

SECTION 1 – MAJOR APPLICATIONS

ITEM: 1/01 & 1/02

ADDRESS: ROYAL NATIONAL ORTHOPAEDIC HOSPITAL, NHS TRUST,
BROCKLEY HILL, STANMORE

REFERENCE: P/2148/16 & P/2152/16

DESCRIPTION: **P/2152/16**
RESERVED MATTERS APPLICATION (CONDITION 4) FOR ALL MATTERS (SCALE APPEARANCE LAYOUT ACCESS LANDSCAPING) PURSUANT TO HYBRID PLANNING PERMISSION REFERENCE P/3191/12 (FOR THE PHASED COMPREHENSIVE, REDEVELOPMENT OF THE ROYAL NATIONAL ORTHOPAEDIC HOSPITAL) FOR THE DEVELOPMENT OF PHASE 2A. CONSTRUCTION OF A 5 STOREY BUILDING OF 8,480 SQ (GIFA) OF HOSPITAL FLOORSPACE (C2 USE CLASS), INCLUDING IMPATIENTS ACCOMMODATION, REHABILITATION SPACE, CONSULTANCY SPACE, PATIENT CARE FACILITIES AND OTHER ANCILLARY CLINICAL AND SERVICE RELATED DEVELOPMENT. DEVELOPMENT TO ALSO INCLUDE ASSOCIATED LANDSCAPING AND FENCES, ACCESS, BIN STORES, FACILITIES MANAGEMENT YARD, PEDESTRIAN LINKS AND ANCILLARY WORKS.

P/2148/16
DETAILS PURSUANT TO CONDITIONS 7 (DESIGN GUIDE, ENERGY STATEMENT AND BREEAM) , 8 (VISUAL ASSESSMENT), 9 (ECOLOGY AND BIO-DIVERSITY STATEMENT), 13 (SURFACE WATER DRAINAGE SCHEME), 14 (DETAILED ACCESSIBILITY STATEMENT), 15 (LIGHTING STRATEGY), 17 (ARBORICULTURAL REPORT), 18 (PARKING AND ACCESS STATEMENT), 19 (LEVELS PLAN) AND 31 (BAT AND BIRD SURVEY) ATTACHED TO PLANNING PERMISSION P/3191/12 DATED 5/8/13 (FOR HYBRID PLANNING APPLICATION FOR THE COMPREHENSIVE, PHASED, REDEVELOPMENT OF THE ROYAL NATIONAL ORTHOPAEDIC HOSPITAL) FOR THE DEVELOPMENT OF PHASE 2A TO DISCHARGE CONDITION 4.

WARD: CANONS

APPLICANT: ROYAL NATIONAL ORTHOPAEDIC HOSPITAL NHS TRUST

AGENT: BDP

CASE OFFICER: NICOLA RANKIN

EXPIRY DATE: 2ND AUGUST 2016

RECOMMENDATION P/2152/16

APPROVAL of reserved matters and conditions for the development described in the application and submitted plans subject to conditions set out at the end of this report.

RECOMMENDATION P/2148/16

APPROVE the details pursuant to conditions 7 (design audit), condition 8 (visual assessment), condition 9 (biodiversity statement), condition 14 (accessibility statement), condition 15 (lighting statement) condition 17 (tree survey), condition 18 (parking and access statement), condition 19 (levels plan) and condition 31 (bats and birds) described in the application and submitted plans:

EXECUTIVE SUMMARY:

The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2012), the policies of The London Plan (2016), Harrow's Core Strategy (2012), the Harrow Site Allocations DPD (2013) and the policies of the Harrow Development Management Policies Local Plan (2013) listed in the informatives below, as well as to all relevant material considerations including the responses to consultation. The principle of development has been established under outline planning application P/3191/12 which was approved by the Planning Committee in August 2013. Since this date the Council has adopted the Site Allocations Local Plan and the Harrow Development Management Policies Local Plan (2013). The further alterations to the London Plan were also adopted in March 2015. It is considered that there are no policy changes which would warrant a different conclusion to the principle of development

The proposed new inpatients ward block is the first sub phase of Phase 2 of the Hybrid Planning Permission and falls within the Central Development Zone (CDZ). Phase 2A site has been designed in accordance with approved CDZ parameters plans approved under P/1405/16. The design of Phase 2A is considered to be high quality and would accord with the approved RNOH Design Guidelines Rev A, dated February 2013. The submitted Visual Assessment report demonstrates that there will be no visual effects from surrounding publically accessible areas to the north of the site as a result of the development. Officers consider that the proposed development will complement the approved outline plans and is appropriate to the local context of the immediate site setting and the overall hospital site and also responds appropriately to the surrounding and future phases of development. The proposed design is considered to be high quality and will not harm the visual amenity of the area. The proposals will introduce opportunities for greater biodiversity and will not adversely affect any of the ecological designations on the site. The proposed development will not result any adverse impacts on the capacity or safety of the transport network. The building will be highly sustainable and is targeted as BREEAM excellent in accordance with the masterplan requirements. The development will not give rise to any increased risk of flooding on the site or surrounding adjacent land and the proposed drainage strategy would accord with the site wide drainage strategy. For these reasons, it is recommended that the application is approved.

INFORMATION

The application is reported to the Planning Committee because the application is a major development and therefore falls outside of category 1(d) of the Council's scheme of delegation.

Statutory Return Type: Major Development

Council Interest: None.

Gross Floorspace: 4271sqm

Net additional Floorspace: sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Exempt
Harrow Community Infrastructure Levy (CIL) Contribution (provisional): None

Site Description

RNOH Site

- The Royal National Orthopaedic Hospital (RNOH) is a 41.45 hectare site which is located within the Green Belt at the north-east of the London Borough of Harrow.
- The RNOH is nationally and internationally renowned as a specialist orthopaedic hospital.
- The site is of strategic planning importance. It is one of four strategic developed sites in the Green Belt, as defined by the Site Allocations Development Plan Document (DPD) and the Development Management Policies Development Plan Document (2013).
- The Harrow Core Strategy (2012) recognises the national significance of the RNOH as a leading medical institution and supports proposals to secure the future of the RNOH, where there is no conflict with Green Belt policy and the special character of Harrow Weald Ridge would be preserved.
- The RNOH is located within the Harrow Weald Ridge Area of Special Character. There are significant changes in levels across the site. The site lies between 120 and 148.1m above Ordnance Datum ('AOD'). The landform 'curves' around the eastern and western site boundaries at approximately 125 – 135 AOD and falls to approximately 120 m within the central parts, forming a 'bowl' within the centre of the site.
- There are large open areas to the north of the hospital, as well as wooded areas adjacent to Wood Lane.
- There are five vehicular access points to the site; one access point is located off Brockley Hill to the east, three access points are located off Wood Lane to the south and one access point is located off Warren Lane to the south-west.
- The majority of buildings on the application site are in a deteriorating condition with many of the derelict. The majority of existing buildings are one and two storey with some three storey.
- The site is subject to a Tree Preservation Order which includes 326 individual trees and 33 groups of trees
- The RNOH site is subject to two non-statutory ecological designations and one proposed non-statutory ecological designation:
 - Areas within the north and west of the site form part of the RNOH Grounds Site of Borough Grade 1 Importance for Nature Conservation (SBINC);
 - The southern edge of the RNOH site forms part of Pear Wood and Stanmore Country Park Site of Metropolitan Importance for Nature Conservation (SMINC)
 - An area of the site directly to the north forms part of the Watling Chase Community Forest planting site and environs a proposed Site of Local Importance for Nature Conservation (pSLINC)
- An Area of Archaeological Priority lies immediately south of the site.
- There are two Scheduled Ancient Monuments on the site.
- The Locally Listed Buildings within the site are Eastgate House (original hospital building) and its associated roadside walls
- Little Common Conservation Area lies immediately to the south-west of the site and slightly extends into the site. The conservation area was created on the basis of its particularly mix of high quality, period properties, a high proportion of which is statutorily and locally listed and the trees and open spaces provided by Stanmore Common surround and interact with the attractive groups of buildings in Little Common, imparting much of the special landscape and qualities of the conservation

area.

Phase 2A Location

- The outline permission (P/3192/12) approved a parameters plan which set out three distinct development zones with maximum quantum's of development floorspace and maximum building heights. The three development zones were referred to as 'The Central Development Zone (CDZ)', 'The Western Development Zone (WDZ)' and the 'Eastern Development Zone (EDZ)'.
- The subject site concerns the Central Development Zone which allowed for up to 19,378sqm in footprint (including the multi storey car park), up to 56,871sqm floor space of hospital development (C2 use), including a rehabilitation unit and parent accommodation, a multi storey car park up to 21,000sqm. The maximum permitted building height within this zone is 148.1AOD.
- The phase 2a building will be located in the Central Development Zone. The CDZ currently contains the main hospital ward buildings, theatres and outpatients department, Spinal Injuries Unit, Aspire Centre and Graham Hill Rehabilitation Unit.
- The site is 0.6 hectares and comprises the existing Patient Centre to the south and a car park to the north. The existing patient care centre is a part one/part two storey building and the northern portion of the centre is currently vacant. The building is constructed in prefabricated panels and is perceived to be of low architectural value. Approval was granted in the outline planning permission for all buildings within the Central Development Zone to be demolished except for the Aspire Centre and Mike Heaffey Building.
- The proposed phase 2A building is a sub phase of phase 2 identified in the approved Phasing Live Document (P/4308/15).
- The proposed phase 2A building would be located in the north eastern part of the phase 2 site.
- The phase 2A application boundary comprises part of the existing patient Centre to the south of the site and a temporary car park to the north of the site.
- There is a slope across the site from the north east to the south west, changing from 129.5m to 134m AOD.
- The site is bounded to the north by the East - West spine road to the east by a road leading to the Outpatients building, to the south by the outpatients car park and to the west by an access road and footpath.
- The contours of the temporary, rough surfaced car park fall away steadily towards the north of the site. An area of amenity grass with mature trees separates the patient centre and car park.
- Immediately to the north of the East-West spine road adjoining the site is the site of the proposed Private Patients Unit (Phase 6). Beyond this further to the north is the site of the proposed Biomedical Engineering Hub (phase 1), a five storey building which was granted planning permission in October 2015 (P/3828/15).
- To the west of the site is the site of the proposed Princess Eugenie House building. Planning permission was granted in December 2015 for a three storey building (P/4280/15).
- To the southeast of the site is the Aspire Centre. A tarmac surfaced roadway is located to the southwest, beyond which is wood. The roadway continues to the north and northwest of the site boundary. Tarmac surfaced car parks are located beyond the roadway to the north and the north east.

Proposal Details for P/2152/15

- The application seeks approval of reserved matters in relation to condition 4 of hybrid

planning permission P/3191/12 for the development of a Biomedical Engineering Hub ('BEH'). Condition 4 of planning permission P/3191/12 states: "*Approval of the details shown below (the Reserved Matters) for each phase of development shall be obtained from the local planning authority in writing before any development in that phase is commenced:*

- *Layout*
- *Scale*
- *Appearance*
- *Access*
- *Landscaping*"

- The proposed phase 2A building will comprise four wards of hospital accommodation, a 27 bed paediatric ward, two floors of 32 bed adult accommodation and a private patients unit. The proposal will also deliver a facilities management department, a Children's and Young Persons ward including a children's garden to the south east of the building.
- The new building will provide a total of 91 beds of inpatient accommodation.
- The proposed building would have a 'croissant' shaped building form and would have a flat roof with a height of five storeys to 148.1m AOD with the exception of the lift overruns, safety guard rails and temporary flues which will have heights of 149.1m AOD, 149.1m AOD and 152.1m AOD respectively.
- The Gross Internal Floor Area (GIFA) of phase 2A is 8, 480sqm and the built footprint would be 1,890sqm (excluding external plant).
- The building would have a maximum width of 29.5 metres and a maximum length of 90 metres.
- The majority of the public and general access areas are located on the ground floor including the main reception, café, retails space and WC provision. The proposed facilities management hub including deliveries and collection bay would also be located on the ground floor away from the main entrance.
- The Children and Young Person's Ward is located at level 1 and Adult Acute accommodation would be provided at level 2 and 3.
- The fourth floor will provide an area of expansion for additional ward accommodation which is not defined in detail under the current application. However, it is proposed that the floor would operate in a similar way to those on lower levels.
- The main entrance to the building will be gained from the north eastern corner of the site.
- Building user can access the site from the proposed shared surface drop off area adjacent to the main entrance or via a pedestrian crossing from the existing car park.
- A Facilities Management (FM) yard is proposed to the west of the building. The FM yard would contain two generators, two fuel stores and some chiller units. The proposed FM yard would be enclosed by a 2.4M high steel louvred fence with defensive and climbing plants around the perimeter.
- A canopy would partially cover the FM yard and would project to a depth of 7.5 metres from the western elevation of the building with a length of approximately 14.2 metres. A lower glass canopy with a height of approximately 3.2 metres and a depth of 10.64 metres would be provided over the route to the FM entrance.
- 100sqm of photovoltaics are proposed on the flat roof to supplement the power backup on site.
- Two generator flues would be located in the north west corner of the FM yard. The generator flues would have a maximum height of 7565mm in height above the height of the proposed external plant area.
- The roof also includes an area of brown roof as part of the proposed surface water

drainage scheme.

- Other boundary treatments are proposed across the site including 1.1M high railings and a 2.4M high weldmesh fence adjacent to the children's garden and rear amenity space, a 1.1M high boundary fence adjacent to the northern elevation and a 1.5M high balustrade adjacent to the eastern boundary.
- 4 short stay cycle stands are proposed adjacent to the north eastern main entrance and 13 long stay cycle stands are proposed slightly further south beneath the building overhang. The cycle stands provide for a total of 34 cycle parking spaces.

Proposal Details for P/3830/15

- The application seeks approval of details in respect of conditions 7 (design guide, energy statement and BREEAM), condition 8 (visual assessment), condition 9 (biodiversity statement) condition 13 (surface water drainage strategy), condition 14 (accessibility statement), condition 15 (lighting strategy) condition 17 (tree survey), condition 18 (parking and access statement), condition 19 (levels plan) and condition 31 (bats and birds) attached to hybrid planning permission reference P/3191/12 for the development of phase 2A (P/2152/16) to discharge condition 4.
- A hybrid planning application for the comprehensive phased redevelopment of RNOH was approved by LB Harrow in August 2013 (P/3191/12). The hybrid planning permission included the comprehensive redevelopment of the RNOH site to include 56871m² of hospital development (C2 Use Class), 21, 00m² of multi storey car park (sui Generis) and 40, 260m² of residential development (C3 Use Class) including the provision of open space and wider ancillary development.
- The current proposal should be considered in parallel with associated planning applications P/3828/15 and P/4101/15 for the reserved matters application for the development of a biomedical engineering hub and for the discharge of planning obligations for this phase of the development.
- **Condition 7** states that: "Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale, appearance and landscaping shall be accompanied by a Design Audit. The Design Audit submitted shall set out (as appropriate) how the development described in the reserved matter(s):
 - (a) complies with the approved "Design Guidelines" and the approved Parameter Plans;
 - (b) complies with the Mayor of London's adopted Housing guidance in force at the time of the reserved matters submission and any Supplementary Planning Document ('SPD') in force as part of the Harrow Local Plan;
 - (c) provides an appropriate type and mix of residential units;
 - (d) complies with the London Plan requirements for Lifetimes Homes and Inclusive Design in force at the time of the reserved matters submission;
 - (e) meets the required commitment to a reduction in Carbon Dioxide emissions in force at the time of the reserved matters submission through the Local (Development) Plan or associated SPD for the area.
 - (f) how energy shall be supplied to the building(s), highlighting;
 - i. how the building(s) relate(s) to the site-wide energy strategy; and
 - ii. any other measures to incorporate renewables.
 - (g) how the proposed non residential building(s) have been designed to achieve a rating of BREEAM 'Excellent' or and how the proposed residential development has been designed to achieve a minimum Code for Sustainable Homes Level 4; (or equivalent replacement standard in force at the time of the reserved matters submission)
 - (h) Contributes to the objectives of "Secured by Design" (or its replacement).

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure good design and high quality architecture throughout the development in line with the principles set out in the approved Design Guidelines (February 2013), including protection of Green Belt openness and the character and appearance of the wider area, in accordance with the Environmental Impact Assessment, in line with the objectives of the National Planning Policy Framework, London Plan (2016) policies 7.3, 7.4, 7.5, 7.6 and 7.16, Core Strategy (2012) policy CS1, Policies DM1, DM2 and DM12 of the Development Management Policies Local Plan and Section 17 of the Crime & Disorder Act 1998 and to ensure that the development contributes to climate change mitigation by meeting the highest standards of sustainable design and construction and achieving an adequate reduction in carbon dioxide emissions from onsite renewable generation, in accordance with the Environmental Impact Assessment, in line with the principles set out in the approved Energy Statement, in accordance with the National Planning Policy Framework, London Plan (2011) policies 5.2, 5.3, 5.5, 5.6, 5.7, 5.10 and 5.11 and Harrow Core Strategy (2012) policy CS1.”

- **Condition 8** states that: “Unless otherwise agreed in writing with the Local Planning Authority, applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale, appearance and landscaping in the Central Development Zone shall be accompanied by a visual assessment sufficient to demonstrate the impact of the development on views from the north of the site. REASON: To ensure that the large scale developments in the CDZ respond positively to the site and the character of the Green Belt and the Harrow Weald Ridge Area of Special Character; in the interests of safeguarding openness and the character and appearance of the wider area, in accordance with the Environmental Impact Assessment and the objectives of the National Planning Policy Framework, London Plan (2016) policies 7.4, 7.6 and 7.16, Core Strategy (2012) policy CS1 and Policies DM1 and DM6 of the Development Management Policies Local Plan.”

- **Condition 9** states that: “Unless otherwise agreed in writing by the Local Planning Authority, applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale, appearance and landscaping of the public realm shall be accompanied by a detailed Ecology and Biodiversity Statement. The Ecology and Biodiversity Statement shall explain:

- (a) how the development accords with the submitted Framework Ecological Management Plan (prepared by Aspect Ecology, dated November 2012);
- (b) how the development will incorporate new habitats, including bird boxes, bat roosts and other wildlife features;
- (c) how the development will create wildlife habitats within the public realm, integrated into the detailed SUDS designs (i.e. standing and running water, grassland, log piles, green/brown roofs) and existing and replacement trees;
- (d) the management arrangements for these features

The approved details shall be implemented prior to the occupation of the phase of the development to which the details relate.

REASON: To ensure that the development contributes to improving the ecology and biodiversity of the area, in accordance with the Environmental Impact Assessment, in accordance with the National Planning Policy Framework, London Plan (2016) policy 7.19, Core Strategy (2012) policy CS1 and Policy DM21 of the Development Management Policies Local Plan.”

- **Condition 13** states: “Unless otherwise agreed in writing with the Local Planning Authority, applications for approval of Reserved Matters submitted pursuant to this permission relating to layout and landscaping shall be accompanied by a detailed

Surface Water Drainage Scheme for the area covered by that reserved matter. The Surface Water Drainage Scheme shall explain how the development proposed meets the requirements of the approved Surface Water Drainage Strategy secured by condition No. 27. This details submitted shall explain:

- (a) the proposed use of Sustainable Urban Drainage Systems (SUDS) to manage surface water run-off, including the provision of soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands;
- (b) surface water attenuation, storage and disposal works, including relevant calculations;
- (c) works for the disposal of sewage associated with the development.

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

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk, in accordance with the Environmental Impact Assessment, in line with the recommendations of Core Strategy (2012) policy CS1 and the National Planning Policy Framework.

- **Condition 14** states that: Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, access and landscaping shall be accompanied by a detailed Accessibility Statement. This document shall explain:
 - (a) how the proposal contributes to the creation of Lifetime Neighbourhoods;
 - (b) how the proposed public realm areas would be accessible to all, including details of finished site levels, surface gradients and lighting;
 - (c) how each of the hospital buildings and the multi-storey carpark would be accessible to all, including details of level access and internal accommodation arrangements;
 - (d) how each of the residential dwellings would comply with Lifetime Homes standards, with 10% Wheelchair Homes compliance;
 - (e) how the patients family accommodation would comply with Lifetime Homes standards, with 10% Wheelchair Homes compliance.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is accessible and inclusive to all, in line with the recommendations of London Plan (2016) policies 3.8 and 7.2 and Core Strategy (2012) policy CS1.

- **Condition 15** states: “Applications for approval of Reserved Matters submitted pursuant to this permission relating to landscaping shall be accompanied by a detailed Lighting Strategy in line with the Code of Practice for the Reduction of Light Pollution issued by the Institute of Lighting Engineers. This strategy shall include details of the location, height and design of all lighting, the intensity of light to be emitted and the surface area to be illuminated. It shall explain:
 - (a) the rationale for the lighting proposed in public realm areas and buildings.
 - (b) how the proposed lighting minimises impacts on biodiversity
 - (c) how the proposed lighting minimises the risk and fear of crime, in accordance with 'Secured by Design' principles.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is adequately lit in order to minimise the risk and fear of crime, whilst ensuring that the proposed lighting would not unduly impact on local character, amenity or biodiversity, in line with the recommendations of London Plan (2016) policies 7.3 and 7.19 and Core Strategy (2012) policy CS1.”

- **Condition 17** states: “Development within each of the phases of the Outline element of the development hereby approved shall be carried out only in accordance with a

detailed Arboricultural Report for that phase of development, which shall be submitted and approved in writing by the Local Planning Authority prior to commencement of any development within that phase. This document shall explain how the trees outlined in pink on each of the drawings No 32-1011.06 (Tree Retention + Removal Plans, date 11.02.13) are to be retained, together with measures for their protection during the course of the development. If any trees outlined in pink are to be removed, lopped or topped, a full justification must be provided. This document shall also provide details of and a rationale for the proposed replacement tree planting within that phase, in accordance with the Landscape Strategy (February 2013) and the mitigation required by the Environmental Statement.

REASON: To safeguard the Green Belt and the character and appearance of the area and to enhance the appearance of the development, in line with the requirements of London Plan (2016) policies 7.4 and 7.21, Core Strategy (2012) policy CS1 and Policies DM22 of the Development Management Policies Local Plan.”

- **Condition 18** states: “Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout and access shall be accompanied by a Parking and Access Statement. This document, where appropriate, shall include:
 - (a) details of car parking provision for the Eastern and Western Development Zones, in accordance with London Plan policy 6.13;
 - (b) a detailed Parking Management Strategy for that part of the development (including car club provision);
 - (c) details of cycle parking provision for each of the proposed development zones, in accordance with London Plan policy 6.9;
 - (d) details of the location and specification of electric car charging points;
 - (e) details of pickup and drop off facilities for the hospital (in applications relating to the hospital only);
 - (f) details of motorcycle and scooter parking;
 - (g) details of pedestrian and cycle routes throughout that part of the scheme and how this relates to the overall site-wide approach as set out in the Design Guidelines;
 - (h) details of pedestrian and vehicle signage and wayfinding within the development;
 - (i) details of enforcement procedures for parking offences on unadopted roads;

Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the approved Parking and Access Statement.

REASON: To ensure that adequate levels of parking are proposed, that sustainable means of transport are encouraged and to ensure that no unacceptable increase in traffic movements result, in line with the recommendations of the Transport Assessment, the addendum to the Transport Assessment and Environmental Impact Assessment, in accordance with the National Planning Policy Framework, London Plan (2016) policies 6.3 and 6.13, Core Strategy (2012) policy CS1 and Policy DM42 of the Development Management Policies Local Plan.”

- **Condition 19** states: “Applications for approval of Reserved Matters submitted pursuant to this permission shall be accompanied by a detailed Levels Plan. This plan shall explain details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site.

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 land contamination, in accordance with the Environmental Impact Assessment, in accordance with the National Planning Policy Framework, London Plan (2016) policy 5.21, Core Strategy (2012) policy CS1 and Policy DM9 of the Development Management Policies Local Plan.”

- **Condition 31** states: “No demolition of buildings or removal of trees or shrubs shall take place in any phase of development hereby permitted until up to date bat and breeding bird surveys have been submitted to and approved by the Local Planning Authority for that phase of development. If evidence of bat or breeding birds are found prior to demolition, specific mitigation measures should be included in any submission for the written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the ecology and biodiversity of the area, in accordance with the Environmental Impact Assessment and in line with the requirements of the National Planning Policy Framework, London Plan policy 7.19 and Core Strategy policy CS1.”

