwelling area, while Standard 31 of the London Plan Housing SPG strongly encourages a minimum 2.5m so that the new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The ground floor flat provides a ceiling height of 2.4 metres throughout, while the upper maisonette provides a height of 2.3 metres for 92% of the total space and 60% of the living room (omitting the area under 1.5m high). Although it does not meet the higher encouraged standards of the London Plan, the proposal does meet the nationally required minimum.

Subject to a condition requiring amended plans to provide adequate storage space, without compromising the minimum internal floor space and quality of the bedrooms and other habitable rooms, the proposal would accord with relevant local and national policies.

Future Occupier Amenity- Light, Outlook and Privacy

Both units are dual aspect, and all of the habitable rooms are provided with windows. Bathrooms on the ground floor flat do not have windows, but as they are not habitable, this is not considered inappropriate. The outlook from the smaller bedroom of the ground floor flat is somewhat limited and looks onto the planned space for one of the bins, but it is still acceptable as the use of the room is not a main habitable space comparable to a living room, and the bin could be re-located further away if desired. There is also a marginal overlap between this bedroom and the kitchen on the first floor, however as the proposal would be subject to Part E of building control regulations, noise and disturbance from this marginal overlap would be mitigated. Stacking between the units relative to the other rooms is satisfactory.

The proposal is therefore considered satisfactory with regard to the amenity and privacy of future occupiers.

Amenity Space

The proposal to convert the existing dwellinghouse into two flats would include the sub-division of the rear garden to allow access to amenity space for both flats. The details of the amenity spaces comply with paragraph 5.16 of the Residential Design Guide SPD, and the patio of the ground floor flat is not considered to be high enough to give rise to concerns of overlooking of the rearmost amenity area. Amenity space provided for the upper floor maisonette totals 78m² and that for the ground floor flat totals 88m², therefore are in compliance with Standard 26 of The London Plan's Housing SPG.

Forecourt Treatment

Hardsurfacing of the forecourt and the proposed new access would not be uncharacteristic of the area in themselves, however no soft landscaping appears to have been provided, contrary to paragraph 5.5 of the Residential Design Guide SPD and policies DM22 and DM26 of the Development Management policies. A condition requiring soft landscaping details to be approved prior to the occupation of the flats is therefore attached to this permission.

Bin Storage

The supporting documents and proposed plans provided indicate that the bins for each proposed flat would be stored either against the side elevation of the property, or to the rear (with level access to the front of the property). This is consistent with paragraph 5.8 of the Harrow Residential Design Guide SPD, and therefore would be satisfactory. A condition requiring bins to be maintained in this location at all times, other than on collection days, is attached to this permission.

In summary, whilst some minor issues have been noted above, these could be addressed via conditions with amendments to the submitted plans. The proposal would thus be considered to be in accord with the relevant policies of the development plan and the Council's adopted SPD: Residential Design Guide 2010, with regard to outlook and potential disturbance to the smaller bedroom of the ground floor flat.

Residential Amenity

The proposal does not include any additional structures to the dwellinghouse itself. Existing flank windows would still serve the stairwell, so would not create any new concerns with regard to overlooking.

The proposed changes to the forecourt would be typical of similar neighbouring developments and would not impact amenity areas of neighbouring properties. To the rear, the proposed boundary treatments would consist of timber fencing 2.0 metres high along the boundary with neighbouring property no. 89, and to separate the designated amenity areas for the flat users. The recently built patio has been lowered to an acceptable height to avoid overlooking and loss of privacy, in particular with regard to no. 89.

Though is acknowledged that the development would give rise to a marginal increase in the use of the premises with two households rather than one, movements and associated disturbance would remain residential in nature and any increase in activity around the premises would be minor and would not cause unreasonable disturbance to neighbouring occupiers.

Sufficient amenity space has been provided for each of the proposed units. Amenities for the occupiers of the subject dwelling, as detailed in section 1, are satisfactory.

In summary, the development would accord with development plan policies in respect of amenity.