Revisions since application submission:

- Revised drainage plans and additional drainage details
- Explanatory Note to Facilities Management Yard
- Revised parking and Access Statement
- Additional soft landscape details
- Revised Levels Plan
- Updated Bird and Bat Survey
- Updated Ecology Report
- Technical Notes on Flues

Environmental Impact Assessment

The development that was considered under the Planning application reference P/3191/12 fell within the thresholds set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2015 (the EIA Regs), whereby an EIA is required for the purposes of assessing the likely significant environmental effects of the development.

A Scoping Opinion was issued by the Council on the 26th June, 2012. Following design alterations and subsequent increases in proposed floorspace, a revised Scoping Opinion was issued by the Council on 28th September, 2012. The Scoping Opinion comments on the approach and methodology for assessing the impact of the following environmental topics:

- and Flood Risk

An Environmental Statement (ES) was submitted as a supporting document to the Hybrid application (ref: P/3191/12), and this included environmental information under the above topics. Further information was also submitted in the form of an Environmental Statement Addendum to address the changes made to the scheme during the course of the application. Officers were satisfied that this represented the environmental information for the purposes of Regulation 3. Officers had full regard to the content of the Environmental Statement in the preparation of their report to the Planning Committee.

The subject reserved matters application and associated discharge of conditions (No's 7, 8, 9, 13, 14,15, 17,18,19 and 31) for the development of a biomedical Engineering hub has been prepared in response to Condition 4 of the Hybrid Planning permission which states: “*Approval of the details shown below (the Reserved Matters) for each phase of development shall be obtained from the local planning authority in writing before any development in that phase is commenced:*

- Layout
- Scale
- Appearance
- Access
- Landscaping”

Paragraph 8 of the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2015 (as amended) relates to ‘Subsequent applications where environmental information is previously provided’. It states that:

This regulation applies where it appears to the relevant planning authority that:

(a) an application which is before them for determination—

- (i) is a subsequent application in relation to Schedule 1 or Schedule 2 development;*
- (ii) has not itself been the subject of a screening opinion or screening direction; and*
- (iii) is not accompanied by a statement referred to by the applicant as an environmental statement for the purposes of these Regulations; and*

(b) either—

- (i) the original application was accompanied by a statement referred to by the applicant as an environmental statement for the purposes of these Regulations; or*
- (ii) the application is for the approval of a matter where the approval is required by or under a condition to which planning permission deemed by section 10(1) of the Crossrail Act 2008(a) is subject.*

(2) Where it appears to the relevant planning authority that the environmental information already before them is adequate to assess the environmental effects of the development, they shall take that information into consideration in their decision for subsequent consent.

(3) Where it appears to the relevant planning authority that the environmental information already before them is not adequate to assess the environmental effects of the development, they shall serve a notice seeking further information in accordance with regulation 22(1).

Officers are satisfied that the environmental information already before them (i.e. the Environmental Statement which accompanied the Hybrid Planning application P/3191/12) is adequate to assess the environmental effects of the development, and that this information can be taken into consideration in this decision.

Relevant History

P/3191/12 Hybrid planning application for the comprehensive, phased, redevelopment of the Royal National Orthopaedic Hospital ("the Development"). The application is accompanied by an Environmental Statement. The development comprises two elements:

- An Outline Element - ("the Outline Element")

To include:

Up to 56,871sqm (Gross Internal Floor Area) of new hospital development, including rehabilitation unit and parent accommodation (Use Class C2);

Up to 21,000 sqm (Gross Internal Floor Area) multi storey car park providing up to 805 car parking spaces;

Up to 88 surface car parking spaces and up to 50 undercroft car parking spaces for operational hospital use;

Up to 40,260 sqm (Gross Internal Floor Area) of residential development (Use Class C3) (including ancillary floorspace i.e. garages and undercroft parking) providing up to 356 residential units of which up to 45 units will be for staff accommodation (36 proposed and 9 existing);

Partial change of use of Eastgate House from office to private residential (Use Class C3);

Up to approximately 19.2 hectares of public open space;

Associated landscaping and ancillary works;

Closure of existing access at north-eastern end of Wood Lane.

- **A Detailed Element - ("the Detailed Element")**

Permanent: Demolition of four structures (incinerator, patients centre, Moor House Cottage and Moor House store); Realignment and alterations to the existing service road and access from the south-western end of Wood Lane; Provision of a new internal road and a new internal access point to the Aspire National Training Centre; Provision of a total of 75 car parking spaces for the Aspire National Training Centre; Associated lighting, drainage and landscape works.

- **Temporary (5 years) - Construction of an area of hard standing to accommodate 121 car parking spaces, Erection of a 3m high fence to enclose the existing boiler house, Works to the existing estates compound; Associated lighting, drainage and landscape work**

APPROVED : 17-Dec-2012

P/3341/13 Details pursuant to condition 7 (fencing), attached to planning permission P/1234/13 dated 04/07/2013 for 'temporary permission for a pre-fabricated extension to existing MRI building which is located towards the southern part of the site; associated plant; minor alignment to an existing footpath; associated landscaping (5 years)'

APPROVED : 19-Dec-2013

P/3940/13 Details pursuant to condition 39 (soft landscaping) attached to Planning Permission P/3191/12 dated 5/08/2013 for Hybrid planning application for the comprehensive, phased, redevelopment of the Royal National Orthopaedic Hospital

APPROVED : 07-Feb-2014

P/2407/13 approval of details pursuant to paragraphs 2 and 3 of part 6 of the first schedule of the planning obligation (employment and training strategy relating to the detailed element) attached to planning permission p/3191/12 dated 5th august 2013

APPROVED : 09-Sep-2013

P/2384/13 Details pursuant to conditions 10 (Construction Environmental Management Plan Relating to the Detailed Element only), 36 (Drainage), 37 (Lighting), 38 (Tree/Arboricultural report), attached to Planning Permission P/3191/12 dated 5/08/2013

APPROVED : 09-Sep-2013

P/2407/13 Approval of details pursuant to paragraphs 2 and 3 of part 6 of the first schedule of the planning obligation (employment and training strategy relating to the detailed element) attached to planning permission P/3191/12 dated 5th august 2013

APPROVED : 09-Sep-2013

P/3534/13 Details pursuant to conditions 5 (surface water disposal) and 6 (surface water attenuation) attached to planning permission P/1234/13 dated 04/07/2013 for temporary

permission for a pre-fabricated extension to existing MRI building which is located towards the southern part of the site; associated plant; minor alignment to an existing footpath; associated landscaping (5 years)

APPROVED : 06-Jan-2014

P/0231/14 Details pursuant to condition 31 (bird and bat survey) attached to Planning Permission P/3191/12 dated 5/08/2013. (These details relate only to the detailed element of the development).

APPROVED : 20-Feb-2014

P/0579/14 installation of a temporary surface car park; 8 no. lighting columns, vehicle

GRANTED : 16-May-2014

P/0850/14 Details pursuant to condition 25 (contamination), attached to planning permission P/3191/12 dated 05/08/2013

APPROVED : 18-Jun-2014

P/1462/14 Details pursuant to condition 29 (buffer zone), attached to planning permission P/3191/12 dated 05/08/2013

APPROVED : 23-Jun-2014

P/1705/14 Details pursuant to condition 33 (energy strategy), attached to planning permission P/3191/12 dated 05/08/2013

APPROVED : 05-Sep-2014

P/1713/14 Details pursuant to condition 25 (verification report - contamination) attached to planning permission p/3191/12 dated 05/08/2013

APPROVED : 05-Sep-2014

P/2121/14 Details pursuant to condition 25 (verification report - contamination) attached to planning permission P/3191/12 dated 05/08/2013

APPROVED : 01-Oct-2014

P/2636/14 Approval of details reserved by condition 25 (contamination) attached to planning permission P/3191/12 dated 5.8.2013

APPROVED : 03-Oct-2014

P/2541/14 Approval of details reserved by condition 30 (method statement for removing the Japanese knotweed from site) relating to planning permission P/3191/12 dated 05.08.2013 for new hospital

APPROVED : 19-Dec-2014

P/1705/14 details pursuant to condition 33 (energy strategy), attached to planning permission P/3191/12 dated 05/08/2013

GRANTED :05-Sep-2014

P/1713/14 Details pursuant to condition 25 (verification report - contamination) attached to planning permission P/3191/12 dated 05/08/2013

APPROVED : 05-sep-2014

P/3369/14 Non-material amendment to planning permission no. P/3191/12 dated 05/08/2014 - to remove condition no. 20 (Brockley hill improvement works).

APPROVED : 23-Jan-2015

P/4206/14 Non-material amendment to increase the boundary of the central development zone (CDZ) parameter plan that was approved under planning permission P/3191/12 dated 05/08/2013

APPROVED : 23-Jan-2015

P/2284/15 Non- material amendment to planning permission P/3191/12 dated 5/8/15 to allow the submission of the site waste management plan prior to commencement of any development within that phase

APPROVED : 14-Jul-2015

P/4326/15 Details pursuant to condition 27 (drainage strategy for the entire site, which includes details of surface water drainage and details for the disposal of foul water) attached to planning permission p/3191/12 dated 5/8/13 for hybrid planning application for the comprehensive, phased, redevelopment of the royal national orthopaedic hospital.

APPROVED : 23-Jul-2015

P/3828/15 Reserved matters application (condition 4) for all matters (scale, appearance, layout, access, landscaping) pursuant to hybrid planning permission reference P/3191/12 for the development of a biomedical engineering hub. development to include construction of 4,271 SQM (GIFA) of hospital floorspace (C2 use class), including accommodation for medical research, science and teaching, and other ancillary clinical and service related development with landscaping, access, bin stores, pedestrian links and ancillary works.

APPROVED : 27-Oct-2015

P/3830/15 Discharge of conditions 7 (design audit), condition 8 (visual assessment), condition 9 (biodiversity statement) condition 13 (surface water drainage strategy), condition 14 (accessibility statement), condition 15 (lighting statement) condition 17 (tree survey), condition 18 (parking and access statement), condition 19 (levels plan) and condition 31 (bats and birds) pursuant to hybrid planning permission reference P/3191/12 for the development of a biomedical engineering hub (P/3828/15) to discharge condition 4.

APPROVED : 27-Oct-2015

P/3829/15 Reserved matters application (Condition 4) for all matters (scale, appearance, layout, access, landscaping) pursuant to hybrid planning permission reference P/3191/12 for the construction of enabling works. Development to include site clearance and the construction of a new access road, pedestrian and disabled access, associated landscaping and boundary treatments and ancillary works.

GRANTED : 27-Oct-2015

P/3832/15 Discharge of conditions 7 (Design Audit), Condition 8 (Visual Assessment), Condition 9 (Biodiversity Statement) Condition 13 (Surface Water Drainage Strategy), Condition 14 (Accessibility Statement), Condition 15 (Lighting Statement) Condition 17 (Tree Survey), Condition 18 (Parking and Access Statement), Condition 19 (Levels Plan) pursuant to hybrid planning permission reference P/3191/12 for the development of enabling works associated with the development of the Biomedical Engineering Hub, in connection with the separate reserved matters application works (P/3829/15) to discharge condition 4.

APPROVED : 27-Oct-2015

P/4101/15 Approval of details pursuant to part 7, paragraph 1 of the first schedule of the planning obligation (landscape and ecological management plan) attached to planning permission P/3191/12 dated 5th August 2013 in relation to the reserved matters application for the development of a biomedical engineering hub.
APPROVED : 21-Oct-2015

P/4102/15 Approval of details pursuant to part 7, paragraph 1 of the first schedule of the planning obligation (landscape and ecological management plan) attached to planning permission p/3191/12 dated 5th august 2013 in relation to reserved matters application for the enabling works in connection with the development of a biomedical engineering hub.
APPROVED : 21-Oct-2015

P/4308/15 discharge of condition 6 (phasing plan) pursuant to hybrid planning permission reference p/3191/12 for the comprehensive, phased, redevelopment of the royal national orthopaedic hospital to include: up to 56,871sqm (gross internal floor area) of new hospital development, including rehabilitation unit and parent accommodation (use class c2); up to 21,000 sqm (gross internal floor area) multi storey car park providing up to 805 car parking spaces; up to 88 surface car parking spaces and up to 50 undercroft car parking spaces for operational hospital use; up to 40,260 sqm (gross internal floor area) of residential development (use class c3) (including ancillary floorspace i.e. garages and undercroft parking) providing up to 356 residential units of which up to 45 units will be for staff accommodation (36 proposed and 9 existing); partial change of use of Eastgate house from office to private residential (use class c3); up to approximately 19.2 hectares of public open space; associated landscaping and ancillary works; closure of existing access at north-eastern end of wood lane.
APPROVED : 10.11.2015

P/4449/15 Approval of details pursuant to section 106 agreement in relation to schedule 1, part 6, paragraph 1 (costs of construction), schedule 1, part 6, paragraph 2 (employment and training strategy) and schedule 1, part 7, paragraph 1 (landscape and ecological management plan) for the development of Princess Eugenie House pursuant to condition 4 of the hybrid planning permission p/3192/12 for the phased comprehensive, redevelopment of the Royal National Orthopaedic Hospital.
Expiry: 20.12.2015

P/4280/15 Reserved matters application (condition 4) for all matters (scale appearance, layout, access landscaping) pursuant to hybrid planning permission reference p/3191/12 (for the phased comprehensive, redevelopment of the royal national orthopaedic hospital) for the development of Princess Eugenie House. development to include demolition of the graham hill unit and construction of 2, 501sqm (gifa) of hospital floorspace (C2 use class), including accommodation for families of patients, rehabilitation space, consultancy space, patient care facilities and other ancillary clinical and service related development. development also to include associated landscaping, access bin stores, one car parking space, pedestrian works and ancillary works
GRANTED : 18.12.2015

P/4453/15 Details pursuant to condition 7 (design audit), condition 8 (visual impact), condition 9 (biodiversity statement), condition 10 (construction and environmental management plan), condition 13 (surface water drainage strategy), condition 14 (accessibility statement), condition 15 (lighting statement), condition 17 (Arboricultural statement), condition 18 (parking and access statement), condition 19 (levels statement)

condition 24 (site investigation) and condition 31 (bat and bird survey) attached to the hybrid planning permission p/3191/12 ((for the phased comprehensive, redevelopment of the royal national orthopaedic hospital) for the development of Princess Eugenie house (ref: P/4280/15) to discharge condition 4.
GRANTED :18.12.2015

P/1405/16 Non-material amendment to planning permission P/3191/12 dated 05/08/2013 to allow amendments to the approved central development zone parameter plan and parameter plan explanatory text to allow for (a) specific elements of buildings in phase 02 to rise slightly above the maximum height parameter; (b) the building footprint to extend slightly beyond the extent of developable area and (c) landscaping to be incorporated within the area for circulation and hard standing.
APPROVED : 19.04.2016

P/2182/16 Discharge of condition 31 (bat/bird survey) pursuant to hybrid planning permission reference p/3191/12 for enabling works associated with the development of phase 2a, in connection with the separate reserved matters application (p/2152/16) to discharge condition 4.
APPROVED : 28.06.2016

P/2447/16 Details pursuant to schedule 1 (part 7, paragraph 1) (landscape and ecological management plan) of S106 agreement dated 19th July 2013.
Expiry: 02.08.2016

Pre-Application Discussion:

RNOH has been engaged in pre-application discussions with the Council since July 2012 in order to formalise the pre-application stage of the engagement in respect of the proposals. The existing Planning Performance Agreement agreed in 2012 has been updated to reflect the next phase of planning applications required to help facilitate the progression of the outline proposals. The applicant has engaged in extensive pre-application meetings with the Council to address the specific proposals for the Phase 2A reserved matters application.

Community and Stakeholder Engagement

The Council's Statement of Community Involvement (2006) 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 accompanies the application (within the Design and Access Statement) and this document explains the programme of public consultation and community engagement carried out prior to the submission of the application. As part of its programme of community engagement, the applicant has initiated public consultation exercises on 22nd, 23rd and 24th March. The public consultation was attended by 103 people in total.

In addition to the exhibitions, the RNOH trust also attended a meeting of the Stanmore Society and Brockley Hill Residents Association on the 22nd March to discuss the emerging proposals. The meeting was attended by approximately 50 people. The Design and Access Statement also outlines that five hospital user group meetings took place which helped the arrangement and detailed design of the proposed development.

Applicant Submission Documents

- Planning Statement (summary)
- The proposed phase 2A building is a sub phase of Phase 2 identified in the approved

Phasing Live Document. The proposed Phase 2A building is located in the north eastern part of the phase and is to comprise a building to provide ward of hospital accommodation; a 27 bed paediatric ward, two floors of 32 bed adult accommodation and a private patient unit.

- The proposed Phase 2A building will be located in the CDZ. The CDZ currently contains the main hospital ward buildings, theatres, outpatients department, Spinal Injuries Unit, Aspire Centre and Graham Hill Rehabilitation Unit.
 - The principle of development was approved under the outline element of the hybrid planning permission including the site location, building parameters and use.
 - The development is fully in accordance with the approved parameters and responds positively to the local context, including future phases of development.
 - The proposed design is high quality and will not harm the visual amenity of the area.
 - Overall, the proposals will enhance the existing hospital context, with increased habitat and nesting opportunities as well as landscaping, planting and a children's play area that will complement the biodiversity of the wider RNOH site.
 - The proposals for the proposed phase 2A building fully accord with the hybrid planning permission and the approved site wide strategies. It has also been demonstrated that the proposals are in accordance with the key relevant adopted national, London wide and local planning policies. On this basis the application for Reserved Matters and details reserved by condition/obligation should be approved.
- ❖ Design and Access Statement
 - ❖ Energy Strategy and Sustainability Statement
 - ❖ Arboricultural Impact Assessment
 - ❖ Landscape and Visual Impact Assessment
 - ❖ Ecology and Biodiversity Statement
 - ❖ Surface and Foul Water Drainage Strategy
 - ❖ Lighting Strategy
 - ❖ Tree Survey
 - ❖ Parking and Access Statement
 - ❖ Detailed Levels Plan
 - ❖ Bird and Bat Survey

Consultations

Internal Consultees:

Biodiversity Officer: No objection, subject to the following amendments.

The applicant needs to confirm that Biological Records for their desktop study were not sourced from Thames Valley Environmental Records Centre as stated in the Bird and Bat Survey attached to this application. This is not the biodiversity records centre for Greater London.

Regarding paragraph 5.3 of the Bird and Bat Survey report: Additionally, I suggest that a toolbox talk is given by a suitably qualified ecologist to contractors working on the Patients Centre, informing them of what to look out for whilst working on site and what to do if bats are found.

The applicant needs to correct the following: Paragraph 3.5 lists the Wildflower species mix. Most of the species listed occur in the native flora or at least have been here for several hundreds of years. An exception in this list is Goatsbeard *Aruncus dioicus* which I think was originally from the America's and grows vigorously - not suitable at all. I believe this is more usually called 'buck's-beard'. Assuming this is a mistake the correct species is likely to be native goat's-beard *Tragopogon pratenses*. A typo is *Festuca rubra, lotalis*, it

should be *Festuca rubra, litoralis*.

Landscape Architect:

Condition 8 - Visual Assessment.

The proposals do not appear to impact on the wider landscape and would cause negligible effects from the surrounding publicly accessible areas. The proposed development would appear to sit visually within the existing landscape character without causing damage. New tree planting is proposed which would ensure the long term replacement and reinforcement of the existing vegetation within the site.

The report recommends additional mitigation measures and design solutions, to minimise any effects, during the enabling and Construction Phase and Operation, to be agreed through the Reserved Matters Application and once agreed the proposals should be followed.

Condition 4 landscape

The landscape proposals are welcomed and the children's garden and wildflower meadow would be exciting and interesting spaces and help to enhance the biodiversity of the area.

At the drop off area / main entrance the cycle circulation is shown across a proposed road kerb that is not dropped. The dropped kerb is situated between proposed bollards. I would suggest an extension of the dropped kerb to accommodate the movement of both pedestrians and cyclists.

4 Visitor Cycle stands are proposed for public use near to the entrance. This would create a tight area for pedestrian movement around this area. I would suggest that the cycle stands are moved south, to create as much space as possible around the main entrance area and at least 4 of the staff cycle stands moved away further south to compensate and provide sufficient circulation space (the stands nearest to the main entrance.

Hard Landscape - The hard landscape proposals are acceptable.

Boundary Treatment – is acceptable

Soft landscape – the proposal for grassed areas and wildflower meadows is welcomed. The areas are small and intricate which would mean a requirement for a well planned and executed management and maintenance regime to create and retain the proposed wildflower meadows.

Supplementary comments following receipt of revised plans: The 4 cycle racks and bikes near the main entrance would conflict with available pedestrian movement space, and need to be relocated away, as comment below.

The remaining amendments and planting plan and schedule are acceptable.

Drainage Authority: Additional details required in relation to the following:

TW consent for indirect connections (via private drain) is still required,

Insufficient volume of storage is provided, indications are that about 150 m³ should be proposed. Please request the applicant to provide whole catchment area with pre and post developed impermeable areas to confirm a required volume.

The system should be checked for no on-site flooding for a storm of critical duration and return period of 1 in 100 years plus 30% cc. Climate change is a significant issue with predictions of worsening flood events. When modelling the drainage system the outfall condition should be addressed, free outfall cannot be assumed.

Please clarify why only 30% surface water run-off is allowed in drainage calculations from areas A, B and C.

Ground levels suggest that sw run-off from the playground is directed onto the hardstanding falling towards the new building, please clarify

Environmental Health: No objections.

Arboricultural Officer: No objection - There are no significant tree issues in relation to the proposed development.

Highways Authority: No objection

External Consultees:

Greater London Archaeological Advisory Service: Condition 22 attached to the Hybrid application (P3191/12) requires a programme of archaeological works to be carried out in the Eastern Development Zone where there is a known potential for evidence of Roman activity. The above application lies outside the Eastern Development Zone. Condition 23 of the Hybrid application (P3191/12) requires a programme of historic building recording of the 1930s buildings within the site. The above application would impact only post-1990s buildings.

No further assessment or conditions are therefore necessary in relation to the above application.

It should however be recommended that the applicant employ a qualified archaeologist to formulate an overarching archaeological mitigation strategy in line with conditions 22 and 23 of the Hybrid application (P3191/12). This would be to ensure that the appropriate archaeological works are implemented as each phase of the development comes forward.

Sport England: No Objection.

Natural England: No Response

Environment Agency: No Objection to P/2152/16. Awaiting comments in respect of condition 13 of P/2148/16.

Thames Water: We have no objection to the discharge of condition 13 pursuant to permission P/3191/12 provided that the site drainage works as laid out in doc ref 907710 dated August 2012 are adhered to.

Crime Prevention Design Adviser: The developers have incorporated recommendations I made at our previous meeting but the bicycle provision is yet to be resolved as its current location requires an enclosure to protect them. The internal configuration of the ground floor lobby rooms require attention as currently the entrances to the W.C's are hidden from view though this may not affect planning approval.

As always I would recommend that Secured by Design Certification is sought as this ensures upon completion that all security recommends have been implemented.

Hertsmere Borough Council: No Objection

Advertisement

Site Notice : Major Development: Expiry: 19.07.2016

Neighbour Notifications

Sent: 1383

Replies: 1

Expiry: 25.09.2015

Addresses Consulted

Notification letters were sent to properties within a wide area surrounding the site, extending south to London Road, west to Common Road, north to the M1 and east to Brockley Hill. In addition to this, properties within the London Borough of Barnet were also notified by letter. Following advice from Hertsmere Borough Council, notification letters were not sent to properties within this Borough. Eight site notices were however posted within the Hertsmere Borough.

Summary of Responses

- It appears that the original outline planning permission has changed in respect of the access to the site from Warren Lane. We cannot allow traffic from the western zone be routed via Warren Lane. I understood the access to the development from Warren Lane would only be for emergency access only. I understand that the ownership of the roadway abutting our properties is not maintained at public expense, therefore this is not an adopted highway.

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 2015) (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 Development

Design and Visual Impact including Impact on the Visual Amenities of the Green Belt and Area of Special Character

Traffic, Parking, Access, Servicing and Sustainable Transport

Sustainability

Accessibility and Inclusive Design

Biodiversity, Trees and Landscaping

Flood Risk and Drainage

S17 Crime & Disorder Act

Consultation Responses

Equalities and Human Rights

Principle of Development

The principle of development has been established under outline planning application P/3191/12 which was approved by the Planning Committee in August 2013. The outline planning permission considered the building location, building parameters and use. Since the outline planning permission was approved there have been some changes to the Harrow Development Plan. The Development Management Policies DPD and the Site Allocations DPD were adopted on 4 July 2013. However, advanced draft versions of the documents were reviewed as part of the hybrid application and consequently there are no significant differences in local policy which would impact the reserved matters proposals. In addition, further alterations to the London Plan were adopted in March 2015 and March 2016. It is also considered that there are no changes within the London Plan which would warrant a different conclusion with regard to the principle of the development.

Since the approval of the original hybrid planning permission various non-material minor amendments have been approved. Most recently a non-material amendment permission was approved under application ref: P/1405/16 to allow for (a) specific elements of buildings in phase 2 to rise slightly above the maximum height parameter; (b) the building footprint to extend slightly beyond the Extent of Developable Area and (c) landscaping to be incorporated within the area for circulation and hard standing

The approved CDZ masterplan sets out the development parameters as set out in the table below.

BUILDING DEVELOPMENT FOR CLINICAL HOSPITAL (USE CLASS C2):		
	Approved	Proposed
Building Height	148.10 AOD	148.1 AOD
Footprint	19, 378 sqm	1890sqm
Floor space	77, 871 sqm	8480sqm
Width	Maximum 75 m Minimum 8 m (hospital dev)	29.5
Length	Maximum 105 m Minimum 8m (hospital dev) Minimum 2m (ancillary structures)	90
MAXIMUM BUILDING HEIGHT PHASE 02 EXTENT OF DEVELOPABLE AREA:		
Lift OVERRUNS	149.1m AOD	149.1m AOD
Safety Guard Rail	149.1m AOD	149.1m AOD
Flues	152.1m AOD	152.1m AOD

As demonstrated, the proposed phase 2A building would be within the agreed parameters of the hybrid planning permission as amended and therefore is also considered to be acceptable in this regard. In addition, the parameters plan set out the land use zones within each development area, including for clinical hospital (C2 use class development) and associated ancillary structures together with area for circulation,

associated hard standing, access roads and surface car parking. Phase 2A will provide clinical hospital (C2 use class) and ancillary hospital space which would also meet the requirements of the CDZ parameters.

The application also proposes a Facilities Management Yard and an engineering plant enclosure which would be located to the west of the building. The Facilities Management Yard is proposed to provide a secure and protected area for the delivery and collection of consumables, linen and waste. The approved CDZ parameters plan also sets out specific parameters for ancillary structures. Specifically it outlines that they should have a maximum building width of 5 metre, a maximum building length of 8 metres and a maximum building height of 8 metres. The applicant has provided an additional supporting statement outlining the need for the FM Yard and hospital plant and why this can't be incorporated within the proposed hospital building – this is discussed in more detail below. The statement outlines that the plant and their associated enclosures are not known at this stage. As such, officers recommend that a condition is attached to the decision, should approval be granted, requiring detailed proposals for the ancillary plant and structures to be provided to ensure compliance with the CDZ parameter plan.

The FM yard also proposes two generator flues. The flues would have a height of 7.565 metres and would be located towards the front northern end of the FM yard, adjacent to the pedestrian footpath and road. In this regard, the height of the flues would be accordance with the approved CDZ parameter plan being less than the stipulated 8 metres for ancillary structures and is acceptable in principle.

In summary, subject to the aforementioned condition, it is considered that the principle of the Phase 2A development is acceptable and would accord with the National Planning Policy Framework (2012), The London Plan (2016), the Harrow Core Strategy (2012), the Harrow Site Allocations DPD (2013) and the Harrow Development Management Policies Local Plan (2013).

Design and Visual Impact Including Impact on the Visual Amenities of the Green Belt and Area of Special Character

The NPPF (2012) emphasises the importance to the design of the built environment stating that *“Good Design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people...Planning Policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development” (Paragraphs 56 and 58).*

The London Plan (2016) 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 Harrow’s the Development Management Policies Local Plan requires all development proposals to achieve a high standard of design and layout. It outlines that proposals should seek to optimise the potential of sites and create an inclusive environment that respects the character and setting of neighbouring development, the wider landscape and adds to the visual amenity of the place. Considerations should include scale, height, bulk massing, the use of the proposal in relation to the neighbouring uses, materials,

sustainability measures, inclusive access and the functionality of the development including car and cycle parking provision”.

Core Strategy policy CS1.F states that ‘The quantity and quality of the Green Belt, Metropolitan Open Land, and existing open space shall not be eroded by inappropriate uses or insensitive development’. Section B of Policy DM1 of Harrow’s Development Management Policies Local Plan requires all proposals for the redevelopment or infilling of previously-developed sites in the Green Belt to have regard to the visual amenity and character of the Green Belt. Policy 6 of this Local Plan seeks to protect Area’s of Special Character from insensitive development.

Layout and Scale

The location for the Phase 2A building is accommodated within the ‘Central Development Zone’ (CDZ) of the overall masterplan phasing strategy which is anticipated to last for approximately 15-20 years. Phase 2a will be among the first buildings in this area and as such the immediate site context will significantly change over the coming years as further phases of development come forward. As such, consideration of the buildings impact must be considered both in the short and long term.

Within the CDZ, there is a clear curved frontage line for buildings which address landscape areas to the east. Phase 2A would sit centrally within the proposed group of buildings. It would be situated to the south of the proposed Private Patients Unit (Phase 6), to the north of the New Hospital Theatres (Phase 10-11) and to the east of the proposed Princess Eugenie House (Phase 3).

The integration of Phase 2A within the wider masterplan layout has been given careful consideration as demonstrated in the submitted Design and Access Statement. As outlined, within the masterplan the Central Development Zone was envisaged to have a curved frontage with the main building entrances facing towards public access and green space to the east. The proposed phase 2A building would respect the original design principal and the main façade and entrance would be on the north eastern elevation facing towards the main proposed public realm. A drop off area is proposed directly outside the main entrance and a pedestrian crossing will also link the building to the parking area to the north of the site. This will ensure that as the masterplan progresses the Phase 2A building will contribute to an active frontage and high quality public realm. In addition, the building has been designed to respect the adjacent building frontages to the north and south.

On the original outline masterplan for the site phase 2 was represented by a double helix building form. However, the Design and Access Statement sets out the decision to depart from the double helix form has been driven by a re-evaluation of the Trust’s accommodation requirements, which are lower than was originally anticipated for the site. As outlined above, Phase 2 will be developed in two sub phases, the current proposal being located in the north eastern portion of the wider phase 2 site. Whilst an exact building footprint, form and function for subsequent phase 2b has not been determined at this stage, various options for future developed have been explored. The Design and Access Statement demonstrates how a potential future phase 2B can be provided on the site to mirror the subject proposal. The two buildings would be spaced to allow for gardens between them and the ends of the buildings would be separated to allow for views through the space. The oblique angle of the curved facades and overall separation distances between the blocks would help ensure an acceptable relationship between the two phases in terms of visual character and with regards to light, outlook and privacy for

future users of the buildings. As such, officers are confident that the proposed 'croissant' shaped building form of phase 2A will provide sufficient flexibility to develop the remainder of phase 2 to its full capacity in the future, whilst still providing good levels of functionality in the interim. Nevertheless, officers acknowledge that the arrangements indicated are indicative only and detailed proposals will need to be developed for the phase 2B building.

In terms of the other buildings in the surrounding site area, officers consider that sufficient space would be provided around the building and that it would sit comfortably between the future phases of development including the Private Patients Unit and Biomedical Engineering Hub to the north, Princess Eugenie House to the west and the future theatres buildings to the south. The north eastern elevation of phase 2A would be set away between some 15 to 20 metres from the future Private Patients Unit, some 50 metres from Princess Eugenie House and approximately 25 metres away from the closest theatres building. Having regard to the above factors, in officer opinion, it is considered that phase 2A would be capable of operating effectively as a standalone building until additional phases are completed and will also be able to accommodate future expansion and connections to future phases of development.

Phase 2A will be the first building to be developed within the masterplan. Princess Eugenie House and the Biomedical Engineering Hub provide complementary but different functionality within the hospital estate. Officers consider that the difference in function and accommodation typology justifies a building of different scale and appearance from BEH and PEH. Nevertheless, as discussed in more detail below, officers consider that the proposed design intent and materiality outlined within the applicants Design and Access Statement would be complimentary to the other buildings approved to date.

As discussed, the applicant has outlined the need to build up to the maximum height parameter established by the hybrid planning permission in order to deliver the required five floor of accommodation (3.65m floor to floor) and one floor of engineering plant (4m floor to floor). A non-material amendment application approved under P/1405/16 allowed for certain elements of the building to rise above the maximum building parameter including the lift overruns, safety guard rails and temporary flues. The items allowed to go above the height cap have a minimal visual scale and were demonstrated not to have a detrimental visual impact on the surrounding Green Belt landscape in the non-material amendment application. As set out in the Design and Access Statement, the lift overruns and guardrails are required to comply with health and safety regulations. The flues are required. The Visual Impact Assessment submitted in support of Condition 8 of the reserved matters application demonstrates that there is no material difference in the visibility of the proposed building compared with the maximum height parameter which was approved as part of the hybrid planning permission.

Condition 19 – Site Levels

Condition 19 of the hybrid permission requires that details of the levels of the building in relation to adjoining roads and footpaths are provided. The applicant has provided a detailed levels plan which has taken account of the wider Masterplan re-development. As outlined above, the building complies with the approved RNOH CDZ parameters plan including the maximum datum height stipulated in the masterplan (148.10 AOD). The southern side of the ground floor of the building would be obscured from view as a result of the higher ground level on this side of the site. A bridge link would be provided from the first floor level to enable access to the children's garden and rear amenity areas. The proposed building height would respect the height of the immediate proposed future surrounding buildings and the natural topography of the land. In terms of the site levels,

suitable road levels and access points will be provided which will provide a satisfactory relationship with the surrounding future phases of development.

The shape and form of the building has been determined by a number of factors. The future building users will comprise clinicians, patients, visitors, technicians and hospital staff. Spaces within the building will include clinical areas, specialist spaces, offices, teaching and breakout spaces. The Design and Access Statement outlines that as the building will provide predominantly inpatient beds, the layout and form has been designed to provide the optimum environment for clinicians and patients, whilst also responding to the site's physical characteristics to create a distinctive building that sets a quality benchmark for future phases. It goes on to say that the double corridor 'racetrack' layout has been informed by the movement of patients, clinicians, visitors, supplies and collections. It is proposed that visitors and patients will use the public corridor to the front, whilst private routes to the back will be used for clinicians, deliveries and collections. Support facilities will be located centrally and bedrooms to the perimeter in order to provide a building with a compact form, reducing travel distances for clinicians and preventing overlooking between bedrooms.

The applicants have outlined that there will be a need to create a link to the existing theatre and x ray department throughout the transition period to enable the hospital to remain operational at all times. The intermediary link does not form part of this planning application and will be subject to a separate planning application. The shape of the building has also been informed by the need to provide service and maintained access to the rear of the building.

The building has adopted a layered approach in relation to access and security. The majority of the public and general access areas will be located on the ground floor including the main, reception, café retail and WC provision. The proposed Facilities Management Hub including deliveries and collection bay, receipt rooms and engineering plant room would be located on the ground floor away from the main entrance. The Children and Young Person's Ward is located at level 1 and would provide a total of 27 beds located to the edges of the building to provide good levels of natural light and outlook. The application documents outline that as many of the patients will stay on the ward for long periods of time a variety of spaces are required to provide a comfortable environment for recovery including, therapy, play, dining and education spaces. Daytime spaces and staff spaces would be clustered centrally within the ward. A children's garden would be located directly to the south of the ward and would be accessed via a bridge. Adult acute accommodation would be provided at levels 2 and 3 for patients requiring operative procedures and rehabilitation. The layout of these wards would follow the principles of the Children's and Young person's ward below. The fourth floor will provide an additional level of ward accommodation for future expansion and the applicants have outlined that the intention is to provide a layout similar to the lower wards. Designated lift cores will provided at each end of the building to facilitate deliveries and collections at each ward level enabling control of goods and waste to help prevent infection and contamination of the wards.

The bedrooms within the proposed wards are split into 50% single bedrooms and 50% 4 bed bays which are mirrored on each floor layout in order to ensure it is easily understood by patients and staff. Each ward would be managed from three staff bases, one on entry to each ward to establish a first point of contact with visitors, followed by centralized staff bases in each wing. All the bedrooms have been located around the edges of the buildings in order to priorities natural lighting to these rooms. Support spaces will be

located centrally to suit the requirements of the clinicians and to minimize circulation times to and from frequently accessed spaces such as utility rooms and stores. The Design and Access Statement emphasizes that the layout of the building has also been informed through extensive pre-application discussion between the RNOH Trust and the end users the building including clinicians, patients and other stakeholders. The applicants have outlined that where access to external windows is desirable but not feasible, glazed screens have been adopted to introduce borrowed light into the atrium. One such area is the proposed school classroom on the children's ward which will have two high level windows and be able to receive reasonable levels of light from the adjacent atrium. In terms of the proposed classroom space, the application supporting documents have outlined that there is strong need for privacy for future users. Although, this space would ideally have its own source of natural light, having regard to this, the proposed good overall efficiency of the proposed layout and the priority of natural light afforded to the bedrooms, this element of the scheme does not warrant a refusal of the scheme in officer's opinion.

Overall, in officer's opinion, the proposed layout of the building and its relationship with future phases of development has been well thought out and will provide a highly efficient and functional environment for its intended users.

A Facilities Management Hub would be located to the west of the building and would therefore be appropriately well connected to the service road to the west. An engineering hub would also be located to the west of the building and would be set into the hillside within an external compound. The engineering plant would consist of a boiler room, air handling units, chillers plus fuel and generator backup.

Further clarification has been sought from the applicant, on the purposes of the proposed Facilities Management Yard (FMY) and proposed external engineering equipment and the need for this to be located outside of the building rather than the ground floor plant room. The applicant has outlined that the proposed FM yard is intended to provide a secure and protected area for the delivery and collection of consumables, linen and waste. The proposed external engineering equipment consisting of two generators, two fuel stores, associated flues and chillers would be separately enclosed by a metal fence adjacent to the proposed FM yard. The applicant has outlined that specific sizes and details of the equipment have not been determined at this stage. The generators and associated bulk fuel stores are required to provide backup power to the building in the event of main power failure on the site. It is proposed that each generator would be located within a dedicated acoustically treated enclosure in order to limit noise breakout. In respect of the proposed chillers, the applicant has outlined that it would not be possible to locate these within the ground floor plant room due to the requirement for heat rejection clear area for fresh air movement. Given, it is not possible to specify the detail at the current stage, a condition is considered necessary to ensure the proposed plant would be acceptable in terms of character and appearance and in accordance with the approved CDZ parameter plan.

Design and Appearance

The supporting Design and Access Statement outlines that the development of the building façade has been informed by a number of factors, in particular the Trust's brief that the main entrance should be welcoming and at the same time express the hospital's identity a world class leading facility.

The main entrance has been designed as an atrium on the north eastern corner of the

site, which rises to the full height of the building. It is enclosed by a glazed screen which would provide views into the space from the outside. The external façade treatment will be connected to internal finishes. Horizontal balcony edges 'ribbon' through the atrium and through the main public staircase and connect to horizontal bands on the external façade. The horizontal bands would step back as a series of indoor terraces within the atrium, each forming opening conservatory type social spaces for the wards at levels 2, 3 and 4. Officers consider that the glazed screen will create a welcoming environment for visitors but inviting views into the space from the outside and would also provide a wide panorama of the surrounding landscape for patients and staff inside. The main entrance within the atrium and together with the bold and prominent curved north eastern elevation will provide a visually distinct marker for the hospital building and will act as a landmark building within the site.

The main northern elevation of the building will have a regular arrangement of windows which reflects the arrangement of the internal inpatient accommodation. The larger four bed bays and therapy rooms are concentrated on the north side of the building on either side of the atrium. A screen wall would be located within the atrium which begins at the lowest level and widens as it rises through the upper levels. This is expressed in the facade through a sequence of steps and seeks to provide focus to the main entrance. Notably, due to its north facing orientation, the atrium will allow good levels of daylight and sunlight to penetrate the building without risk of solar gain.

Various materials are proposed across the building. As discussed, curtain wall glazing would be used throughout the atrium. Horizontal bands of aluminum panels would wrap across the principal front façade and visually connect with the internal tiered balconies. The application elevations show that the intention is for the aluminum cladding panels to have bronze tones. Officers consider that that this will increase the visual prominence of the main entrance and provide a light and welcoming space. Engineering brick work is proposed at ground floor level and the height of the end lift cores. The lower brickwork will provide a robust and durable base and provide a visual contrast with the proposed smooth aluminum panels above. A grey render is proposed to the end and rear elevations. Metal panels would span horizontally across the windows on the front north east elevation and vertically on the south west elevation. Windows frames would be matched to the colour of the pressed metal reveals. It is proposed that the louvres and plant room doors would be colour matched to the brick work.

The FM yard and engineering compound would be enclosed by an open metal fencing to a height of 2.4 metres which would be softened with creepers and plants and to provide some visual screening to the proposed plant. A canopy would partially cover the yard to protect deliveries from adverse weather. A lower glazed canopy will be provided over the route to the FM entrance. The accompanying landscape strategy outlines that appropriate defensive planting will be provided around the perimeter of the enclosure.

The FM yard will also contain two flues to a height of 7.56m in height above the slab of the proposed external plant area in the north western corner. During the application additional information has been sought from the applicant to clarify their precise height and what consideration had been given to any alternative locations within the site which are more concealed from public vantage points. The applicants have outlined that the flues are required to comply with other legislation, namely, the Clean Air Act which requires that they must be 3 metres higher than the nearest obstruction within a 19 metre radius. As such, the flues have been located in their current position, 19 metres away from the proposed building in order to ensure that they do not need to be 3 metres higher

than the building at 151925mm AOD. Clearly the flues at this height would not be desirable. It is outlined that other possible areas for generator flues within the site boundary are limited to the external plant area and the Children's Garden and landscaped areas to the south of the site. Officers consider that it would not be appropriate to locate them within these spaces which would be in direct view of the patient bedrooms. The current location of the flues ensures it would be at its lowest possible height without impeding the enjoyment of the garden and the landscape to the south elevation. The flues would have a modest width and would also be finished in a stainless steel finish to limit its impact on the building appearance. They would also be partially obscured by the landscaped boundary treatment. Having regard to these factors, and the existing site constraints, officers consider that the flues are acceptable in this location.

Overall, officers consider that the FM yard and engineering plant enclosure will have an acceptable appearance.

Officers consider it is particularly important that the proposed building responds appropriately to its Green Belt setting and the material strategy outlined in the other reserved matters applications approved to date including the Biomedical Engineering Hub (BEH) (Phase 1) and the Princess Eugenie House (PEH) (phase 3). The design of the BEH and PEH buildings were informed by the site context, natural topography and site ecology. Proposed materials on each of the other schemes consisted of glazed curtain walling, steel and timber cladding panels, and corten rain screen cladding and brick. The predominant feature on each of these buildings is the proposed green living walls. It was considered that these features combined with a simple palette of materials would provide an appropriate response which would enable the buildings to blend into the surrounding landscape and Green Belt setting. Officers consider that the proposed material palette and colour scheme for phase 2a, in particular the indicative bronze tones of the aluminum cladding panels and large glazed curtain walling would provide an attractive and contemporary building which would be capable of successfully integrating into the surrounding landscape but would also provide visual cohesion with the other approved buildings for phase 1 and 3 of the site wide masterplan.

Overall, it is considered the proposed building design intent and materiality outlined within the supporting Design and Access Statement demonstrates a well considered and high quality appearance that will respond appropriately to its surroundings. A condition is recommended to ensure that the final selection of materials and finishes is reviewed by the local planning authority before the superstructure is commenced. Subject to these conditions, officers consider that the building will integrate successfully with the surrounding landscape and achieve a high quality design which reflects its use.

Condition 8 – Landscape and Visual Impact Assessment

A visual impact assessment of the proposed development as required by condition 8 of the hybrid planning permission has been submitted in support of the reserved matters application. Condition 8 required this specifically to demonstrate the impact of the development in views from the north. The proposed location for phase 2A lies centrally within the RNOH site and consists of two largely level plateaus formed by the area of car parking and the existing building footprint of the pre-admission clinic. Embankments of amenity grass connect the two plateaus; a steep embankment to the south of the site connects a further plateau formed by the patient drop area outside the main outpatient's entrance. The high point of the site is in the south east corner at 134.66m AOD, falling to a low point towards the north west at 128.76M AOD.

Within the Visual Impact Assessment, various sections and short and long distance viewpoints have been considered to address the Visual Impact of the building for phase 2A. These are the same as those identified within the Environmental Statement which accompanied the hybrid planning permission. In addition, photomontages have also been provided to assess the visual effects of the proposed phase 2A development from key views from the surrounding countryside and to help inform an appropriate choice of building materials.

Overall, the visual impact assessment finds that as the site has an existing relationship with the built form within the existing hospital campus, that on balance, future development will sit within the existing landscape character without causing damage. The accompanying photomontages clearly demonstrate that there will be no significant effects or alteration to the sites relationship with the wider landscape, whilst there would be minor-moderate beneficial effects to the immediate site environs. The assessment notes that new tree planting is proposed for long term replacement and reinforcement of existing networks, ensuring the longevity and vigour of the existing vegetation is maintained on site and in the long terms. In conclusion the assessment finds that the development of the application site will cause negligible visual effects from surrounding publically accessible areas. Having regard to the findings of the visual impacts assessment including the supporting photomontages and the high quality design response proposed, officers consider that the proposed development would not result in any adverse impacts on the visual amenities of the Green Belt or from the surrounding publically accessible areas from the north of the site, the Area of Special Character or the surrounding adjacent buildings both in the short and long term.

Condition 7-Design Audit

Condition 7 of the hybrid planning permission requires that every reserved matters application is accompanied by a design audit outlining how the development complies with a number of issues related to design and layout, security and energy and sustainability in order to ensure a high quality design and protection of Green Belt openness and the character of the wider area.

The approved Design Guidelines are intended to form a set of tools for the successful delivery of a high quality environment. They focus on public realm and external spaces and to the way in which future building development addresses these spaces. However, they are not prescriptive in matters of architectural design and they do not specify particular construction materials or colour, but they expect individual proposals to be developed to context and to adjacent buildings.

As discussed above, it is considered that the proposed design pays careful attention to and responds positively to the site's green belt context. Officers also consider that the proposed design has regard to the detailed design for the other approved early phases of development – Princess Eugenie House and the Biomedical Engineering Hub and that the proposed hospital building would sit comfortably with these neighbouring buildings without competing with them. The proposed building would sit within the acre of buildings of the CDZ zone, thereby helping to frame the eastern frontage in accordance with the principles set out in the Design Guidelines. Officers consider that the applicant has sufficiently demonstrated that a future sub phase can be accommodated and could also accord with the key principles of the Design Guidelines. As such, in officer opinion, the proposed development complies with the “Design Guidelines” and approved parameter plans in accordance with the requirements of condition 7(a).

The proposed phase 2a hospital building does not have any C3 residential component and therefore condition 7 parts (b) and (c) are not relevant in this case. Condition 7, part (d) requires that the building will be inclusive to all. The building will comply with best practice Building Control requirements and the measures proposed are considered by officers to be sufficient – please refer to section 5 of the appraisal. Condition 7, parts (e) to (g) requires details on the energy reductions and sustainability of the building. The building will be highly sustainable and has been targeted to achieve BREEAM ‘Excellent’ and is anticipated to achieve a 40% energy reduction in line with London Plan 2015 requirements. This is discussed in more detail in section 4 of the appraisal below and officers consider that this element of the scheme has been satisfactorily addressed. Condition 7, part (h) requires that the building will contribute to the objectives of “secured by Design”. The security measures to be implemented in the building and application site are outlined under section 8 of the appraisal and the submitted details have been referred to the Crime Prevention Design Advisor (CPDA). At the time of writing this report, further comments are awaited which will be reported in the committee addendum. Overall, subject to the comments of the CPDA, officers consider that all the criteria required under condition 7 have been satisfactorily addressed.

Condition 15- Lighting Strategy

Condition 15 (parts a-c) requires that each reserved matters application is accompanied by a detailed lighting strategy in line with the Code of Practice for the Reduction of Light Pollution issued by the Institute of Lighting Engineers. The strategy is required to explain the rationale for lighting in public realm areas and buildings (criteria a), how it accords with ‘Secure by Design’ principles (criteria b) as well as outlining how it will minimise the impact on biodiversity (criteria c).