Accessibility

Core Policy CS1.K of the Harrow Core Strategy and Policies 3.8, 7.1 and 7.2 of The London Plan (2015) require all new housing to be built to Lifetime Homes Standards. This has been replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'.

Although two parking spaces are proposed, such an arrangement would not allow for accessible use for disabled persons. Reducing this to one space as per the Highways Authority recommendation would allow this to be accommodated as an accessible / disabled space, with a width no less than 3.3m, if needed. The ground floor flat has level access, and may potentially be adaptable for some accessible use.

A condition has been attached to ensure that the proposed dwellings will meet regulation M4 (2) of the Building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all. Given some of the details shown in the submitted drawings, such as widths of proposed doorways, compliance with regulation M4(2) may require further minor amendments to the proposed plans.

Traffic and Parking

The proposal includes the provision of a new vehicle access and two car parking spaces, as well as two cycle brackets, in the front forecourt. The highways officer has not raised any potential issues with the vehicle crossover, although this would require a separate application to the Highways Authority.

The highways officer has indicated that it would be just possible to accommodate two cars within the proposed forecourt space, however this would not allow for use as disabled parking. As one car parking space is required in this case under The London Plan (2015) maximum parking standards, and this would be more comfortably accommodated than two, it is recommended to provide one space only.

It is acknowledged that parking availability is poor in this location; and that that the area has a relatively low PTAL rating. However, given the maximum number of potential occupiers, the intensity of use with regard to traffic would be relatively comparable to that of a single family household with multiple cars. Furthermore, this would still provide an increase in off-street parking from that available at present. It is therefore considered that the proposal would not result in impacts sufficient to merit refusal with regard parking issues.

Although two cycle brackets are provided, three secure cycle storage spaces would be required to comply with The London Plan standards. Furthermore, the cycle storage is not sheltered as per standard 21 of The London Plan's Housing SPD.

A condition requiring an amended parking plan showing three secure sheltered cycle storage units, and reducing the proposed car parking to one space capable of accommodating disabled use, to be submitted and approved in writing prior to the occupation of the units, is attached.

Development and Flood Risk

The site is located in a critical drainage area and surface water flood risk zone. The development would result in additional hardsurfacing in the forecourt area, however this has been confirmed to be permeable, which is considered to be satisfactory by drainage officers. As the site is located within a Critical Drainage Area, sustainable urban drainage [SUDs] is encouraged. An informative regarding SUDs is attached to this effect.

Equalities Implications

Section 149 of the Equalities Act 2010 places obligations on local authorities with regard to equalities in decision making. It is considered that this application does not raise any equality implications or conflict with development plan policies in this regard.

S17 Crime & Disorder Act

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies and relevant legislation in this regard.

Consultation Responses

Response to other issues raised by 83 Sandringham Crescent:

- *Enough flats already existing on the street:* See section 1 regarding principle of the development (housing mix).
- *More flats would bring down the value of homes:* Speculation of property prices is not a material planning consideration
- *Additional flats will exacerbate parking situation:* See section 5 for parking considerations
- *Two car parking spaces and cycle shed cannot be accommodated within the space available:* See section 5 for parking considerations
- *Unemployment statistics are high:* Unemployment statistics are not relevant to the application or a material planning consideration.
- *Instances of bad neighbours:* Not a material planning consideration. Future potential occupiers cannot be discriminated against or punished on the basis of real or perceived undesirable behaviour by others.

Response to other issues raised by petition (dated 12-4-16) from residents of Sandringham Crescent:

- *Believe application should be rejected on the basis that flats would drastically change the character of the street as a small, quiet, and neighbourly place:* No substantive evidence is apparent that the proposal would, in itself, have significant impacts on the character of the area. Characterisation of peoples on the basis of tenure type is not supported by substantive evidence, and would be discriminatory.
- *Demand for parking in Sandringham Crescent is high, development would likely result in further increases in parking demand:* See section 5 for parking considerations.
- *Plans for 2 off-street parking spaces do not seem achievable in the space available:* See section 5.
- *Proposal would give rise to further flat developments:* Precedents of other conversions in the area are not normally a consideration in applications for conversions of existing houses to flats, as demonstrated by this application. No substantive evidence is apparent that granting this application will influence future similar applications.