The applicant has provided a statement of intent regarding the proposed lighting strategy. The applicants have outlined that an energy efficient lighting scheme utilising LED light sources will be used to minimise required maintenance attendance and to reduce the visual and psychological impact of lamp failures and therefore help to provide a safe and welcoming environment for all the future building users. Furthermore, LED light sources have the benefit of unwanted and obtrusive light spill. The strategy notes that regard will be had to the need to ensure that the lighting scheme accords with secure by design principles and would not adversely affect local ecology, given the nature of the hospital setting. The external lighting scheme will be tailored to specific areas including the building perimeter, service yard, drop off layby and the external children’s garden. The intent of the lighting scheme is to provide illumination for security and safe movement, whilst ensuring that direct or spill light is minimised to protect the surrounding biodiversity. In addition the lighting scheme will also consider adjacent inpatient accommodation to ensure that unwanted light is not directed into patient sleeping accommodation. Whilst the submitted strategy meets the broad requirements of condition 15, further specific proposals are required including lighting types, specifications, overall numbers and their location on or around the building. As such, a further condition is recommended to ensure a more detailed proposal is submitted which conforms to the principles outlined under this application.

Having regard to the requirements of the NPPF and the up-to-date Development Plan, it is considered that the proposed development would successfully integrate with the character of the site. It is considered that the scheme would not unduly impact on the visual amenities of the Green Belt, the special features of the Harrow Weald Ridge Area of Special Character or nearby protected trees or nearby trees of significant amenity value. As such, the proposal is considered to comply with the NPPF (2012), policies 7.4B

and 7.6B of The London Plan (2016) core policy CS1 B of the Harrow Core Strategy (2012) and policies DM 1, DM16 and DM 6 of the Harrow Development Management Policies Local Plan (2013).

Traffic, Parking, Access, Servicing and Sustainable Transport

Sustainable transport modes and planning decisions should ensure that developments which generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes will be maximised. All developments which would generate significant amounts of movements are required to provide a Travel Plan (NPPF, Paragraph 32).

The London Plan (2016) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. This is further emphasised by policy core policy CS 1 R of the Harrow Core strategy (2012). Policy DM 42 of the Harrow Development Management Local Plan outlines the council's parking standards and cycle parking standards.

The highways principles of the development were approved as part of the hybrid permission. The design of phase 2a would comply with the approved Transport Assessment and draft Travel Plan. Notably, the hybrid planning permission requires that a site wide travel plan is approved prior to the hospital start date.

Condition 18 – Parking and Access Strategy

Condition 18 (parts a –i) requires that reserved matters applications are accompanied by a Parking and Access Statement to address parking management, cycle parking provision and details of pick up and drop off facilities. The criteria of condition 18 are discussed below:

Part (a) – Car Parking Provision for EDZ and WDW

The phase 2a site is located in the central development zone and therefore is not applicable to this reserved matters application.

Part (b) – Parking Management Strategy

No car parking is to be provided within the phase 2A site. The proposed building will provide ward accommodation, support and therapeutic facilities for children and adults. It will contain 91 beds which are being moved from four existing wards on site and as such the overall total provision on site remains unchanged. It is therefore outlined that the temporary and permanent car parking approved under the hybrid planning permission would not be exceeded. A temporary car park (121 spaces) was granted planning approval under the hybrid permission and has been constructed immediately to the north of the application site. This car park is for patients and visitors only and there is staffed access control to make sure staffs do not park here. Visitors to phase 2A will have access to this car park which will continue to be managed as existing.

Staff have access to a temporary car park located on the western fringe of the development zone which was granted a five year temporary planning permission in May 2014 under ref: P/0579/14. This car park can be accessed by staff only and is available for both cars and motorcycles.

The supporting Parking and Access Statement outlines that the RNOH Trust operates a car park permit system for staff and have a database of all staff car park registration numbers to assist with the management of its car parks

Part (c) – Cycle Parking Provision

Dedicated cycle parking facilities will be provided solely for the Phase 2A building. A total of 28 cycle parking spaces in the form of 24 Sheffield stands. Based on the projected number of full time staff within the Phase 2A building (122), the overall number proposed would accord with the London Plan 2015 standards in terms of both long stay and short stay cycle parking provision.

Part (d) – Electric Car Charging Points

This criterion is not applicable in this instance as there is no car parking proposed within the reserved matters application. The electric charging points within the existing temporary car park would remain as existing.

Part (e) – Pick Up and Drop Off Facilities

Vehicular circulation is based on two principal points of access from Wood Lane and the existing point of access from Brockley Hill. The first two are intended to provide general public access from one location and service delivery access from the other, thereby separating the two functions.

A drop off area will be provided adjacent to the main entrance along the eastern part of the development site. The drop off area will also allow for occasional refuse, servicing and delivery vehicles. A pedestrian footway will be provided on the southern side of the drop off area which will be segregated from the carriageway. The largest vehicle anticipated serving the main drop off area regularly is an ambulance. Swept path analysis has been provided demonstrating acceptable maneuverability within this space.

A service area will be located to the north of the site. Vehicles will be able to access the FM yard from the internal road that runs adjacent to the northern perimeter of the site. The FM yard has been designed to accommodate linen and refuse collection. Notably, a separate delivery and service plan will be required to be submitted and approved prior to the occupation of the building. The FM yard will be segregated from public access via a rolling gate.

Part (f) – Motorcycle and Scooter Parking

As discussed above, motorcycles and scooters, will park within the existing hospital parking supply in keeping with the existing arrangements.

Part (g) – Pedestrian and Cycle Routes and Relationship with Design Guidelines

The existing walking and cycling routes around the site will not be affected by the proposed development. Footways currently run throughout the site, linking the various ward of the hospital. The routes travel along the main spine of the site and there are zebra crossing where needed. There are no dedicated cycle routes on the site but due to the relatively quiet nature of the site in terms of vehicle numbers and traffic speeds, cyclists are able to travel around the site comfortably.

Within the vicinity of the site there is a footway located on the northern side of Wood Lane which runs from the junction of Wood Lane to the access of the aspire centre where the footway is switched to the southern footway. Along the A5 there is a footway travelling adjacent to the western footway which allows access to the bus stops located at the entrance to the hospital and also further south to the residential areas within Stanmore

Part (h) –Details of Pedestrian and Vehicle Signage

The accompanying Parking and Access statement outlines that existing pedestrian and vehicle signage will be regularly reviewed and amended to account for changing circumstances as the re-development of the hospital site progresses.

Within the proposed development site, pedestrian wayfinding signage will be located at the northern and southern corners of the development. There will be new directional signage to the temporary car park to the temporary car park in the western development zone for staff members. It is also outlined that internal communications will be used to inform staff of updates on the new car park designation and management arrangements.

Part (I) – Details of Enforcement Procedures for Parking Offences on Unadopted Roads

Vehicles will access the phase 2A site for servicing requirements only. Therefore, it is not envisaged that there would be any parking offences on or within the vicinity of the site. As outlined, the trust operates a car park permit system for staff and have a database of all staff car registration numbers to assist with the management of its car parks. The trust currently issues staff parking permits and enforcement notices for inconsiderate and inappropriate parking. The management of staff car parks will continue as per the existing arrangements.

The application has been referred to the Highways Authority who have raised no objection to the proposals. It is considered that the submitted information provided satisfactorily addresses the requirements of condition 18.

For the reasons outlined above the transport impacts of the proposal are considered to be acceptable, having regard to the aims and objectives of the NPPF (2012) policies 6.1 and 6.3 of The London Plan (2016), core policy CS 1 R of the Harrow Core Strategy, and policies DM 42 and 43 of the Harrow Development Management Policies Local Plan (2013).

Sustainability

Paragraphs 96-98 of the NPPF relate to decentralised energy, renewable and low carbon energy. Chapter 5 of the London Plan (2016) contains a set of policies that require developments to make the fullest contribution to the mitigation of, and adaption 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 to 5.15 support climate change adaption measures.

Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to ensure that the design and layout of development proposals are sustainable. It states that development will need to “*utilise natural systems such as passive solar design and, wherever possible incorporate high performing energy retention materials*”...“*Proposals should make provision for natural ventilation and shading to prevent internal overheating and incorporate techniques that enhance biodiversity*”. Policy DM 14 highlights that development proposals should incorporate renewable energy technology where feasible.

The application is accompanied by an Energy and Sustainability Statement, which

details the likely energy demands of the proposed development and proposed energy supply measures. It also appraises policy and reviews project specific targets in relation to matters such as energy, water, resource conservation, waste management, biodiversity and pollution control. The building is targeted to achieve BREEAM excellent in line with the masterplan requirements.

1) Be Lean

The building fabric and window design has been designed to achieve excellent level of energy efficiency including windows with low u values and good levels of air tightness. Heating mains shall distribute Low Temperature Hot Water (LTHW) heating water via a number of pump circuits to heat emitters within the hospital accommodation, domestic hot water low content storage/high energy efficiency generation units and various air handling units within the new hospital accommodation. Pumps are proposed to be provided with inverter drives. All pump circuits where appropriate shall operate on a variable volume flow regime to reduce absorbed power and energy consumption. Low temperature hot water circuits shall serve heat emitters within the various departments, zoned to match department/building orientation.

Ward bedrooms will be mechanically cooled by active chilled beams. Patient bedrooms are also designed to be capable of providing fresh air via a natural ventilation strategy. Chilled water will be generated centrally via an air cooled chiller plant. Other non-clinical type ancillary spaces such as IT hub rooms will be cooled with Fan Coil Units associated with an outdoor air cooled chiller.

Mechanical Ventilation will be provided to a number of areas by the provision of air handling units which are generally proposed to be located within the localised Air handling Unit (AHU) plant rooms. AHUs are proposed to be fitted with high energy efficiency heat recovery and inverter speed control for night time/unoccupied set back where appropriate.

It is intended to provide a fully operational Building Energy Management System (BEMS) including all necessary controls and cabling. The BEMS system will incorporate a network of addressable outstations with distributed intelligence, allowing each outstation to continue effective control of local plant in the event of a network failure.

Energy will be monitored via electronic meters which will enable reports of electrical power consumption to be provided. Such reports will be able to highlight trends in each area from the established norm in order to prompt investigations as necessary.

In terms of lighting it is outlined that LED sources will be used where possible and where appropriate the lighting installation shall incorporate automatic controls such as daylight and occupancy detection to help reduce energy by ensuring that lamps are dimmed or switched off when there is sufficient levels of natural light or when areas of the building are unoccupied.

2) Be Clean

Decentralised energy networks and combined heat and power were assessed at a site wide level as part of the 'Masterplan Energy Strategy' (Condition 33 of the hybrid permission which was approved under reference P/1705/14). The approved 'Masterplan Energy Strategy' established the basis for the provision of a site wide CHP network. The network has been provisionally identified to serve the Central Development Zone (CDZ) and the Eastern Development Zone (EDZ).

The applicants supporting energy statement, outlines that in addition to passive energy efficiency measures, it has been identified that Combined Heat and Power (CHP) would be a practical low zero carbon generating technology (LZCGT) solution to further reduce building CO2 emissions. The test results within the energy statement shows that the proposed natural gas CHP has the potential to make a 36.7% reduction against 2010 Building Regulations.

Importantly, the submitted energy statement outlines that the Phase 2A development will incorporate a heating system that has the capability to incorporate the requirements as identified within the Masterplan Energy Strategy. The systems are proposed to be arranged such that a future hot water connection from the proposed site wide CHP/district heating system can be incorporated to the building services during a future phase. Only minor alterations will be required to make the proposed connection. It is proposed that Building Independent heating systems shall be retained and locally modified in order to provide backup services should the district heating main system become unavailable. As, the phase 2A inpatient ward accommodation is programmed to be complete prior to the installation of the energy centre, the development does not take into consideration any proposed carbon benefit associated with the district heating CHP network.

3) Be Green

Renewable Energy

In addition to the building fabric efficiencies, the provision of the gas CHP plant and through the installation of 100m² PV panels on the roof, the submitted energy statement demonstrates that Phase 2A will achieve a 41.69 per cent energy reduction over 2010 Part L Building Regulations and also obtain the necessary credits for BREEAM Excellent standard. Adequate area for the necessary PVs is demonstrated on the submitted roof plan.

Other Sustainability Measures

To encourage building users to cycle, the phase 2A building showers and changing rooms will be provided within the building. Water consumption will be minimised through efficient fittings together with active water monitoring and leak detection systems. The BREEAM assessment identifies that a number of credits will be derived from recycling of construction waste.

In order to ensure the energy policy requirement is satisfied and that the building achieves the BREEAM 'Excellent' target, a condition is recommended in respect of this, should approval be granted.

Urban Greening

London plan policy 5.10 promotes urban greening measures, such as green infrastructure and public realm planting to contribute to the adaption to, and reduction of, the effects of climate change. Policy 5.11 of the London Plan (2016) seeks to ensure development proposals provide site planting and increase biodiversity, for sustainable urban drainage and improve the character and appearance of the area.

The application is accompanied by a comprehensive landscape scheme which will provide significant visual and biodiversity enhancements. Biodiversity brown roofs, and ecological specific planting for external soft planted areas are to be used to help mitigate the ecological impact of the building. Accordingly, a condition is recommended for further details of hard and soft landscaping as well as the specific details of the green and brown roof to be submitted and approved by the local planning authority. Subject to these

conditions, it is considered that the proposal will result in enhancement and diversification of the site and will make a positive contribution to the character of the area in accordance with policy 5.11.

Sustainable Urban Drainage

London Plan policy 5.13 seeks to ensure that development utilises sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so. The submitted drainage strategy seeks to ensure that the development would be protected from flooding in a sustainable manner, including the provision of SUDS techniques to supplement on-site attenuation facilities. In line with the masterplan proposal, surface water attenuation will be managed on a site wide scale via the future attenuation pond. On site the proposed brown roof system and permeable pavements will also provide attenuation.

In conclusion, subject to the above conditions, officers therefore consider that the proposal is in accordance with policies 5.2 to 5.18 of The London Plan (2016), core policy CS1 T, policies DM 12 and DM 14 of the Harrow Development Management Policies Local Plan and the Councils adopted SPD Sustainable Building Design.

Accessibility and Inclusive Design

The London Plan (2016) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policies 7.1 and 7.2. Policy DM 2 of the Harrow Development Management Policies Local Plan (2013) seeks to ensure that buildings and public spaces are readily accessible to all.

Condition 14 – Accessibility Statement

Condition 14 (parts a – e) requires that reserved matters proposals are accessible and inclusive to all and makes a positive contribution to Lifetime Neighbourhoods. However, it should be noted that as the proposal does not have any C3 residential and component parts (a), (d) and (e) of the condition are not relevant in this case.

Criteria (b) requires details on how the public realm will be made accessible including details of site levels, surface gradients and lighting. The detailed site levels plan accompanying the application demonstrates that there will be acceptable site levels around the building. There will be a 1:36 to 1:40 gradient from the drop off area to the main entrance. There would be 1:40 to 1:60 gradients for paths to the front of the proposed building. The link between the building and the proposed children's garden and throughout the garden itself would be 1:60.

As outlined above, no car parking is provided on site. Car parking including disabled parking provision would be provided to the north of the site within the existing car parks. A pedestrian crossing with dropped kerbs will be provided by the Trust under a separate enabling contract to facilitate level and unobstructed access to the building. Drop off facilities would be provided immediately to the front of the main entrance doors. The surface of the drop off area will be flush with the pedestrian footpath to remove trip hazards.

A detailed lighting strategy has also been submitted with the application which addresses the proposed lighting to the building perimeter, service yard and the drop off layby. The external children's garden to the rear of the building will also incorporate low level bollard lighting.

Criteria (c) requires details of how buildings will be made accessible to all. The accompanying Design and Access Statement outlines that the main entrance has been designed to enable easy orientation around the building for visitors. The main reception is located directly on front of the entrance doors. The public staircase and lifts are located by the reception and will be clearly indicated by signage. Corridors are designed to a minimum clear width of 1800mm. The corridors to the Facilities Management Hub and the inpatient wards are wider to allow for the movement of equipment and patient trolleys. Three staircases are located within building phase 2A. The main publically accessible staircase has been designed to meet the Building Regulations Part M and BS 8300. A total of three lifts are proposed of which all will meet the requirements of part M of the Building Regulations. The internal environment of the building has been designed to aid legibility and recognition of spaces using colour, light reflective values, materials with slip resistance where required and textures to denote the changes in surface. The WC provision will be in accordance with Part M of the Building Regulations. Publically accessible WCs are provided adjacent to the main entrance.

For the reasons above, officer consider that the requirements of condition 15 have been adequately addressed and would ensure that building Phase 2A would be accessible and Inclusive to all, thereby making a positive contribution to lifetime neighbourhoods and the proposed measures would meet the requirements of policies 7.1 and 7.2 of the London Plan (2016), policy CS1 of the Harrow Core Strategy (2012) and policy DM 2 of the Harrow DMPLP (2013).

Biodiversity, Trees and Landscaping

Planning decisions should contribute to and enhance the natural environment by enhancing valued landscapes, minimising the impact on biodiversity and provide net gains in biodiversity where possible and minimise pollution and other adverse effects on the natural environment (NPPF, Paragraph 109).

Policies DM 20 and DM 21 seek to ensure the protection of biodiversity and access to nature. Policy DM 20 requires that “*The design and layout of new development should retain and enhance any significant features of biodiversity value within the site. Potential impacts on biodiversity should be avoided or appropriate mitigation sought*”. Policy DM 21 outlines that proposals should secure the restoration and recreation of significant components of the natural environment. Planning considerations should take account of the need to retain or enhance existing landscapes, trees, biodiversity or other natural features of merit (Policy DM 1) and proposals for the redevelopment or infilling of strategic and other previously developed sites in the Green Belt are required to have regard to the contribution of the site and its surroundings to biodiversity (Policy DM 16 and 17).

Policy 7.21B of The London Plan (2016) states that “Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of ‘right place, right tree’. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species”.

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

“B. *Development proposals will be required to include hard and soft landscaping that:*
a. *Is appropriate to the character of the area;*

- b. Is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours;*
- c. Achieves a suitable visual setting for the building(s);*
- d. Provides for sufficient space for new or existing trees and planting to grow; and*
- e. Supports biodiversity.”*

“Proposals for works to trees in conservation areas and those the subject of tree preservation orders will be permitted where the works do not risk compromising the amenity value or survival of the tree.”

Landscaping

As discussed above, the accompanying visual impact assessment satisfactorily demonstrates that the development of Phase 2A will have no visual effects from surrounding publically accessible areas to the north of the site.

The supporting Design and Access statement outlines that the design of the external environment has been carefully considered in order to meet the specific of the phase 2A development but also to allow for integration with future phases of development. The proposals provide a clear arrival space adjacent to the main building entrance, incorporating vehicle drop off and connections to existing parking provision. A children’s garden is proposed to the south of the main building and is intended to have the potential to link to future therapy gardens to form part of larger courtyard space when phase 2B is implemented.

The children’s garden will be directly linked from the children’s ward by a bridge link to address the level change on this side of the site. The concept outlined for the garden is to provide a series of petals linked to central space where different activities and sensory experiences will be provided. Various tactile surfaces are proposed as well as informal play features, seating and sensory planting. The garden is intended to provide a space for outdoor activities including social interaction, physical challenges to aid in physical rehabilitation for patients.

The main entrance will be accessed via a shared surface drop off area from the north east corner of the site. Short stay cycle stands are provided next to the drop off area and long stay cycle stands sheltered beneath the building overhang. The cycle stands would be well overlooked from the main entrance. The proximity of the short stay cycle stands are considered to be too close to the main entrance circulation space and could potentially prohibit pedestrian movement when bikes are parked. However, it is considered that the location of the cycle stands could be modified through an appropriate planning condition as set out below, should the application be approved.

Hard surfacing continues around the building at ground floor level providing service and maintenance access to the rear of the building. Two bridge links are proposed at first floor level to provide direct access to the children’s garden and a tapered planted embankment runs above a retaining wall along the eastern boundary of the site between the existing road and the building.

The Facilities management Yard, to the west of the building, would be surfaced with permeable gravel and enclosed by a metal louvred fence to a height of 2.4 metres with defensive and climbing plants around the perimeter. A Sustainable Urban Drainage rain garden is proposed to the north west of the building to partially accommodate run off from the adjacent paving. At the upper site level, a large oval garden is proposed. This will

consist of the children's garden occupying the eastern half of the space. The western half of the oval garden will provide a further amenity space and include a native wildflower meadow with mown grass paths accessed from the children's garden. Defensive planting is proposed to the outside of the perimeter fence with a line of new trees within it.

A wide variety of hard landscape materials are proposed including, textured concrete and cropped granite setts, slab paving, resin bounds gravel and stone cobbles to create a changing tactile experience for children circulating.

Street furniture within the public realm will be primarily stainless steel. This includes cycle stands for both visitors and staff, door barriers to provide protection to outward opening doors, litter bins and bollards in front of the drop off area to provide protection to both pedestrian and the building itself. A softer palette of natural timber furniture is proposed within the children's garden, including curved and straight timber benches, timber sleeping stepping stones as well as stone play boulders.

The proposed planting palette will provide seasonal change in colour, form and texture as well as incorporating evergreen planting to give year round foliage and structure. The wider oval garden includes a native wildflower meadow with mown grass paths, accessible from the children's garden.

The perimeter of the wider garden will be enclosed by weldmesh fencing to a height of 2.4 metres with lower railings to a height of 1.1 metres around the children's garden itself. Low metal balustrades will be provided to the top of the planted embankments and retaining walls.

Officers consider that the proposed soft landscaping will provide an attractive landscape setting which will enhance the external environment for other patients and visitors to the hospital, providing all year round seasonal interest and colour. Overall, officers are satisfied that the overall landscape proposals for Phase 2a accord with the Landscape Strategy and relevant parts of the Design Guidelines. The Councils Landscape architect has advised that the proposed landscape strategy is acceptable subject to more details being provided on the specific planting strategy and landscape management and maintenance schedule for the scheme. Accordingly planning conditions are recommended in respect of both of these aspects as set out below.

Condition 17 – Tree Survey

Condition 17 requires that a detailed arboricultural report is provided for each phase of development in accordance with the tree retention and removal plans approved under the hybrid planning permission.

The Phase 2A contains some trees on it and any growth which has already been earmarked to be removed to facilitate the development as part of the approved Arboricultural plan on the hybrid application. Details of tree protective fencing has been indicated to the south of the Phase 2A application site which will ensure that the trees identified for retention under the hybrid planning application are not harmed during construction. The application has been referred to the Council's Arboricultural Officer who has not raised any objection to the proposal. As such, officers recommend that the details submitted under condition 17 are approved.

Condition 9 – Ecology and Biodiversity Statement

An Ecology and Biodiversity report has been provided in support of application P/2148/16.

Framework Ecological Management Plan and New Habitats – criteria (a) and (b)

The supporting Ecology and Biodiversity report demonstrates that the landscape and ecological aspects of the phase 2A scheme have been designed in accordance with 'Framework Ecological Management Plan' in accordance with the requirements of condition 9 part (a). The key objective of the Framework Ecological management Plan was to focus any enhancement and management on key habitat areas including woodland, acid grassland and mature trees and to give secondary consideration to other habitats considered to be of some elevated value within a local context including orchards, scrub and ponds. The Framework also outlined the need to reflect other interests and uses at the site such as recreation, landscape and drainage and to provide an attractive and high quality setting for the hospital and other buildings. The proposals

The landscape masterplan and hard & soft landscape general arrangement plan demonstrate that the development will support native tree and shrub planting and the creation of a wildflower meadow. There will also be new species specific enhancement provided integrated into the new development and within the surrounding landscape. The trees species mix and grass species mix have been selected in accordance with Annex 2 of the approved framework. Bird and bat boxes have been selected in accordance with examples provided in Annex 3 of the framework.

In this regard, officers consider will result in a high quality environment that would accord with the objectives of the original Framework and would satisfy both criteria (a) and (b) of condition 9.

Wildlife habitats in the public realm/integration with SUDS and trees – criteria (c)

The landscape design includes a Children's garden and landscaped amenity areas to the south of the building which will promote public access, recreation opportunities and enjoyment of the area and manages recreational use to avoid conflict with nature conservation. Wildlife habitats will be integrated into the SUDS design through the provision of a brown roof and through the provision of a SUDS rain garden.

New trees will be planted to the east of the site and within the children's garden. Where possible species of wildlife value will be used to provide foraging opportunities for wildlife. With regard to existing tree habitat, birds and bats will be safeguarded through the submission and approval of an up to date bat and bird breeding survey under the terms of condition 31. The development would support a number of integral nesting bird and roosting bat features which will include 4 integrated swift boxes, 2 integrated sparrow boxes, 2 integrated starling boxes and two integrated bat boxes. An insect box will also be provided to provide solitary habitat for solitary bees and other insects. In order to secure the proposed ecological enhancement a planning condition is recommended for full details and specification of the bird, bat and insect boxes showing how they will be integrated into the new building and landscape.

Management –Criteria (d)

The site is owned entirely by the RNOH Trust and following completion of the building they would retain ownership of the main hospital site and surrounding open space areas and will be responsible for management. A detailed habitat and management and maintenance schedule has been provided which has been reviewed by the Council's Landscape Architect and Biodiversity Officer and found to be acceptable. In addition, the applicant outlines that regular monitoring visits will be undertaken by a suitably qualified ecologist in order to monitor the progress of management activities and identify any

alterations that may be required in order to maximise the nature conservation benefits of the site.

The final plant specification for the proposed green/brown roof and for the wider site area can be secured by a planning condition as set out below, should approval be granted. Subject to appropriate planning conditions set out below, in officer's opinion, the development will make a positive contribution to the sites biodiversity and compliance of the phase 2A building with condition 9 of the hybrid permission.

Condition 31 – Bird and Bat Survey

The application is accompanied by a bird and bat survey which found no evidence of bats and that the surrounding environment on this site has negligible potential to support roosting bats. The report recommends that prior to the demolition of the Patients Centre and felling of two mature Italian Polar trees a bat tool box talk by a licensed bat ecologist should be undertaken to educate the relevant contractors on what to be aware of and how to ensure that no bats are harmed during the works. This approach is endorsed by the Council's Biodiversity Officer. No active bird nests were identified during the survey period. However, as suitable habitat exists for nesting birds a precautionary approach to site clearance is recommended in the report. This requires that site clearance works should be undertaken outside the peak bird breeding season or if necessary to undertake the works within the season then an appropriately qualified ecologist will be required to undertake a sit walkover to visually assess the area for active nests. Should an active nest be discovered, then site works must cease until the nest is deemed inactive. In light of the above findings, officers recommend that a condition is attached to the permission should approval be granted, to ensure that the recommendations of the report are adhered to.

Condition 15 - Lighting

As discussed above, the proposed lighting to the building and application site has been considered in terms of impacts on biodiversity. As outlined above, the final details of the lighting scheme have yet to be determined. However, the applicants lighting strategy makes a commitment to ensure that direct or spill lighting is minimised and that light levels along the woodland are not increased in anyway by this development. It is outlined that a combination of LED sources with restricted optics and careful positioning and orientation of luminaires away from the woodland will ensure impact on local wildlife is minimised. As such, officers consider the commitment outlined is sufficient for the purposes of discharging condition 15. Nevertheless, as discussed, above, a condition is recommended for further details to be submitted in respect of the specific lighting scheme which will ensure the proposals accord with the applicant's commitment with regard to protection of biodiversity.

Subject to conditions in respect of the above matters, officers consider that the ecological and aesthetic value of the area would be significantly enhanced and the development would thereby comply with policies 7.21 and 7.19 of The London Plan (2016) and policies DM 20, 21 and 22 of the Harrow Development Management Policies Local Plan (2013).

Flood Risk and Drainage

The NPPF (2012) outlines the need to manage flood risk from all sources (paragraph 100). Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban

drainage (SUDS) hierarchy. Policy DM 9 states that “*proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to flooding and the design and layout of proposals must contribute to flood risk management and reduction*” Further to this, 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*”.

Condition 13 – Surface Water Drainage Strategy

Condition 13 (parts a-c) requires that all reserved matters applications are accompanied by a surface water drainage scheme which meets the requirements of the approved surface water drainage strategy under condition 27. The scheme is required to demonstrate how the site will incorporate sustainable urban drainage (SUDS) techniques, surface water attenuation works and works for the disposal of sewage.

The Phase 2A application site is 0.55 hectares and lies in flood zone 1 and therefore has a low risk of fluvial flooding. A drainage strategy has been submitted with the application which has been prepared in accordance with the site wide drainage strategy.

In terms of foul water drainage, it is estimated that the proposed peak foul water discharge rate is likely to be around 12.9l/s. Whilst the peak foul water discharge would be greater than the existing situation, it is outlined that due to the demolition of the existing facilities and like for like approach for the number of hospital beds, it is anticipated that the overall site wide peak foul water discharge rate will remain unchanged. As part of the hybrid planning application and the discharge of condition 27 for the site wide drainage strategy (Ref: P/4326/14), RNOH will contribute to an upgrade in Thames Water Infrastructure to reduce the risk of potential flooding caused by the increase in FW run off to the development. However, this will apply after the development of the western and eastern development zones as there will be no significant increase in discharge until this point which would necessitate any increase in infrastructure requirements.

As noted above, the Phase 2A building is part of the CDZ hybrid planning permission and the surface water run-off from this will be attenuated within the attenuation pond. Other sustainable urban drainage techniques will be utilised including the use of a brown roof, a rain garden and permeable paving slabs which will also provide a degree of attenuation on site. The application has been referred to the Councils Drainage Engineers who have requested additional information. The proposed hard standing area will be less than the existing situation by approximately 600m². It is proposed to limit peak surface water run off to greenfield run off rates. Surface water flows would be restricted using storage attenuation tanks, flow control device and through SUDS attenuation. It is estimated that the post development peak surface water runoff rate is reduced by approximately 65 l/s, providing approximately 96% improvement over the existing site circumstances.

The proposed surface water drainage strategy has been designed to accommodate 1:100 year storm plus 30% climate change.

The application has been referred to Thames Water (TW), the Environment Agency (EA) and the Local Drainage Authority. At the time of writing this report, responses are awaited from TW and the EA. The Local Drainage Authority has requested additional details to be submitted by the applicant in order to satisfy the surface water storage

requirements. Accordingly given that the further information is required to satisfy the condition, it is recommended that condition 13 be carried forward on the decision notice of this application should planning permission be granted. Any additional comments in respect of condition 13 will be reported via the committee addendum.

S17 Crime & Disorder Act

Policy 7.3 of The London Plan (2016) 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 Design Guidelines under the RNOH hybrid permission outlined the need for the scheme to follow 'secure by design' principles. The accompanying Design and Access Statement outlines that as RNOH will be located in a sparsely populated area of Green Belt, pedestrian access around the site tends to be patients visitors and staff which significantly reduces any instances of criminal activity and vandalism. The applicant has had several meetings with the Metropolitan Police in order to development the security strategy.

The building will have one main access point, through the main entrance. During the operational hours the entrance will be accessible, outside of operational hours the entrance will be secure and only opened with authorisation. There will be good levels of natural surveillance over the public realm to the east from the main reception. Access to the paediatric ward at level 1 would be controlled by a secure entrance door. The entrance door would be observable from the staff base. A staff base overlooking the entry to the adult wards would also provide good levels of natural surveillance.

The Facilities Management yard and external plant areas are enclosed by a 2.4 metre high metal meshed fence which prohibits unauthorised access into the area and screens the area from public view. The canopy above the FM yard is a sufficient height in order to prevent climbing. The access pathway to the perimeter of the building is secured by railings and tall shrubs to prevent illicit activity occurring away from public view. Patient windows will provide good levels of surveillance around the building.

The children's garden will be accessed directly from the paediatric ward at level 1. The garden is enclosed by high shrubs and railings to the perimeter. A secure gate will allow access for maintenance whilst maintaining patient privacy.

The applicant state that the lighting proposals will follow Secure By Design Principles ensuring that access ways are adequately lit and facial recognition is assisted.

The application has been referred to the Metropolitan Police Crime Prevention Design Advisor who has held several meeting with the applicant. The SBD officer has confirmed that they have incorporated recommendations but they cycle parking details will require amendment as at the current location they are not overlooked and would require an enclosure to protect them. As such, a condition is recommended for the details of the cycle parking spaces to be agreed before they are implemented on site and before the first occupation of the building.

Overall, the SBD officer considers that the proposed development is capable of making a positive contribution to Secure by Design and accordingly would satisfy the requirements of condition 7.

Consultation Responses

- It appears that the original outline planning permission has changed in respect of the access to the site from Warren Lane. We cannot allow traffic from the western zone be routed via Warren Lane. I understood the access to the development from Warren Lane would only be for emergency access only. I understand that the ownership of the roadway abutting our properties is not maintained at public expense, therefore this is not an adopted highway.
- The subject application does not propose any amendments to the access arrangements that were approved as part of the original hybrid planning permission.

Equalities and Human Rights

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

In determining this planning application the Council has regard to its equalities obligations under section 149 of the Equalities Act 2010. For the purposes of this report there are no adverse equalities issues arising from this proposal. However, it is noted that equality impact assessments play an important role in the formulation of planning policies; however their use in respect of this specific application is very much the exception rather than the norm. Taking proper account of the guidance contained in the London Plan Supplementary Guidance on Planning for Equality and Diversity in London (and in particular paragraph 2.6) the Council considers that there is no requirement for a Race Equalities Impact Assessment.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, 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 reserved matters hereby permitted shall be begun before the expiration of two years from the date of this permission (as stated under condition 3 of hybrid planning permission P/3191/12).

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 and documents: D2387 L.101 Rev D; STM-A-BDP-PL-00-200-002 Rev A; STM-A-BDP-PL-00-200-003 Rev A; STM-A-BDP-PL-00-200-004 Rev A; D2387.L.601 Rev F; D2387 L.102 Rev E; D2387 L.501; STM-A-BDP-PL-XX-200-001 Rev A; D2387 L.502 Rev A; STM-A-BDP-PL-XX-200-010 Rev A; STM-A-BDP-PL-XX-200-009 Rev A; STM-A-BDP-PL-XX-200-020 Rev A; STM-A-BDP-PL-XX-200-021 Rev A; D2387 L.100 Rev G; D2387 L.201 Rev G; STM-A-BDP-PL-XX-200-011 Rev B; STM-A-BDP-PL-XX-200-012 Rev B; Planning Statement (dated April 2016); STM-A-BDP-PL-00-200-001 Rev A; STM-A-BDP-PL-00-200-020 Rev A; STM-A-BDP-PL-01-200-021 Rev A; STM-A-BDP-PL-03-200-023 Rev A; STM-A-BDP-PL-02-200-022 Rev A; STM-A-BDP-PL-R1-200-025 Rev A; STM-A-BDP-PL-04-200-024 Rev A; Design and Access Statement (dated April 2016); STM-A-BDP-PL-00-200-013 Rev A; STM-A-BDP-PL-XX-200-031 Rev A; STM-A-BDP-PL-XX-200-030 Rev A; FM Yard Flue

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

3 Prior to the commencement of the development hereby permitted (other than works of demolition), a detailed Surface Water Drainage Scheme for the area shall be submitted and approved by the local planning authority. The Surface Water Drainage Scheme shall explain how the development proposed meets the requirements of the approved Surface Water Drainage Strategy secured by condition No. 27. The details submitted shall explain:

- (a) the proposed use of Sustainable Urban Drainage Systems (SUDS) to manage surface water run-off, including the provision of soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands;
- (b) surface water attenuation, storage and disposal works, including relevant calculations;
- (c) works for the disposal of sewage associated with the development.

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

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk, in accordance with the Environmental Impact Assessment, in line with the recommendations of Core Strategy (2012) policy CS1 and the National Planning Policy Framework. To ensure that measures are agreed and built-in to the development to manage and reduce surface water run-off and foul surface water, this condition is a PRE-COMMENCEMENT condition.

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 of the building shall be 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 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 that the details area agreed and built into the development, this condition is a PRE-COMMENCEMENT condition.

5 Before any superstructure works commence on site details of the brown roof shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include:

- a) biodiversity based with extensive substrate base
- b) plant selection comprising predominantly native species appropriate to and applicable for aspect and use to encourage biodiversity
- c) an agreed mix of species to be planted within the first planting season as agreed in writing by the Local Planning Authority, following the practical completion of the building works.

The brown roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.

Evidence that the roof has been installed in accordance with sub-points a) to c) above shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.

REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity and to ensure an acceptable impact on the character and appearance of the area in accordance with London Plan

policies 7.4, 7.6, 5.10, and 7.19 and policies DM1, DM 21 and DM22 of the Harrow Development Management Policies Local Plan (2015). To ensure that that the details are agreed and built into the development, this condition is a PRE-COMMENCEMENT condition.

6 The development hereby approved shall not progress beyond damp proof course level until details of proposals for increasing the availability of bird nesting places, bat boxes and insect boxes within the site has 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 site, in accordance with policy DM 21 of the Harrow Development Management Polices Local Plan (2013). To ensure that that the details are agreed and built into the development, this condition is a PRE-COMMENCEMENT OF DEVELOPMENT ABOVE DCP LEVEL condition.

7 The development hereby approved shall not progress beyond damp proof course level until details of the proposed plant and any associated enclosures contained within the Facilities Management Yard have been submitted and approved in writing by the Local Planning Authority. The approved details shall thereafter be retained.

REASON: To safeguard the character and appearance of the Green Belt locality and to ensure compliance with the Central Development Zone Parameter plan approved under the hybrid planning permission P/3191/12, in accordance with policy DM 1 and DM 16 of the Harrow Development Management Policies Local Plan (2013) To ensure that that the details are agreed and constructed on site, this condition is a PRE-COMMENCEMENT condition.

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

9 The development hereby permitted shall be undertaken in accordance with the details outlined in the submitted Energy Statement Rev D (April 2016) by Hulley & Kirkwood and BREEAM Pre-Assessment Report-Doc No: STM-BDP-XX-RP-SUS-000001 Rev B (dated April 2016)) unless otherwise agreed in writing with the local planning authority. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development, a post construction assessment shall be undertaken demonstrating compliance with the approved Preliminary BREEAM Report and Energy Strategy which thereafter shall be submitted to the Local Planning Authority for written approval. The approved scheme shall remain operational for the lifetime of the development.

REASON: To ensure the delivery of a sustainable development in accordance with policy 5.2 of The London Plan (2016) and policy DM 12 of the Harrow Development Management Policies Local Plan 2013.

10 The rating level of noise emitted from any plant, machinery and equipment 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 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 the building and the neighbouring buildings, in accordance with Policy 7.6 of the London Plan (2016) and Policy DM 1 of the Local Plan (2013).

11 The development hereby approved shall not progress damp proof course level until details of the lighting outlined in the approved External Lighting Strategy Statement by Hulley and Kirkwood of all public realm and other external areas (including buildings) within the site have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall be in line with the Code of Practice for the Reduction of Light Pollution issued by the Institute of Lighting Engineers and shall include details of the location, height and design of all lighting and detail how the lighting minimises the impact on biodiversity. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles and achieves a high standard of development quality and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with policies 7.3 and 7.19 of The London Plan (2016) and policies DM 1 and DM 20 of the Harrow Development Management Policies Local Plan (2013).

12 The development shall be carried out and completed in accordance with the Secured by Design Principles outlined in the approved Design and Access 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 (2016) and Policy AAP 4 of the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

13 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until details of the cycle parking spaces on the site have been submitted to and approved in writing by The Local Planning Authority and installed on site in accordance with the approved details. The cycle parking shall be implemented on site for the sole use of the development 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).

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2012)

The London Plan (2016):

- 3.1 Ensuring equal life chances for all
- 3.2 Improving health and addressing health inequalities
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.16 Protection and Enhancement of Social Infrastructure
- 3.17 Health and Social Care facilities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban Greening
- 5.11 Green roofs and development site environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 Parking
- 7.1 Building London's neighbourhoods and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.16 Green Belt
- 7.19 Biodiversity and access to nature
- 7.21 Trees and Woodlands

Harrow Core Strategy (2012)

CS1: Overarching Principles

Harrow Development Management Policies Local Plan (2013):

- Policy DM 1 Achieving a High Standard of Development
- Policy DM 2 Achieving Lifetime Neighbourhoods
- Policy DM 6 Areas of Special Character
- 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 13 Decentralised Energy Systems
- Policy DM 14 Renewable Energy
- Policy DM 16 Maintaining the Openness of the Green Belt and Metropolitan Open Land
- Policy DM 17 Beneficial Use of Green Belt and Metropolitan Open Land
- Policy DM 20 Protection of Biodiversity and Access to Nature
- Policy DM 21 Enhancement of Biodiversity and Access to Nature

Policy DM 22 Trees and Landscaping
Policy DM 42 Parking Standards
Policy DM 43 Transport Assessments and Travel Plans
Policy DM44 Servicing
Policy DM 45 Waste Management

Other Relevant Guidance:

Supplementary Planning Document – Access for All (2006)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

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

-You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.

-Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

-Beginning development in breach of a planning condition will invalidate your planning permission.

-If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

5 DUTY TO BE POSITIVE AND PROACTIVE

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

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

submitted application was in accordance with that advice.

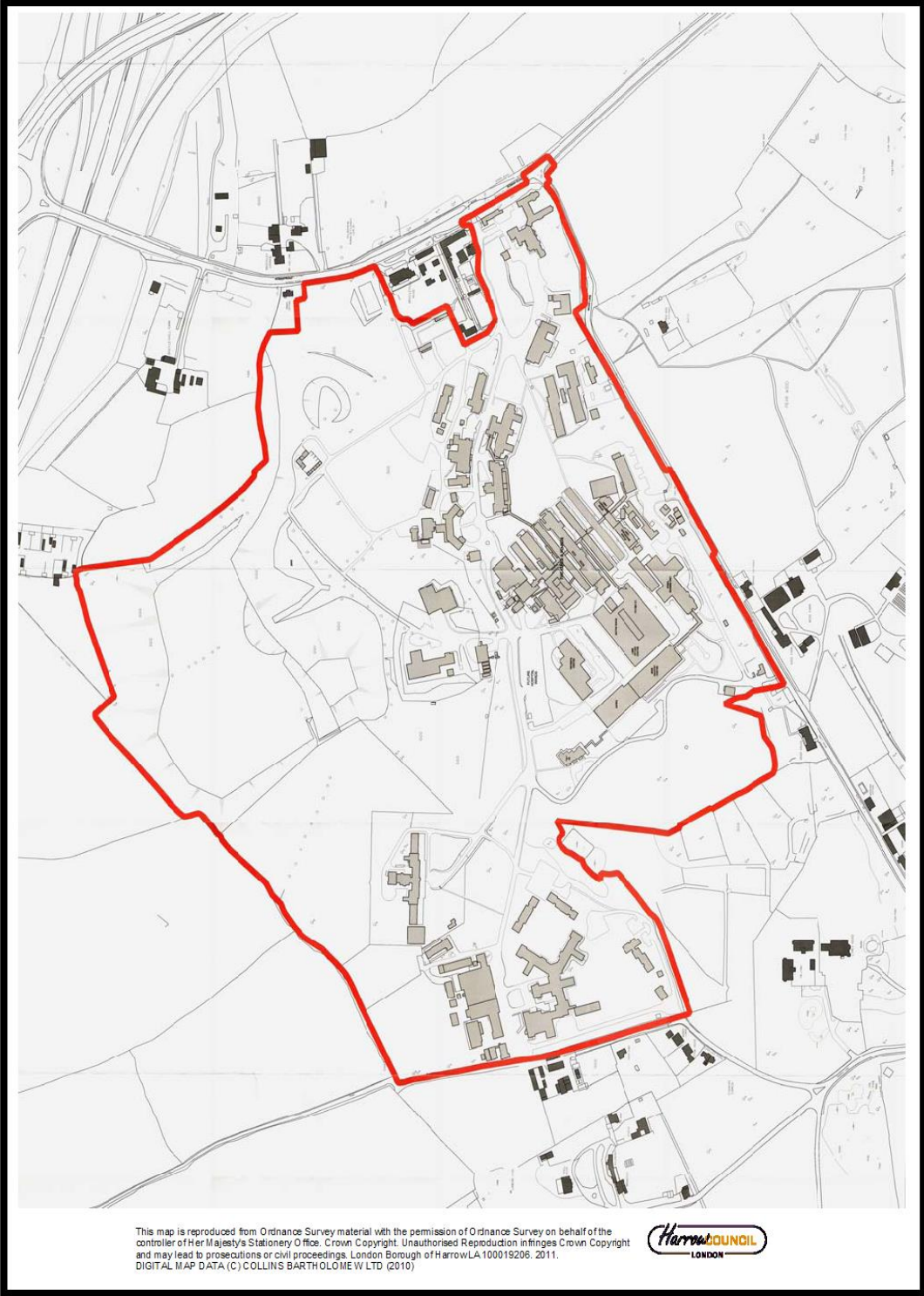
P/2152/16:

Plan Nos: D2387 L.101 Rev D; STM-A-BDP-PL-00-200-002 Rev A; STM-A-BDP-PL-00-200-003 Rev A; STM-A-BDP-PL-00-200-004 Rev A; D2387.L.601 Rev F; D2387 L.102 Rev E; D2387 L.501; STM-A-BDP-PL-XX-200-001 Rev A; D2387 L.502 Rev A; STM-A-BDP-PL-XX-200-010 Rev A; STM-A-BDP-PL-XX-200-009 Rev A; STM-A-BDP-PL-XX-200-020 Rev A; STM-A-BDP-PL-XX-200-021 Rev A; D2387 L.100 Rev G; D2387 L.201 Rev G; STM-A-BDP-PL-XX-200-011 Rev B; STM-A-BDP-PL-XX-200-012 Rev B; Planning Statement (dated April 2016); STM-A-BDP-PL-00-200-001 Rev A; STM-A-BDP-PL-00-200-020 Rev A; STM-A-BDP-PL-01-200-021 Rev A; STM-A-BDP-PL-03-200-023 Rev A; STM-A-BDP-PL-02-200-022 Rev A; STM-A-BDP-PL-R1-200-025 Rev A; STM-A-BDP-PL-04-200-024 Rev A; Design and Access Statement (dated April 2016); STM-A-BDP-PL-00-200-013 Rev A; STM-A-BDP-PL-XX-200-031 Rev A; STM-A-BDP-PL-XX-200-030 Rev A; FM Yard Flue Query

P/2148/16:

Plan Nos: tf 1034/TPP/302 Rev B; tf 1034/TPP/301 Rev A; tf 1034/TPP/300 Rev A; Visual Assessment-RNOH Phase 2A-March 2016 Rev 2 by Fabrik; Aboricultural Development Report Ref: TF/DR/1034 Rev B (dated April 2016) by Fabrik; BREEAM Pre-Assessment Report-Doc No: STM-BDP-XX-RP-SUS-000001 Rev B (dated April 2016); Document titled 6.0 Design Audit; Document titled 8.0 Detailed Accessibility Statement; Energy Statement Rev D (April 2016) by Hulley & Kirkwood; Landscape and Ecological Management Plan Rev 02 (dated April 2016); External Lighting Strategy Statement by Hulley and Kirkwood; Parking and Access Statement (dated April 2016); Planning Statement (dated April 2016); Proposed Drainage Scheme-Doc No: STM-C-BDP-RP-XX-52-001 Rev A (dated April 2016); Bat and Bird Survey Rev 03 (dated June 2016); D2387 L.101 Rev D; Ecology and Biodiversity Statement Rev 03 (dated June 2016); D2387 L.601 Rev F; D2387 L.301; Technical Note-SUDS Maintenance Plan-Ref: STM-C-BDP-TN-002 (dated 15.06.2016); Technical Note-RNOH Stanmore-Condition 13-Ref: STM-C-BDP-TN-001 (dated 15.06.2016); Micro Drainage Calculations-ref: STM-C-BDP-CLC-XX-52-001 (dated 15.06.2016); Drawing titled: Playground Area Proposed Surface and Drainage Strategy (dated 15.06.2016); Un-numbered drainage plan; STM-C-BDP-DR-XX-95-5000 Rev B; STM-C-BDP-DR-XX-95-5001 Rev A; Technical Specification-Hydro-Brake Optimum Ref SWMH1; D2387 L.100 Rev G; D2387 L.201 Rev G; Technical Specification-Hydro-Brake Optimum Ref SWMH1 (sheet 2); STM-C-BDP-DR-XX-52-1000 Rev B;

**ROYAL NATIONAL ORTHOPAEDIC HOSPITAL NHS TRUST,
BROCKLEY HILL, STANMORE**



SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

ITEM NO: 2/01

ADDRESS: HARROW COLLEGE, BROOKSHILL, HARROW WEALD

REFERENCE: P/2080/16

DESCRIPTION DEMOLITION OF EXISTING GASKELL AND DAVIS BUILDINGS AND CONSTRUCTION OF NEW TWO STOREY BUILDING FOR USE AS HEALTH AND SOCIAL CARE EDUCATIONAL FACILITY (CLASS D1); ASSOCIATED LANDSCAPING; RELOCATION OF POLYTUNNEL AND SECURITY HUT; NEW ENTRANCE GATES AND BOUNDARY TREATMENT; ALTERATIONS TO VEHICLE CROSSOVER; INSTALLATION OF NEW STREET LIGHTS; PHOTOVOLTAIC PANELS ON ROOF

WARD HARROW WEALD

APPLICANT: MS JUDITH ABBOTT

AGENT: IBI GROUP

CASE OFFICER: OLIVE SLATTERY

EXPIRY DATE: 20TH JULY 2016

RECOMMENDATION

GRANT planning permission subject to conditions, and the receipt of a signed Unilateral Undertaking by the Owner of the site

Authority to be delegated to the Divisional Director of Regeneration Enterprise and Planning in consultation with the Director of Legal and Governance Services to determine the application following the receipt of the Unilateral Undertaking and to agree any minor amendments to the conditions.