CONCLUSION

The development would add to the housing provision and choice within the borough and would have a satisfactory impact on the character and appearance of the property and the area. Furthermore, the development would not unduly impact on the amenity of the neighbouring occupiers, and would result in a net increase in off-street parking.

For all the reasons considered above, and weighing up the development plan policies and proposals and other material considerations, this application is recommended for grant.

CONDITIONS

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: 15488/09; 15488/10 Rev A; Design & Access Statement; Flood Risk Assessment

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

3 Notwithstanding the details shown on the approved plans, the development hereby approved shall not be occupied until revised plans of the layout of the flats and forecourt showing the following:

- i. a minimum of storage space in each unit, in accordance with the London Plan standards as set out in this report, and without compromising the minimum internal floor space and quality of habitable rooms, in particular bedrooms;
- ii. one (1) parking space in the forecourt, of a width and design able to accommodate disabled use
- iii. provision of three (3) cycle parking spaces in secure and sheltered storage
- iv. a revised scheme of hard and soft landscape works in the forecourt, which shall include details for boundary treatments. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

have been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall therefore be implemented in accordance with the approved plans and retained as such thereafter.

REASON: To provide minimum adequate internal storage, cycle storage and parking facilities, and to safeguard the appearance and character of the area, and enhance the appearance of the development, in accordance with policies 3.5 and 3.8 of The London Plan (2015), policies CS1.B and CS1.K of the of the Harrow Core Strategy (2012), policies DM 1, DM 22, and DM 26 of the Development Management Policies Local Plan (2013), the adopted (London Plan) Supplementary Planning Guidance: Housing (2016), the Minor Alterations to the London Plan: Housing Standards (2016), and the adopted Harrow Supplementary Planning Document: Residential Design Guide (2010)

Details are required prior to the occupation of the development as the approval of details beyond this point would be likely to be unenforceable.

4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building, or the completion of the development, whichever is the sooner. Any existing or

new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan (2013).

5 The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards in accordance with policies 3.5, 3.8 7.1, and 7.2 of The London Plan, policy CS1.K of The Harrow Core Strategy (2012) and policies DM1 and DM2 of the Development Management Policies Local Plan (2013), and the adopted Supplementary Document: Accessible Homes (2010).

6 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To safeguard the appearance of the locality, as required by policy DM 45 of the Harrow Development Management Policies Local Plan (2013).

INFORMATIVES

1 The following policies are relevant to this decision:

The National Planning Policy Framework (2012)

The London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture

The Harrow Core Strategy 2012:

- CS1.B Local Character
- CS1.I, CS1.K Housing
- CS1.R Transport

Harrow Development Management Policies Local Plan 2013:

- DM1 Achieving a High Standard of Development
- DM2 Achieving Lifetime Neighbourhoods
- DM10 On Site Water Management and Surface Water Attenuation
- DM22 Trees and Landscaping
- DM 24 Housing Mix

DM26 Conversion of Houses and other Residential Premises
DM27 Amenity Space
DM42 Parking Standards

Adopted Supplementary Planning Documents

London Plan Housing Supplementary Planning Guidance (2016)
Minor Alterations to the London Plan: Housing Standards (2016)
Supplementary Planning Document: Residential Design Guide (2010)
Supplementary Planning Document: Accessible Homes (2010)

2 INFORM23M: 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 INFORM32M: 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 INFORM_PF2: Grant without pre-app

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

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

5 SUDS: 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 INFORM54M Permeable Paving Guidance

Note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

7 INFORM_65 - Homeowner liable for damage to highway

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

8 INFORM51M: Compliance with 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.

9 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.