INFORMATION

This application is reported to Planning Committee as it is a Major Development and therefore falls outside Schedule 1 of the Scheme of Delegation

Statutory Return Type: Major Development

Council Interest: None

GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A as an educational facility is proposed

Site Description

- There are two Harrow college campuses' within the Borough; Harrow College, Brookshill and Harrow College, Lowlands Road.
- The current application relates to the Brookshill campus, which is located on the

eastern side of Brookshill.

- This Harrow College site is one of two strategic previously developed sites in the Green Belt, as defined by the Site Allocations Development Plan Document (2013).
- The site slopes gently from east to west.
- The northern-most part of the Harrow College site is predominantly undeveloped land. The southern-most part of the site is occupied by a range of educational buildings and car parking.
- The land beyond the northern site boundary is mainly undeveloped.
- Residential properties fronting Brookshill are located beyond a large part of the western site boundary.
- Bentley Day Care Centre and Steiner Training Centre are located beyond the southern site boundary.
- Bentley Old Vicarage Nature Reserve is located beyond the eastern site boundary, and beyond this lies Harrow Weald Cemetery.
- The site is located within the Harrow Weald Ridge Area of Special Character.
- It is subject to a Tree Preservation Order.
- The main building on the site is a Locally Listed Building. This is located towards the western site boundary.

Proposal Details

- The application proposes to demolish the existing Gaskell and Davis buildings and to construct a new two storey building for use as an educational facility (Class D1).
- The Gaskell building (to be demolished) is a two-storey building located towards the south-eastern part of the site.
- The Davis building (to be demolished) is a single storey building located towards the south-western part of the site.
- The proposed two-storey building would provide a bespoke educational facility for Health and Social Care (HSC).
- It would be sited on an existing carpark at the south-eastern corner of the site. The size of the existing carpark would be reduced and the number of carparking spaces would be reduced from 117 to 57.
- The proposed building would have a maximum depth of 36.175m, a maximum width of 20.325m and a maximum height of 9.7m. Photovoltaic panels are proposed on the southern roof slope.
- The southern flank wall would be sited between 7.4m and 8.8m from the southern site boundary. The eastern flank wall would be sited between 10.8m and 11.8m from the eastern site boundary, which is the shared boundary with Bentley Old Vicarage Nature Reserve.
- The northern flank wall of the proposed building would be sited 42.4m from the southern flank wall of the existing LLDD (Learners with Learning Difficulties and Disabilities) building. This building was granted planning permission in July 2014 under planning application reference P/0578/14, and has been constructed on site.
- An existing polytunnel that it currently sited to the rear of the Gaskell building would be relocated closer to the eastern site boundary.
- The demolition of the Gaskel building and relocation of the polytunnel would provide a pocket of land to the north of the proposed HSC building where a landscaped square is proposed.

- Towards the front of the site, it is proposed to alter the existing vehicle crossover which is located to the north of the Austen Building.
- New entrance gates are proposed at this site entrance. The maximum height of the entrance gates would be 2.3m.
- It is proposed to re-site the existing security hut from the front of the Austen building (a Locally Listed Building that is not within the applicant's ownership) to the southern side of the vehicular access.
- The existing boundary treatment to the north of the vehicle access would be re-sited approximately 1m north of its current siting.
- A new street light 4.16m high is proposed at the altered site entrance, and three new street lights are proposed at the southern part of the site on the retained carpark.

Relevant History

P/0578/14 – Demolition of north block of existing two-storey Gaskell building; Construction of new single storey building with photovoltaics on roof; New boundary treatment; External alterations
 Granted - 25-Jul-2014

Formal Pre-Application Discussion

- Yes - reference P/1353/16/PREAPP

Applicant Submission Documents

- Travel Plan
- Energy, Sustainability and Low and Zero Carbon Technologies Report
- Preliminary Ecological Appraisal
- Planning, Design and Access Statement
- Transport Statement
- Arboricultural Survey and Impact Assessment
- Arboricultural Survey Report
- Utilities Statement Planning Report
- Phase 2 Geoenvironmental Assessment
- Masterplan
- Flood Risk Assessment

Consultations

- Environment Agency – No objections
- Highways Authority - No objections
- Landscape Architect – No objections, subject to a number of conditions
- Tree Officer – No objections, subject to revised siting of replacement trees
- Drainage Department – No objections, subject to a number of conditions
- Biodiversity Officer – No objections
- Conservation Officer – No objections
- Environmental Health - No objections, subject to a number of conditions
- Council's Lighting Engineer – No objections subject to conditions
- Highways Network Management – No objections
- TfL – No objections, subject to a number of revisions and conditions as detailed in section 5 of the below appraisal
- GLA – The Mayor of London raises no objections, subject to a number of conditions. The Mayor does not need to be consulted again.

Advertisement

Site notice erected on 21st June 2016

Expiry: 13th July 2016

Notifications

Sent: 5

Replies: 0

Expiry: 17.06.2016

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 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 – Provision of New Educational Facilities and Development in the Greenbelt

Impact on Green Belt Openness and the purposes of the Green Belt

Impact on the Visual Amenities of the Green Belt, the Area of Special Character and Local Heritage Assets

Residential Amenity and Accessibility

Traffic, Parking and Drainage

Impacts on Trees and Biodiversity

Sustainability

Equalities and Human Rights

S17 Crime & Disorder Act

Consultation Responses

Principle of the Development – Provision of New Educational Facilities and Development in the Greenbelt

Provision of New Educational Facilities

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. Of particular note within the NPPF is the requirement that there is a presumption in favour of sustainable development. Paragraph 6 of the NPPF states that 'The policies in paragraphs 18 – 219, taken as a whole, constitute the Government's view of what

sustainable development in England means in practice for the planning system' and paragraph 7 states that economic, social and environmental considerations are the three dimensions of sustainable development.

The National Planning Policy Framework (2012) states at paragraph 72 that 'Local planning authorities should take a proactive, positive and collaborative approach to....development that will widen choice in education'.

Core policy CS1 of the Harrow Core Strategy (2012) states that: "The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing and proposed development, or required to meet projected future requirements." Policy 3.18 of The London Plan (2016) seeks to ensure inter alia that development proposals which enhance education and skills provision are supported.

The Core Strategy (2012) sets out Harrow's spatial strategy for managing development and growth in the Borough over the plan period from 2009 to 2026. The strategy provides a positive plan for ensuring that the Borough's housing, employment, infrastructure and other needs are met over the plan period in a way that contributes to achieving sustainable development. The Site Allocations Local Plan was adopted in 2013 after the Core Strategy. It seeks to allocate sufficient, previously-developed sites to accommodate the development needs of the Borough outside of the Harrow and Wealdstone Intensification Area. It amends a number of designations that are set out in the Core Strategy, including the designation at Harrow College. The Site Allocations Local Plan designates Harrow College (Brookshill) as one of two strategic previously developed sites in the Green Belt and allocates it for 'education, training and related uses'. This is the most up-to-date designation for the site. On this basis, the Development Plan contains a desire to secure the educational use on this site.

Policy DM 46 of the Harrow Development Management Policies Local Plan supports proposals for the provision of new education facilities provided that they are (a) located in the community which they are intended to serve; (b) subject to them being located in an area of good public transport accessibility and would not result in any adverse impacts on residential amenity or highway safety.

The educational use of this site is long established. As discussed at a later stage in this report, the proposal would result in the provision of permanent educational facilities with a high standard of design and layout and would provide educational facilities within the existing community. This report also concludes that the proposal would not have a detrimental impact on residential amenity of neighbouring occupiers or on highway safety. On the basis of the above policy guidance, the current proposal to provide a new building for educational purposes is considered to be acceptable in principle.

Development in the Greenbelt

Harrow College is located within the Green Belt. The National Planning Policy Framework (2012) consolidates previous National Planning Policy Statements and Guidance, including Planning Policy Guidance 2 'Green Belts'. Paragraphs 79 – 92 of the NPPF provide policy guidance in relation to 'Protecting Green Belt Land', stating that the fundamental aim is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. Policy 7.16 of the London Plan supports the aim of the NPPF and states that 'the strongest protection should be given to London's Green Belt...Inappropriate development should be refused except in very special circumstances.' This is further supported by

Policy CS1.F of Harrow's Core Strategy which seeks to safeguard the quantity and quality of the Green Belt from inappropriate or insensitive development.

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF goes on to inform the determination of whether any particular development in the Green Belt is appropriate or not, by stating in paragraph 89 that 'a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt'. It does however set out six exceptions to this, including:

'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.' (bullet point 6 of paragraph 89)

Harrow College is a strategic previously developed site in the Green Belt, and the current proposal is for the partial redevelopment of this site. This paragraph of the NPPF is therefore relevant to the assessment of the current proposal. Officers consider that the proposal for partial redevelopment of the site to provide educational facilities is supported by the adopted development plan, subject to there being no conflict with Green Belt policy (this is discussed in sections 2 and 3 of this appraisal).

Further to this, part C of Policy DM 16 relating to the openness of the Green Belt requires proposals for partial infilling or redevelopment of previously developed sites within the Green Belt to be put forward in the context of a comprehensive long term plan for the site as a whole. In order to address this policy requirement, the applicant has submitted a proposed masterplan for the site. This masterplan is still under consideration. It is considered that a Legal Agreement (Unilateral Undertaking) would be appropriate to secure any agreed masterplan thereby securing 'a comprehensive long term plan for the site as a whole' as required by part C of Policy DM 16.

Impact on Green Belt Openness and the Purposes of the Green Belt

In order for the current proposal to be considered as an appropriate development in the Green Belt, the NPPF (under bullet point 6 of paragraph 89) requires two criteria to be satisfied;

- (i) The partial redevelopment of the site must have no greater impact on the openness of the Green Belt than the existing situation;
- (ii) The partial redevelopment of the site must have no greater impact on the purpose of including land within Green Belt than the existing situation;

▪ Impact on Green Belt openness:

Unlike PPG 2, the NPPF does not give specific guidance on how to assess impacts on Green Belt openness. The London Plan is also silent on this matter. However, at local level, section A of Policy DM16 of Harrow's Development Management Policies Local Plan requires the assessment of Green Belt openness to have regard to:

- a. the height of existing buildings on the site;
- b. the proportion of the site that is already developed;
- c. the footprint, distribution and character of existing buildings on the site; and
- d. the relationship of the proposal with any development on the site that is to be retained.

In light of these policy requirements, it is considered that an appropriate starting point for an assessment of Green Belt openness is the existing site circumstances.

The Harrow College site is located within the Harrow Weald Ridge Area of Special Character, defined by policy DM6 of the Development Management Policies Local Plan (2013). The Harrow Weald Ridge provides an elevated horizon of tree cover and open countryside which spans across the north of the Borough. Although there are dispersed developments across the Area of Special Character, the area as a whole tends to be viewed as a continuous wooded ridge.

The Harrow College site has a varied character. The northern-most part of the site is predominantly undeveloped land and the southern-most part of the site is occupied by a range of educational buildings of varying heights and sizes, associated paraphernalia, carparking and mature trees and vegetation. Having regard to this varied character, the extent to which openness is perceived across this wider site depends on location.

The current application proposes to demolish the existing temporary two-storey Gaskell Building and single storey Davis building and to construct a new detached two-storey building. As a result of the proposed construction and demolition works, the built footprint on the site would be decreased by approximately 47sqm, thereby reducing the proportion of the site that is developed. Notwithstanding this, it is considered that judging impacts on Green Belt openness involves more than a mathematical exercise of comparing existing and proposed footprints.

The proposed building would be sited in the south-eastern corner of the site. Most of it would be sited on an existing carpark where there are presently no buildings. The proposal would therefore result in a substantial change to this part of the site, and would undoubtedly impact on Green Belt openness in this corner of the site. However, the proposal also seeks to demolish the existing Gaskell building and this would result in an existing developed part of the site becoming more open.

The proposed building would be sited closer to existing site boundaries, than the existing Gaskell building. These site boundaries are generally comprised of mature trees and vegetation and it is considered that they would therefore provide a meaningful backdrop to the proposed building.

The proposal is for a new building that would be set further away from other existing buildings than the existing Gaskell building. However, this must be considered in context. It is considered that the existing Gaskell building and polytunnel have an awkward relationship with these existing buildings. Furthermore, the south eastern part of the site is currently dominated by hardsurfacing (carpark) and buildings, with limited landscaping. Part of the subject proposal is to provide a new landscaped square. The demolition of the Gaskell building and relocation of the polytunnel would facilitate this as the new landscaped square would be partially located on the parcel of land vacated by demolition. It is considered that the new landscaped square would provide an appropriate, high-quality setting space for the proposed new building and the existing LLDD, DAC and LRC buildings, thereby serving to improve the relationship between the various buildings on this part of the site including the proposed new building.

The proposed building would have a maximum height of 9.7m. It is acknowledged that this would be higher than the existing Gaskell building proposed for demolition. However, it would not be any higher than other existing structures on the application site. In

particular, it is noted that the proposed building would be lower than the nearby LRC and DAC buildings. Furthermore, the proposed building would be sited on what is arguably the least visible part of the overall Harrow College site due to its location at the rear of the campus, it being one of the lowest parts of the campus and the presence of buildings and mature trees on the campus and particularly along the eastern and southern site boundaries, which would generally screen it from neighbouring sites.

It is considered that the proposal to remove the Davis building would improve openness on this part of the site, and in effect the removal of this aged building would improve the quality of the existing landscaped square in this location.

There is no doubt that the proposal would give rise to a significant change to the south-eastern part of the site. The introduction of a new building will undoubtedly introduce new impacts to established views within the Green Belt (from within the site and beyond) – which will in turn change perceptions of openness. Other aspects of the proposed scheme will have a more positive impact. In particular, the proposal to remove the aged Gaskell building, to substantially reduce the amount of hardsurfacing (required for carparking spaces) and to introduce a meaningful area of landscaping would bring some much needed rationalisation to the layout of this part of the site and it is considered that this would enhance Green Belt openness. Overall, having regard to the height of existing buildings on site, the proportion of the site that is already developed, the footprint, distribution and character of existing buildings across this site and the relationship of the proposed development with development to be retained (as discussed above), it is considered on balance that the proposal would not unduly impact on the openness of the Green Belt.

The current application also proposes works at the northern-most site entrance (the North gate). In particular, the proposal is for new entrance gates and to relocate existing boundary treatment and an existing security hut.

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF goes on to inform the determination of whether any particular development in the Green Belt is appropriate or not, by stating in paragraph 89 that ‘a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt’. It goes on to provide six exceptions to this statement. Notably boundary treatment does not fall within any of the specified exceptions and so must be regarded as inappropriate development in the Green Belt.

However, in this instance, the current application does not propose a new security hut. Rather, it proposes to relocate the existing security hut to the northern side of the Austen building. Furthermore, the proposed entrance gates and boundary treatment would replace existing entrance gates and boundary treatment, and as such they would not introduce new development in this location. On this basis, it is considered that this part of the proposal would have negligible impact upon the openness of the Green Belt.

▪ Purposes of the Green Belt:

Paragraph 80 of the NPPF states that the Green Belt serves five purposes and these are set out in the form of bullet points. In order to consider if the current proposal would impact on the purposes of including the application site within the Green Belt, it is therefore necessary to consider the proposal in the context of each of these bullet points.

- 1) To check the unrestricted sprawl of large built-up areas: There is therefore no physical connection between the application site and any large built-up areas. The proposal would not therefore lead to unrestricted sprawl of large built-up areas.
- 2) To prevent neighbouring towns merging into one another: Similarly, the lack of connection between the application site and any town centres prevent this from happening. The proposal would not therefore exacerbate the merging of neighbouring towns into one another.
- 3) To assist in safeguarding the countryside from encroachment: The site is a recognised strategic previously developed site in the Green Belt. Some encroachment is long-established through the use of the site for educational purposes.
- 4) To preserve the setting and special character of historic towns: This is not relevant to the circumstances of this site.
- 5) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land: The site contains an untidy 'sprawl' of buildings, internal roads, hardstanding and carparking across the southern part of the site. These structures and features are disruptive to Green Belt openness and do cause harm. It is considered that the current proposal would bring about some much needed rationalisation to the layout of this part of the south-eastern part of the site and it is considered that this would improve the existing situation.

It is considered that the current proposal would comply with paragraph 80 of the NPPF in relation to the five purposes of the Green Belt.

Very Special Circumstances

Paragraph 88 of the NPPF states that *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'*. This is supported by policy DM16 of the Development Management Policies Local Plan which states that proposals for inappropriate development which would harm the Green Belt will be refused in the absence of clearly demonstrated very special circumstances.

Acknowledging that the matter of Green Belt openness is a subjective matter, the applicant has put forward an argument that 'Very special circumstances' (VSC) exist to justify the development should it be concluded that the development would impact on Green Belt openness and / or the purposes of the Green Belt, and is therefore inappropriate development in the Green Belt. This 'Very Special Circumstance' relates to the overall educational need for the scheme.

It was reported by the NHS and in the Harrow Councils cabinet report (dated October 18th 2011) that North West London has the largest concentration of over 65's in the country and that this is likely to increase over the coming 10 years.

Harrow's Health and Wellbeing Board was established in 2011. It is a multi-agency group focused on improving the health of residents in Harrow. The group is made up of the council, NHS commissioners, GP commissioners and the voluntary sector. The board is chaired by the Leader of Harrow Council. It is the executive body responsible for agreeing what the needs of the local population are, promoting integration and supporting alignment and joint commissioning. The Health and Wellbeing Board have produced a Health and Wellbeing Strategy 2016 – 2020, which states that Harrow has one of the highest older people populations in London. It further states that there are 37,200 people

over the age of 65 living in Harrow and this is set to rise by around 12% by 2020. This Health and Wellbeing Strategy identifies the following four key objectives: Start Well, Live well, Work well and Age well.

As a result of this changing demographic, Harrow College have identified a requirement for continued and additional specialist training to support future educational and employment requirements. Thus Harrow College's three year plan (2014 – 2017) has identified the need to develop a centre of excellence for Health and Social Care. In particular, the plan aims to provide innovative senior care support training as well as specialist care training in areas including dementia, limited mobility care and other specialisms. The submitted Design and Access Statement states that this is a growth area for the college with increasing demand for courses and growing local employment needs in this field.

The proposed new building is required as the existing building that accommodates Health and Social Care (the Gaskell building) is no longer fit for purpose and is beyond economic repair. The provision of this facility will contribute widely to the community as it would provide local people with the opportunity to receive world class education. This would result in an increase in the number of well-educated Health and Social Care professionals to meet increasing demands and improve the quality of care offered across this area.

The Design and Access Statement advises that their plan aims to support the skills needs of employers and to support the creation of 500 part-time jobs in the health and social care sector by the end of the mayoral term (2020).

The Design and Access Statement further advises that the siting of the proposed building has been carefully considered. In particular, its location adjacent to the LLDD building (facility for learners with learning difficulties and / or disabilities) is crucial as it would allow the opportunity to share resources and specialisms given the similarities in the types of training. For example, both the LLDD building and the HSC building have similar facilities such as specialist shower and hygiene rooms and food preparation training areas.

These are the 'Very special circumstances' that have been put forward by the applicant.

Conclusion

On the basis of the above assessment, it is considered that the proposal would not result in an unacceptable adverse impact upon either the purposes or openness of this part of London's Metropolitan green belt, and would be acceptable in principle. The Mayor of London has stated in the Stage 1 referral response that 'The applicant has successfully demonstrated that the proposal meets the exceptions set out in the NPPF, as stated in bullet point 6 of paragraph 89, and therefore, in this instance, it is accepted that the development does not represent inappropriate development in the Green Belt'. It is considered that the proposal complies with the National Planning Policy Framework (2012), policy 7.16 of the London Plan (2016), Policy CS1.F of Harrow's Core Strategy (2012) and Policy DM16 of Harrow's Development Management Policies Local Plan (2013). Nonetheless, should Committee Members disagree with this view, the applicant has put forward an argument that 'Very special circumstances' (VSC) exist to justify the development.

Impact on the Visual Amenities of the Green Belt, the Area of Special Character and Local Heritage Assets

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 London Plan (2016) 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 Harrow's the Development Management Policies Local Plan requires all development proposals to achieve a high standard of design and layout.

Core Strategy policy CS1.F states that 'The quantity and quality of the Green Belt, Metropolitan Open Land, and existing open space shall not be eroded by inappropriate uses or insensitive development'. Section B of Policy DM16 of Harrow's Development Management Policies Local Plan requires all proposals for the redevelopment or infilling of previously-developed sites in the Green Belt to have regard to the visual amenity and character of the Green Belt. Policy 6 of this Local Plan seeks to protect Area's of Special Character from inappropriate development.

At present, views towards the site from public viewing points (the highway) are generally dominated by the existing built environment. Notwithstanding the presence of these buildings, it is acknowledged that the site benefits from many mature and semi-mature trees, and it is considered that these contribute towards the visual amenity of the Green Belt.

Across the site, three trees and one group of trees are proposed for removal. According to the submitted arboricultural report, these trees are proposed for removal for various reasons. T12 is a Rowen tree which is located along the eastern site boundary and is considered to be in poor structural condition. T32 is an English oak tree which is located at the site entrance. The arboricultural report advises that it is likely to become structurally unsafe in the long term, and its removal is required to widen the vehicular access to the site. T51 is an English oak tree which is located at the south east of the site and its removal is required to facilitate the proposed development. G4 is a group of trees which is also located at the south east of the site. This group of trees requires removal as they are likely to be impacted by post-development pressure. The loss of these trees is regrettable, particularly the loss of T32 which is a B grade tree with a visual presence on the highway and T51 which is an A grade tree. However, it is acknowledged that the vast majority of trees across the site would be retained and that the application proposes to plant three replacement trees. The Councils Tree Officer has advised that these trees should be planted in the new landscaped square and should comprise of two Oak trees and a medium size species such as Field Maple or Hornbeam. Having regard to these matters, it is considered on balance that the loss of trees proposed under the current application would not give rise to detrimental impacts to the visual amenities of the Green Belt.

The proposal would result in a distinct change at the south-eastern part of the site. Arguably, this is the least obvious part of the wider Harrow College site. However, this change must be viewed in context. At present, views towards this part of the site are dominated by buildings, associated paraphernalia and a carpark.

It is considered that the proposed building would be of high quality design and would respond in an appropriate way to the retained campus. The proposal to demolish the

aged Gaskell and Davis buildings and to provide a new building of high-quality design on an existing carpark would enable the provision of a deliberate landscaped square. This would provide a new carefully landscaped setting for the existing and proposed built development. It is acknowledged that this landscaped square would not be entirely unrestricted as a polytunnel and pedestrian routes are proposed therein. However, as a whole, it is considered that the proposed landscape scheme would assist to integrate the development into the landscape and that the proposal would provide a qualitative improvement over the existing situation. The Council's Landscape Officer has not raised any objections to the proposal subject to a number of appropriately worded planning conditions.