10 Harrow Council is responsible for the naming and numbering of new or existing

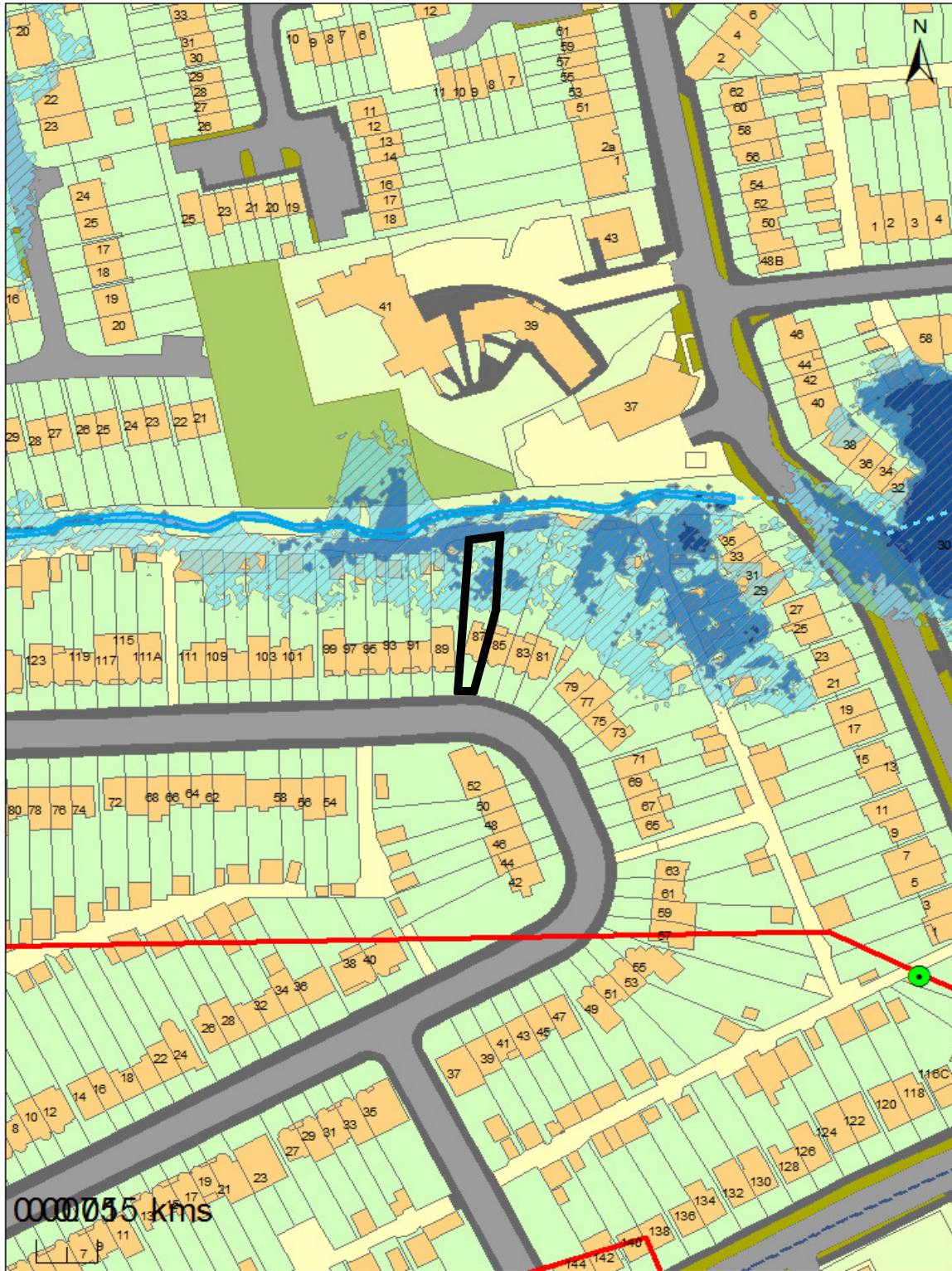
streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following [link](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering).
http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

Plan Nos: 15488/09; 15488/10 Rev A; Design & Access Statement; Flood Risk Assessment

87 SANDRINGHAM CRESCENT, HARROW



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SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.