It is considered that views towards the south-eastern part of the site will generally be more positive as a new building would replace an aged building, and a landscape square would replace part of a carpark. Overall, it is considered that the proposal would represent an appropriate design response to the site in terms of the visual amenities of the Green Belt and the character of the area.

The proposed entrance gates and boundary treatment would replace existing entrance gates and boundary treatment, and would be no higher than the existing structures. The proposal is to relocate the security hut (rather than build a new structure). As such, these works would not introduce new development in this location (at the North Gate). On this basis, it is considered that this would have negligible impact upon the visual amenities of the Green Belt.

It is also proposed to install a new 4m high light at the North Gate (along Brookshill) and three new street lights at the rear of the site on the retained carpark. Details of light spillage have not been provided. Given that there are existing street lights along this part of Brookshill, it is not anticipated that this would have a significant impact on the visual amenities of the Green Belt. Nonetheless, an appropriately worded planning condition is suggested requiring details of light spillage to be submitted to the Local Planning Authority prior to the commencement of development on site.

Harrow College site is located within the Harrow Weald Ridge Area of Special Character, defined by policy DM6 of the Development Management Policies Local Plan (2013). The Harrow Weald Ridge provides an elevated horizon of tree cover and open countryside which spans across the north of the Borough. Although there are dispersed developments across the Area of Special Character, it tends to be viewed as a continuous wooded ridge. Notwithstanding the proposed removal of three trees and tree group G4 from the site, the impact of this is unlikely to be significant owing to the proposed retention of the majority of trees on the site and also the extent of tree cover in the surrounding area. The proposed development would be largely concealed from neighbouring sites by the presence of mature boundary trees and vegetation. It is considered that the changes to the landscape would not erode the fundamental qualities of the Harrow Weald Ridge Area of Special Character or the visual amenities of the Green Belt.

Having regard to the requirements of the NPPF and the up-to-date Development Plan, it is considered that the proposed development would successfully integrate with the character of the site. It is considered that the scheme would not unduly impact on the visual amenities of the Green Belt, the special features of the Harrow Weald Ridge Area of Special Character, nearby protected trees or nearby trees of significant amenity value

London Plan (2016) Policy 7.8 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 DM 7 of the Development Management Policies Local Plan (2013) sets out detailed criteria for assessing the impact of proposals that affect heritage assets.

The Austen building fronting Brookshill is a Locally Listed Building. Given the presence of buildings between the proposed new building and this Locally Listed Building, it is considered that this part of the development proposal would not give rise to any undue impacts on this heritage asset. Given the modest nature of the works proposed at the site entrance, it is considered that this part of the proposal would not unduly impact the setting of the Locally Listed Building. Moreover, it is considered that the removal of the Davis building would positively contribute to the setting of this building.

There are a number of Listed Buildings located to the south of the application site. The nearest Listed Building is located approximately 50m south-east of the application site. Given the presence of mature trees and vegetation between the proposed new building and this Listed Building, it is considered that the proposal would not give rise to any undue impacts on this or other heritage assets.

The application site is located immediately opposite the Harrow Weald Conservation Area, and the proposed works around the North Gate would be located within the setting of this Conservation Area. However, it is considered that the presence of the highway between the application site and this heritage asset would buffer any undue impacts.

On the basis of the above, it is considered that the proposal would meet development plan policy objectives aimed at safeguarding heritage assets. The Council's Conservation Officer has not raised any objections to the proposal.

Residential Amenity and Accessibility

Policy DM 1 of the Development Management Policies DPD states that:

'All development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted.'

The proposed building would be sited within a college campus. Although there are a number of neighbouring properties which abut the boundaries of Harrow College, the only two properties that abut the south-eastern part of the site is Bentley Old Vicarage Nature Reserve and Bentley Day Care Centre. The Nature Reserve is located beyond the eastern site boundary and is an area of woodland with no buildings on it.

The proposed building would be sited on a higher ground level than the nearby Bentley Day Care Centre. However, given the proposed separation distance between these buildings (29m), the siting of the proposed building to the north of Bentley Day Care Centre and the presence of mature trees and vegetation along the shared site boundary, it is considered that the proposed building would not give rise to undue impacts in terms of loss of light, overshadowing or harm in terms of loss of outlook. For similar reasons, it is considered that the proposed windows on the southern elevation of the proposed building would not give rise to undue overlooking or loss of privacy for the occupiers of Bentley Day Care Centre.

Given the proposed separation distance between the new building and the relocated polytunnel and the nearest residential properties, it is considered that the proposal would not give rise to any undue impacts on the amenity of the occupiers of any of these properties.

It is not anticipated that the proposed entrance gates and boundary treatment, the alterations to the vehicle crossover and the relocation of the existing security hut would unduly impact on the amenity of neighbouring residents given their distance from neighbouring residential properties. It is acknowledged that the proposed revisions to access arrangements (as discussed in detail in section 5 below) will give rise to some changes in vehicular activity in this location. However, it is not anticipated that this will give rise to any undue impacts to neighbouring amenity.

Details of light spillage from the proposed lights have not been provided. It is not anticipated that they would have a significant impact on the amenities of the neighbouring occupiers, and would assist towards security measures at the College. Notwithstanding this, an appropriately worded planning condition is suggested requiring details of light spillage to be submitted to the Local Planning Authority prior to the commencement of development on site.

In terms of accessibility, the proposal would be consistent with policies 3.8, 7.1 and 7.2 of The London Plan (2016), policies DM1 and DM2 of the Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document: Access For All (2006), which require all new developments to be fully accessible and inclusive to all.

Traffic, Parking and Drainage

The London Plan, the adopted Core Strategy and the Development Management Policies Local Plan encourage and advocate sustainable modes of travel and requires that each development should be assessed on its respective merits and requirements. Policy DM43 of the Development Management Policies Local Plan states that 'Proposals that fail to satisfactorily mitigate the transport impacts of development will be resisted'.

The applicant has submitted a Transport Statement for consideration. This advises that Harrow College Brookshill campus provides courses and facilities for approximately 500 full time and 110 part time students (equivalent to 530 full time students). The subject proposal is expected to increase the number of students on site to 560 full time students and 190 part time students (equivalent to 650 full time students). This will result in an overall increase of 120 full time students on the campus.

The submitted Transport Statement advises that there are 117 carparking spaces on the existing carpark at the southern part of the site. The proposed HSC building would be sited on a part of this existing carparking and this would result in the loss of 60 carparking spaces, leaving 57 carparking spaces to serve the college. The submitted site block plan shows that one electric vehicle charging point is proposed and seven disabled parking bays are proposed.

Surveys of staff, student and visitor travelling arrangements were undertaken in March 2016, and a summary of the current mode split of staff and students is presented in the Transport Assessment. It highlights the dominance of car trips for staff with public transport being the preferred mode of transport for students. Based on the surveys that have been undertaken, the submitted Transport Statements advises that there is

considerable scope for modal shift amongst students who drive to the college. With the exception of students with disabilities and exceptional cases, the college proposes to no longer provide students with parking permits. Parking permits will be provided to staff but if demand outweighs supply, consideration will be given to those who live furthest from the college. An up-to-date travel plan has been submitted as part of the application documents. It follows on from a Travel Plan that was approved in 2014, when planning permission was granted for the LLDD building. The updated Travel Plan proposes a long term strategy for reducing dependence on the private car.

TfL have advised that, in the main, they are satisfied with the submitted Travel Plan but that it should be updated to include actual trip numbers for the baseline modal split as well as targets for three and five years after occupation. An appropriately worded condition is suggested to address this.

The subject planning application has been referred to the Highways Authority who have advised that there is no defined car parking standard for D1 uses and that the reduction in the number of carparking spaces is acceptable, particularly with the promotion of sustainable travel modes which are set out in submitted travel plan. However, it is preferable for students attending evening classes to use the onsite carparking spaces, to ensure that students do not park on the surrounding streets (the nearby CPZ - zone G - operates Mon-Fri 10-11 and 2-3pm). TfL have advised that they welcome the proposed carparking arrangements. They have further advised that they do not expect the proposal to have an undue impact on the strategic transport network and will not be seeking any mitigation measures for public transport.

The college campus is accessed from Brookshill (the A049) which is subject to a 30mph speed limit. Currently, there are two main vehicular entry points to the campus from Brookshill – known as the Main Gate (to the south of the Austen building) and the North gate (to the north of the Austen building). There is also a drop-off area at the front of the Austen Building. The Main Gate provides entry to and exit from the carpark. It benefits from a ghosted right turn lane. The North Gate provides entry only to the carpark and does not have a ghost island in place. The exit vehicle movements from the site are restricted to a left turn only from the Main Gate.

In addition to the proposal for a new replacement building at the rear of the site, the application also proposes works at the front of the site. These works include alterations to the existing vehicle crossover at the north gate, new entrance gates at this entrance, relocation of the existing security hut from the front of the Austen building to the southern side of this, re-siting of the existing boundary treatment to the north of this vehicle access and the installation of a new street light 4m high. The application documents advise that these works are necessitated by the recent sale of the Austen building, as the land around this building (including the main entrance) is no longer within the control of the College.

The alterations to the existing vehicle crossover at the north gate would comprise the re-alignment and widening of the crossover. This is to facilitate large vehicles (including refuse vehicles) as the existing north gate entrance is not wide enough at present. A swept path analysis has been carried out and submitted as part of the Transport Assessment. The alterations would result in the implementation of a one-way system, whereby entry would only be possible via the North gate and exit will only be provided via the main gate (a private right of way has been maintained over this land).

In relation to the proposed works at the front of the site, the Highways Authority have advised that the revision to the access arrangements is largely welcomed. The Councils Network Management Team have advised that there is no objection to the proposal to widen the vehicle crossing, subject to the provision of a new bell mouth to encompass the existing crossing to the caretaker's house and the provision of new tactile paving. In addition to this, the vehicle crossing would need to be strengthened to accommodate the HGV's during the construction of the building at the rear of the site. TfL have advised that a reservoir space of 4.6m (starting from the back of the footline) is required at the entrance to the North gate to allow vehicles waiting at the entrance to queue off the public highway. The Highways Authority are generally in agreement with this suggestion but suggest that a 5m set back is required to allow larger vehicles to also queue off the highway. This matter has been brought to the attention of the applicant and any amendments to the site entrance will be reported to the Planning Committee.

The submitted Transport Assessment states that there are six motorcycle spaces on the site and it is not proposed to alter this.

The Transport Assessment further advises that there are currently 48 cycle spaces on site. As agreed with TfL, the number of proposed cycle spaces has been calculated on the basis of the number of students using the proposed new building, which would accommodate 240 full time students and 14 staff. This would require 50 new cycle spaces on site. The current application proposes to exceed this and proposes 68 cycle parking spaces. These cycle spaces have been shown on a site block plan, and the proposed siting and storage of these cycle spaces is considered to be appropriate. TfL has requested clarification relating to proposed siting of cycle parking spaces, and this (together with proposed means of storage) has been provided on a revised site block plan.

TfL has further requested clarification relating cycling routes within this site (details of footpaths widths and links to cycle parking facilities). They have also requested for a cycle level of service assessment to be carried out. Such an assessment would help to identify main severance and safety issues for those cycling to the site and will inform which improvements are required to improve cycling conditions in the local area. TfL have agreed that both of these matters can be secured by way of appropriately worded planning conditions.

A Construction and Demolition Management Plan has not been submitted for consideration. However, it is considered that this can be required by way of an appropriately worded planning.

Overall, and subject to the planning conditions mentioned above, it is considered that the transport impacts of the proposal are acceptable and that the proposal would comply with the aims and objectives of policy 6.3 of The London Plan, core policy CS 1 R of the Harrow Core Strategy, and policies DM 42 and DM43 of the Harrow Development Management Policies Local Plan (2013).

Policy 5.12.B of The London Plan (2016) requires all new development proposals to comply with the flood risk assessment and management requirements set out in the NPPF and the associated Technical Guidance on flood risk over the lifetime of the development. Policy DM9 of the Development Management Policies Local Plan supports this policy. The application site is not located within a flood zone. The current application has been referred to the Council's Drainage Engineer who raises no objections to the

current proposals, subject a number of conditions requiring details to be submitted and approved in writing by the Council prior to the construction of any building on site. The Environment Agency have advised that they have no objections to the proposal.

Impacts on Trees and Biodiversity

Policy 7.21 of The London Plan seeks to ensure that existing trees are retained and any loss as a result of development should be replaced following the principle of 'right place, right tree'.

As discussed earlier in the report, three individual trees and tree group G4 are proposed for removal. The vast majority of trees in the immediate vicinity of the proposed building would be retained. The application proposes to plant three replacement trees. Following discussions, these two replacement trees have been re-sited from the eastern site boundary to the landscaped square, where it is considered they could genuinely mitigate the impacts of the proposal to fell the A grade tree (T51). On this basis, the Council's Tree Officer has raised no objections subject to appropriate planning conditions relating to the submission of tree protection measures for retained trees.

Policy 7.19.C of the London Plan requires development proposals to make a positive contribution to the protection, enhancement, creation and management of biodiversity, wherever possible. Policy CS1 of the Harrow Core Strategy seeks to safeguard ecological interests and, wherever possible, provide for their enhancement. Policies DM20 and DM21 of the Development Management Policies DPD seek the protection and enhancement respectively of biodiversity and access to nature. The application site (outlined in red) is not subject to any statutory or non-statutory nature conservation designations. However, a Site of Nature Conservation Importance lies immediately east of the eastern site boundary.

A Preliminary Ecological Appraisal (PEA) has been submitted for consideration. The PEA comprised an ecological desk study and an extended phase 1 habitat survey. The report concludes the following:

Harrow Weald Park and the Hermitage SINC (Site of Importance for Nature Conservation), located to the east of the site, is unlikely to be directly affected during or post development given the scale of the proposed works. However, the SINC does not have the potential to be indirectly impacted by pollution and disturbance from the demolition and construction phase of the proposed development. The report recommends that a Construction Environmental Management Plan is implemented to ensure that any potential adverse effects are adequately mitigated during the demolition and construction phases. Other non-statutory designations will not be affected owing to their physical distances from the site.

The site has potential to support common species of amphibians, nesting birds, hedgehogs, reptiles and invertebrates. Three trees have been identified as having low potential to support roosting bats.

To this end, the report recommends measures to provide ecological mitigation and enhancement at the site. This includes suggested measures for habitat creation and species enhancement, timing of clearance works, including the incorporation of bat boxes within the building and the provision of new native planting.

The Councils Biodiversity Officer has advised he has no objections to the proposal

subject to the recommendations within the submitted Preliminary Ecological Appraisal (Waterman – March 2016) being adhered to. It is noted that the Preliminary Ecological Appraisal recommends the installation of a brown roof over the building. However, the applicant has advised that this will not be possible due to the angle of the proposed roof profile. Whilst this is regrettable, it is considered that adherence to other various mitigation measures within the Preliminary Ecological Appraisal would sufficiently mitigate the impact of the proposal.

Sustainability

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 (2016) Policy 5.2 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 applicant has submitted Sustainability and Low and Zero Carbon Technologies Report for consideration. This supporting document shows that the proposed building would have high sustainability credentials. This would be achieved through the incorporation of a range of design measures including increased natural ventilation, photovoltaics and an air source heat pump. Through these measures, a 35% reduction in carbon dioxide emissions would be achieved. This would comply with this above policy guidance and is considered to be acceptable.

Equalities and Human Rights

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

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 proposed building would provide a fit-for-purpose building for learners with learning difficulties and / or disabilities. This would improve the quality of education facilities within the Borough, thereby enhancing social inclusion overall.

It is considered that this application would improve equality across the Borough.

S17 Crime & Disorder Act

Policies 7.3.B and 7.13.B of The London Plan and policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety

and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

Consultation Responses

Responses to the consultation process have not been received. Responses received from both internal and external consultees have been included in the relevant sections of this appraisal.

CONCLUSION

The proposed building would result in the provision of permanent educational facilities with a high standard of design and layout that would provide facilities for the existing community. Officers consider that the proposed building would not have a greater impact on Green Belt openness than the existing situation and to this end, the proposal would be acceptable in principle. Notwithstanding this conclusion, the applicant has put forward a 'Very Special Circumstance' to justify inappropriate development in the Green Belt for completeness. This relates to 'overall educational need'.

It is further considered that that the proposal for the demolition of the existing Gaskell building, the construction of the new Health and Social Care building, the reduction in the size of the carpark and the provision of a new landscaped square would represent an appropriate design response to the site in terms of the visual amenities of the Green Belt and the character of the area.

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, it is considered that the development is justified in this instance and the 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 and documents: Pre-development Arboricultural Survey and Impact Assessment (ref: RT-MME-122473, dated April 2016), Planning, Design and Access Statement (dated April 2016), PL(27)01 Rev. 5, SE(20)01 Rev. 2, SE(90)01 Rev. 01, Energy, Sustainability and Low and Zero Carbon Technologies Report Rev. 0 (dated 25th April 2013), Utilities Statement Planning Report Rev. 0 (dated 25th April 2015), Preliminary Ecological Appraisal (dated March 2016), Phase 2 Geoenvironmental Assessment, Flood Risk Assessment and BREEAM Pol 03 (version 01, dated 3/5/16), EX(20)01 Rev. 1, EX(20)02 Rev. 1, EX(20)03 Rev. 1, EX(90)01 Rev. 12, EX(90)02 Rev. 5, PL(20)01 Rev. 8, SP(90)04 Rev. 8, Transport Statement (dated April 2016), SP(90)01 Rev. 6, EL(20)01 Rev. 9, Transport Statement Addendum (dated July 2016), SE(90)02 Rev. 2, SP(90)06, SP(90)02 Rev. 16

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

3 The building hereby permitted shall not be constructed above DPC level until samples of the materials to be used in the construction of the external surfaces of the building have been submitted to, and approved in writing by, the local planning authority. The

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policies 7.4 and 7.6 of The London Plan 2015 and policy DM1 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT ABOVE DCP LEVEL.

4 The development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, a scheme of hard and soft landscape works for site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities. Hard landscape works shall include details of materials of the ground surfacing.

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. Details are required PRIOR TO THE OCCUPATION OF THE BUILDING.

5 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.

6 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site. Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

7 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 levels of the site, have been submitted to, and approved by, the local planning authority.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement, in accordance with policies DM1 and DM10 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE OCCUPATION OF THE BUILDING.

8 Prior to the occupation of the building, details of the intensity of light emissions

(including the surface area to be illuminated) have been submitted to and approved in writing by the local planning authority. The lighting columns shall be implemented in accordance with the approved details and thereafter retained.

REASON: To ensure that the proposed development does not give rise to undue disturbance to neighbouring occupiers, in accordance with policy 7.6B of the London Plan (2011) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT.

9 Notwithstanding the information that has been submitted, the building hereby approved shall not be occupied until an updated Travel Plan has been submitted to, and approved in writing by the Local Planning Authority. The updated Travel Plan shall include:

- i. actual trip numbers for the baseline modal split
- ii. targets for three and five year occupation.
- iii. Measures for students attending evening classes to use the onsite carparking spaces

The mitigation measures identified in the Travel Plan shall be implemented for the duration of the use.

REASON: The Travel Plan will promote sustainable transport in accordance with Policies 6.1 and 6.3 of The London Plan (2016) and policy DM42 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO THE OCCUPATION OF THE BUILDING.

10 The building hereby approved shall not be occupied until the following information has been submitted to and approved in writing by the Local Planning Authority:

- i. Details of cycle routes within the site, including footpaths and links to cycle parking facilities and footpath width requirements
- ii. A Cycling Level of Service Assessment

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To promote sustainable transport in accordance with Policies 6.1 and 6.3 of The London Plan (2016) and policy DM42 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO THE OCCUPATION OF THE BUILDING.

11 Any excavation and / or installation of underground services within the Root Protection Areas of trees and / or adjacent to tree roots shall be carried out by hand digging and / or with hand tools.

REASON: To safeguard the trees of significant amenity value and the visual amenity of the Green Belt, in accordance with policies DM22 and DM16 of the Councils Development Management Policies Local Plan 2013.

12 A tree and landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all communal landscape areas and trees shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the building. The tree and landscape management plan shall be carried out as approved.

REASON: To safeguard the appearance and character of the area, trees of significant amenity value and the visual amenity of the Green Belt, in accordance with policies DM1, DM22 and DM16 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE OCCUPATION OF THE BUILDING.

13 Notwithstanding the details provided in the approved Arboricultural Survey Report, the

development hereby approved shall not be commenced until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

- i. Final material storage and site compound locations;
- ii. Tree protection and ground protection measures for the retained trees on site;

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the trees of significant amenity value and the visual amenity of the Green Belt, in accordance with policies DM22 and DM16 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT.

14 The building hereby permitted 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 development shall be carried out in accordance with these details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE OCCUPATION OF THE BUILDING.

15 The development of the building hereby permitted shall not be commenced until works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT.

16 The development of the building hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these details and shall thereafter be retained.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE CONSTRUCTION OF THE BUILDING.

17 If the development hereby permitted commences during the bird breeding season (March to August) inclusive, trees and buildings within the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be located, the advice of a suitably qualified ecologist shall be sought without delay.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policy DM20 of the Councils Development Management Policies Local Plan 2013.

18 The building hereby permitted shall not be constructed above DPC level until details of bat boxes within the building and bird bricks/boxes within suitable trees have been submitted to and approved in writing by the Local Planning Authority. The details approved shall thereafter be retained.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policy DM21 of the Councils Development Management Policies Local Plan 2013.

19 No clearance or demolition works shall take place on site until a 'destructive search' of possible reptile habitats is undertaken by a suitably qualified ecologist. A suitably qualified ecologist shall remain on site during demolition works to monitor the presence of reptiles on site. Any reptiles found should be removed from site and translocated to a suitable donor site.

REASON: This condition is required to ensure that if reptiles are present then suitable measures are put into place for their protection in accordance with and to conform with policy DM20 of the Councils Development Management Policies Local Plan 2013 and all relevant current legislation.

20 No development shall take place, including any works of demolition, until a Construction and Demolition Method and Logistics Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction and demolition period. The Statement shall provide for:

- i. The phasing of development works for the relevant phase
- ii. The hours during which development works will occur
- iii. A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- iv. Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- v. the parking of vehicles of site operatives and visitors
- vi. loading and unloading of plant and materials
- vii. storage of plant and materials used in constructing the development
- viii. measures to control the emission of dust and dirt during construction
- ix. a scheme for recycling/disposing of waste resulting from demolition and construction works
- x. The storage of demolition/construction materials on site.

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the adjoining properties, highway safety or existing biodiversity, in accordance with policies DM1, DM45 and DM20 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT.

21 The building hereby permitted shall only be used for the purpose specified in the application 'Educational Use' and for no other purpose, including any other purpose in Class D1 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 safeguard the purposes of the Green Belt, in accordance with policy DM16 of the Development Management Policies Local Plan (2013).

22 The three replacement trees (as shown on plan no. SP(90)02 Rev.16) shall be comprised of two oak trees and 1 field maple tree.

REASON: To mitigate the impact of the proposed development and to protect the visual amenity of the Green Belt, in accordance with Policy 7.21 of The London Plan (2016) and policy and DM16 of the Councils Development Management Policies Local Plan 2013.

INFORMATIVES

1 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
- 5.3 – Sustainable design and construction
- 5.12 – Flood risk management
- 5.13 – Sustainable Drainage
- 6.3 – Assessing effects of development on transport capacity
- 6.9 – Cycling
- 6.13 – Parking
- 7.1 – Building London’s neighbourhoods and communities
- 7.2 – An inclusive environment
- 7.3 – Designing out crime
- 7.4 – Local character
- 7.6 – Architecture
- 7.16 – Green Belt
- 7.19 – Biodiversity and Access to Nature
- 7.21 – Trees and Woodlands

The Harrow Core Strategy 2012

- CS1 – Overarching Policy
- CS7 – Stanmore & Harrow Weald

Development Management Policies Local Plan (2013)

- DM1 Achieving a High Standard of Development
- DM6 Areas of Special Character
- DM7 Heritage Assets
- DM9 Managing Flood Risk
- DM10 On Site Water Management and Surface Water Attenuation
- DM12 Sustainable Design and Layout
- DM16 Maintaining the Openness of the Green Belt and Metropolitan Open Land
- DM20 Protection of Biodiversity and Access to Nature
- DM21 Enhancement of Biodiversity and Access to Nature
- DM22 Trees and Landscaping
- DM43 Transport Assessments and Travel Plans
- DM45 Waste Management
- DM46 New Community, Sport and Education Facilities

2 INFORMATIVE:

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:

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.

4 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

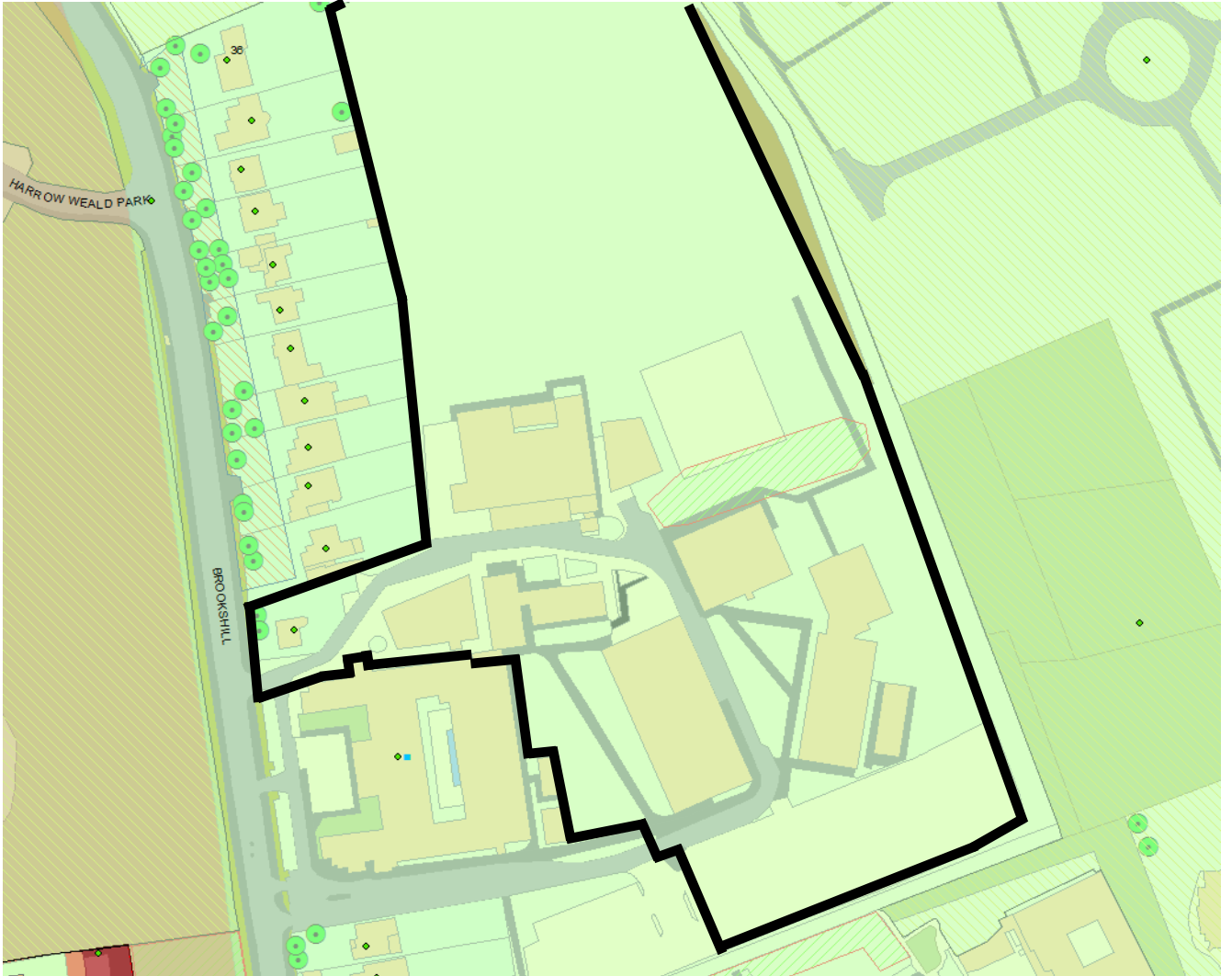
5 INFORMATIVE:

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

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

Plan Nos: Pre-development Arboricultural Survey and Impact Assessment (ref: RT-MME-122473, dated April 2016), Planning, Design and Access Statement (dates April 2016), PL(27)01 Rev. 5, SE(20)01 Rev. 2, SE(90)01 Rev. 01, Energy, Sustainability and Low and Zero Carbon Technologies Report Rev. 0 (dated 25th April 2013), Utilities Statement Planning Report Rev. 0 (dated 25th April 2015), Preliminary Ecological Appraisal (dated March 2016), Phase 2 Geoenvironmental Assessment, Flood Risk Assessment and BREEAM Pol 03 (version 01, dated 3/5/16), EX(20)01 Rev. 1, EX(20)02 Rev. 1, EX(20)03 Rev. 1, EX(90)01 Rev. 12, EX(90)02 Rev. 5, PL(20)01 Rev. 8, SP(90)04 Rev. 8, Transport Statement (dated April 2016), SP(90)01 Rev. 6, EL(20)01 Rev. 9, Transport Statement Addendum (dated July 2016), SE(90)02 Rev. 2, SP(90)06, SP(90)02 Rev. 16

HARROW COLLEGE, BROOKSHILL, HARROW WEALD



ITEM NO: 2/02
ADDRESS: PUBLIC CONVENIENCES, GREENHILL WAY, HARROW
REFERENCE: P/1484/16
DESCRIPTION: REDEVELOPMENT: FOUR STOREY BUILDING WITH RETAIL USE ON GROUND FLOOR (USE CLASS A1) AND EIGHT FLATS (USE CLASS C3) ON FIRST, SECOND AND THIRD FLOORS; BIN / CYCLE STORE
WARD: GREENHILL
APPLICANT: MR NAJIB KABIR
AGENT: AUTOR LTD
CASE OFFICER: CATRIONA COOKE
EXPIRY DATE: 08/06/2016

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 payment of £18,130 for the replacement cost for the cherry tree and maintenance of the retained London Plane Tree.
- ii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement;
- iii) Car free development
- iv) 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 commercial use floor space at ground floor level with 8 residential units on upper floors. The site is currently vacant and the proposal would enhance the urban environment in terms of material presence and attractive streetscape, while responding positively to the requirements of the sub-area of Harrow Town Centre as designated in the Harrow and Wealdstone Area Action Plan.

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 and commercial space which would be accessible for all future occupiers of the development.

The layout and orientation of the buildings and separation distances to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers and the development would contribute towards the strategic objectives of reducing the carbon emissions of the Borough.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan 2016, the Harrow Core Strategy 2012 and the Harrow and Wealdstone Area Action 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 20th September 2016 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 the payment of £18,130 for the replacement cost for the cherry tree and maintenance of the retained London Plane Tree, would fail to adequately mitigate the long-term impact of the development on these existing trees contrary to DM 1 and DM22 of the Development Management Policies Local Plan (2013).

INFORMATION

This application is being reported to Committee as the proposal constitutes development of more than 2 dwellinghouses and therefore falls outside of Categories 1(b) of the Scheme of Delegation.

Statutory Return Type: Minor dwellings

Council Interest: None

Gross Floorspace: 504.75sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £17,675

Harrow CIL: £44,770 (residential), £9,800 (retail)

Site Description

- The application relates to an irregular shaped parcel of land located on an island section on Greenhill Way and a service road to the rear of St Ann's Road.
- The site, which was formerly owned by the Council, is approximately 170 sqm and previously contained a single storey public convenience building which appears to have been recently demolished.
- A large London Plane Tree is located adjacent the western site boundary, a bus stop to the north and a service road separating the site from the rear properties of St Ann's Road to the south.
- The site falls within the sub-area of Harrow Town Centre as designated in the Harrow and Wealdstone Intensification Area.
- The surrounding area is classed as high density, with building heights ranging from 3 to 6 storeys. Surrounding uses include shops and services within the nearby St Ann's Shopping Centre, offices and residential.
- The application site is located within Harrow Metropolitan Centre, which has the highest PTAL rating (6a). Specifically, the site is well served by public transport both in bus and rail terms.

Proposal Details

- The application proposes the construction of a four-storey building comprising ground floor commercial with three floors of residential accommodation above.
- The proposed building would primarily be oriented towards Greenhill Way to the north, with additional obscured windows proposed in the rear and flank elevations.
- The proposed building would provide 98 sqm of Class A1 retail floor space at ground level. Access to this unit would be taken from the glazed frontage fronting Greenhill Way.
- Access to the upper floor residential units would be provided via a stairwell at the rear of the building (southern elevation), with access taken from the service road.
- Refuse for the ground floor retail unit will be provided within the floorspace of the unit at the eastern elevation
- Refuse for the residential units will be provided at the rear of the building fronting the service road.
- The proposed first and second floors include identical floor plates, providing a total of 6 residential units.
- The third floor has a similar floor plate to the floors below with a 1m set back from the northern elevation.
- Units of the first and second floor include a 50 sqm one-bedroom self-contained unit at the eastern end of the building and an additional two studio flats with GIA of 37 sqm.
- Units on the third floor include a one bedroom self-contained unit at the western elevation and a Studio flat on the eastern elevation.
- With the exception of the ground floor glazed frontage, the proposed building would primarily be constructed of brick with full height timber panels to the rear and also at the eastern end of the building at ground floor level.
- Aluminium framed Juliet balconies with obscured glass balustrade and full length windows partially obscured by perforated metal panels would be provided on the front elevation. Additional full height windows would be provided to the remaining elevations, obscured through the use of the timber panels, or obscured glass.

Relevant History

P/4657/14 - Redevelopment: three storey building with retail use on ground floor (use Class A1) and six flats (use class c3) on first second and third floors; bin / cycle store
GRANTED – 28/05/2015

LBH/24637

Erection of public toilets.
Granted – 02/02/1984

Applicant Submission Documents

Design and Access Statement – this documents sets out the design approach, the access arrangements and sustainability of the proposal.
Proposal Plans.

Consultations

Tree Officer:

The Cherry Tree has previously been hacked back one side & deadwood evident. There is no objection to removal dependent upon sponsorship of replacements within the vicinity.

The London Plane is of good shape & form. I see no justification for major works to

facilitate the construction process. It is beyond the juvenile phase where pollarding would be of minimal disturbance, there is also the cost implication of adding this to a cyclical pollarding regime.

Highways:

This proposal for 8 flats is acceptable in highways terms in principle, however as it is intended to be 'car free,' the application must satisfy the following requirements;

- a. *there is sufficient public transport capacity to serve the trip demand generated by the development;*
- b. *there would be adequate safeguards against parking on the surrounding highway network and in public car parks; and*
- c. *the needs of blue badge holders would be met.*

It should be noted that in order to ensure item b above is met, we would seek to apply a resident's permit restriction on this development.

Item c; the application makes reference to the disabled bays nearby as being available for use by residents of this development however, these have a maximum stay of 3 hours and only operate Monday to Saturday, 8:30am to 6:30pm. These bays are intended for use by shoppers and do not allow for long stay parking which may not be of benefit to disabled residents.

Cycle parking must be sheltered and secure. We recommend that developers refer to the attached document for guidance on good cycle parking provision.

Due to the constraints of the location, we would require a condition for a construction method statement and logistics plan.

Advertisement

- None

Notifications

Sent: 39

Replies: 0

Expiry: 12/05/2016

Addresses Consulted

305 - 313 Station Road

2-16 St Ann's Road

10 Greenhill Road

Summary of Responses

- N/A

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 (2016) 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 and Land Uses

Regeneration

Design, Character and Appearance of the Area

Residential Amenity

Traffic and Parking

Accessibility

Development and Flood Risk

Sustainability

Housing Density and Unit Mix

Equalities Impact

S17 Crime & Disorder Act

Consultation Responses

Principle of the Development and Land Uses

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 (2016). 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 uses proposed within this area will be considered against the policies contained within AAP along side the adopted Development Management Policies Local Plan (DMP) (2013).

The London Plan (2016) has been primarily prepared to address key housing and employment issues. The London Plan identifies Harrow and Wealdstone as an opportunity area and therefore will support development proposals with higher densities to meet London's housing needs.

The application site falls within the sub area of Harrow Town Centre Central as set out in the AAP. The St Ann's Road frontage, to the rear of the subject site, is located within a primarily shopping frontage and the section fronting Havelock Place is identified as a Proposals Site within the AAP. The proposed vision for Havelock Place is to provide active mixed used frontages to Havelock Place to create pedestrian through routes from St. Ann's Road to College Road and Harrow on the Hill station.

Prior to the recent sale of the land by the Council, a single story public convenience building was located at the site. This building has recently been demolished and the site is now largely vacant with the exception of a retained London Plane Tree and an electrical substation. The principle of demolishing the public conveniences and redeveloping the site was agreed in principle, through the planning brief, prior to the transfer of the land. Accordingly, no issues arise in this respect.

Due to the location of the property within the Harrow Town Centre sub area, any

redevelopment of the site would need to meet the requirements of Policy AAP1. Specifically, this policy requires that schemes incorporate a mix of ground floor uses, including retail, leisure, cultural and community uses to increase the vitality of the Harrow Town Centre while also differentiating uses between different levels. The proposed ground floor retail unit with glazed frontage to Greenhill Way accords with these aims and is therefore considered acceptable in principle.

In addition, the proposal to introduce 8 residential units to the site is considered to contribute to the overall housing need of the borough as identified in the London Plan and be in conformity with the Government's objectives of planning for growth and presumption towards sustainable development as outlined within the NPPF. 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 seeks to provide high quality residential development.

In conclusion, it is considered that the principle of redeveloping the former site of the public convenience to provide a mixed use scheme would make a positive contribution to its environment through the activation of the street scene, while also providing an overriding public benefit through the delivery of new homes. In this respect, the proposal can be supported in principle.

Regeneration

The proposal would redevelop a currently derelict plot to provide an additional retail unit and 8 small scale residential properties. Thereby creating local job opportunities during the construction process as well as for the retail unit adding vitality to this Town Centre location.

The proposal are in accordance with the Council's Regeneration policies.

Design, 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 ensure 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.

The surrounding area has strong urban character, without any significant coherence or commonality of design, with the exception of the three-storey Victorian terrace buildings to the south-east of the site on the corner of Station Road and St Ann's Road. Building such as the Natwest Bank building, a Grade II Listed Building at 315 Station Road, the four-storey office building at 11-15 St. Ann's Road and Sheridan House provide significant landmark buildings in the immediate area and the differences in form and design of these buildings is indicative of the variances in the built form in the locality. In close proximity to

the site, these buildings nonetheless serve to contextualise the development site.

Bulk and Scale

The subject site is located on a stand-alone parcel of land to the south of Greenhill Way and to the north of a service road. The area immediately surrounding the subject site consists of developments of varying heights, including three-storey terrace buildings located south-east of the site along St Ann's Road and Station road and a recently approved 6 storey scheme fronting Havelock Place (P/4827/14). Given the isolated location of the site and the varying heights of existing and recently approved development in the surrounding area, the proposed bulk and siting of the four storey building would sit comfortably within the context of the site and the surrounding area.

Design and Materials

The proposed design and materials utilised within the proposal are considered to contribute to the successful redevelopment and renewal of the site. Specifically, the proposed use of glazing and timber panels within the ground floor retail unit are considered to be a positive contribution to the Greenhill Way street scene while also acting to differentiate the ground floor commercial use from the upper floor residential use.

In terms of the external finish of the building, it is noted that the Council's pre-application advice to substitute the use of render with brickwork has been incorporated within the submitted scheme. The use of brick is considered to sit comfortably within the surrounding area which predominately includes red / brown brick. The use of perforated metal panels and vent panels are considered acceptable in breaking the massing of the building while also providing some privacy to the full length windows serving the residential units. Samples of these materials would however be required to be approved by the Local Authority prior to works commencing on site.

A full height timber louver privacy treatment is proposed to the rear elevation of the property and also at the eastern end of the ground floor. The use of these timber louvers are considered to successfully screen the rear facing windows of the building while contributing positively to the overall design of the building.

The proposed fenestration including the Juliet balconies and full height narrow windows to the front elevation and additional full length obscured glazed windows in both flank elevations are considered acceptable in design terms.

Overall, it is considered that the proposed external design and overall appearance of the proposed building would meet the Council's aspirations for the delivery of high standard of development in Harrow Town Centre as set out in the policies stated above. However, notwithstanding this, further details of materials would be required to be submitted to the Local Authority for approval.

Landscaping.

Due to the nature and location of the site, no ground floor landscaping has been provided as part of the proposed scheme. Planter boxes would be provided at roof level. A review of the site indicates that a Cherry Tree and London Plane Tree are currently located adjacent the western boundary of the site. The Cherry Tree and London Plane are located on land owned by the Council. Following pre-application discussions, the removal of the Cherry Tree has been agreed by the Council.

The development would however benefit from the existing London Plane Tree located on

the western side of the proposed building. The retention of this tree was agreed as part of this application. A payment has been secured from the developer by way of a s106 agreement to support the replacement planting required due to the loss of the Cherry Tree and also maintenance of this retained tree.

Refuse Storage

Policy AAP4 of the AAP requires that development proposals makes satisfactory provision for the disposal and storage of waste and recycling materials.

Refuse stores would be located internally at ground floor, serviced from the rear service road, and would not therefore affect the appearance of the area. A separate refuse area has been provided for the commercial use, the proposed refuse stores would be adequate for the purposes of both the commercial and residential aspects of the development and would ensure servicing arrangements would not be compromised.

In conclusion, it is considered that the proposed development would be acceptable in terms of its impact upon the character and appearance of the area and would give rise to no conflict with above stated policies.

Residential Amenity

Residential Amenity of Future Occupiers

Policy 7.6B, subsection D, of The London Plan 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”.

Policy 3.5C of The London Plan requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people’s needs. In this regard, minimum gross internal areas (GIA) are required for different types of accommodation, and new residential accommodation should have a layout that provides a functional space. Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA’s as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. This is supported by policy AAP13 of the AAP. Further detailed room standards are set out in the Mayors Housing Supplementary Planning Guidance 2012. Whilst the Mayor’s Housing SPG provides guidance for public sector housing the internal rooms standards set out in this guidance provides a good benchmark for the delivery of good quality homes

In terms of the Gross Internal Floor Area (GIA), the proposed one bed units, have been shown to meet the minimum GIA set out for a two person occupancy in the London Plan and the Council’s adopted Supplementary Planning Document: Residential Design Guide. Similarly, the proposed studio units meet the minimum of 37sqm required for studio units.

	Gross Internal Floor Area	Bedroom
Housing Supplementary Planning Guidance (2016)	1 bedroom, 2 person (50sqm) Studio flat (37sqm)	Double 11.5sqm
Flat 1 (1 bedroom, 2 persons)	50sqm	13.4sqm
Flat 2 (studio flat)	37sqm	N/A
Flat 3 (studio flat)	38sqm	N/A
Flat 4 (1 bedroom, 2 persons)	50sqm	13.4sqm
Flat 5 (studio flat)	37sqm	N/A
Flat 6 (studio flat)	38sqm	N/A
Flat 7 (1 bedroom, 2 persons)	54sqm	14.43
Flat 8 (studio flat)	42sqm	N/A

Layout

All units are shown to have a dual aspect layout. Specifically, the first and second floor front (north) elevation of the property includes juliet balconies and full length windows serving the habitable areas of the studio units and the open plan living / kitchen rooms of the one-bedroom units. Additional full length obscured glazed windows would also be provided to the bathrooms of the one-bedroom units. These windows are considered to provide an acceptable level of outlook to the flats. The proposed inclusion of perforated metal panels and obscured glass balustrade to the bottom half of the Juliet balconies are considered to adequately address any loss of privacy to these windows.

While the development also proposes windows within the flank and rear elevations, due to the obscured glazing of the flank windows and the inclusion of the timber louver treatment at the rear, the levels of light and outlook provided by these windows would be limited. Notwithstanding this, considering these windows would provide some light and ventilation to the units and also given that the primary living area to each of the units would be served by north-facing full-length windows, no significant concerns are raised in regards to the amenity of future occupiers. Furthermore, in Town Centre locations there is expected to be some degree of loss of outlook in built up areas but through providing a good internal layout such impacts can be limited to areas that do not provide primary living space such as bedrooms that are generally used for sleeping purposes only. In this regard, the proposed layout of the development in terms of light and outlook is considered to be acceptable.

Outdoor Amenity Space

Policy AAP13 of the AAP 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 applicant has shown the provision of a Juliet style balcony for each of the residential units on the first and second floor. Whilst this does not provide external amenity space in a traditional sense it does provide some outlook for future occupiers. There is no provision for outdoor space for the fourth floor flats. However, considering the location of

the proposal and that the units are not family sized units this is considered acceptable in this instance.

Impact on neighbouring properties

There are no immediate residential developments adjoining the site which would be affected by the proposed development. Specifically, the front elevation of the property which would provide the primary outlook for the proposed units would overlook Greenhill Way and a landscaped car parking area opposite. The nearest property to the north would be located some 30.0m from the north facing elevation of the proposed building. In addition, a minimum separation of 8.5m would be maintained from the rear elevation of the proposal to the nearest building at the rear on St Ann's Road. It is considered that on balance given the separation distance from these properties, the proposed privacy louver treatment to the rear elevation and given that the primary outlook for the units would be north facing, the four-storey building would not result in any detrimental loss of outlook, privacy or light to these residents to warrant a reason for refusal. It is also noted that no objections to the proposal have been received. Accordingly, the proposed scheme is considered to satisfy the requirements of policy 7.6.B of The London Plan 2016 and policy DM1 of the DMP.

Traffic and Parking

The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use.

The London Plan Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. Chapter 6 also sets out maximum parking standards for new development dependent upon their use and level of public transport accessibility.

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. There would be a requirement to provide 11 secure cycle parks in accordance with the London Plan. Specifically, as the proposed retail unit does not meet the minimum threshold of 100 sqm, no cycle parking is required. However, two spaces are required for each of the one-bedroom two person units, while a single space is required for each studio flat.

The application site is located within Harrow Metropolitan Centre, which has the highest PTAL rating (6a). Specifically, the site is well served by public transport both in bus and rail terms. The proposal is to be car free and shows a provision of cycle storage at ground floor level for up to 6 cycles in total. Given, the high PTAL rating and sustainable location of the subject site, it is considered that a car free development could be supported in this case. Furthermore, the stringent parking controls over an extensive area would most likely render the site highly reliant on public transport. However, as the proposal represents a shortfall of 3 cycle parking spaces, a condition of approval will require further details of cycle storage be submitted for approval, demonstrating 11 spaces.

The highways authority have commented that due to the constraints of the location a condition should be imposed on the development for a construction method statement and logistics plan to be submitted prior to commencement.

In summary the highway network is unlikely to suffer from any adverse impact in capacity and parking impact terms hence the proposal is acceptable on highway grounds.

Development and Flood Risk

The site is not located within a flood zone however it is sited within a critical drainage area. The applicant has not provided any details regarding the discharge of surface water or sewerage. As the proposal would significantly increase the building footprint on the site, the Council's drainage officer has requested that further information be submitted and approved by the Council prior to any works starting on site. Specifically, the applicant must provide further details on the disposal of surface water and sewerage and surface water attenuation and storage works.

Accessibility

Policy AAP4 of the AAP, policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document *Accessible Homes* 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'. The Council's has adopted a Supplementary Planning Document 'Access for All' 2006, which provides detailed guidance on achieving an accessible design.

The Design and Access Statement and the submitted plans demonstrate that all residential units would be Lifetime Homes. Specifically, an examination of the plans indicates that some of the flats generally have acceptable internal layouts which provide adequate turning circles. Although a lift is not proposed as part of the design, this is considered acceptable considering the four-storey height of the scheme and the sufficient layout and location of the proposed stairwell.

On this basis, the proposed development will give rise to no conflict with the above stated policies.

Sustainability

Policy 5.1 of The London Plan 2016 seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent by 2025. Harrow Council has adopted a Supplementary Planning Document on Sustainable Building Design (adopted May 2009).

For minor development proposals, the development plan at this point does not set out energy and sustainability targets greater than those required by Building Regulations. As these standards will be secured through other legislation, no conditions are required in relation to sustainability measures. Accordingly, no conflict with sustainability policies in the development plan is found.

Housing Mix

Policy 3.8B of The London Plan requires councils to take account of housing requirements, and to ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types.

Core Policy CS1.I of the Core Strategy notes that new residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within

neighbourhoods.

Policy AAP13 of the AAP will support proposals that secure an appropriate mix of housing on site and which contribute to the creation of inclusive and mixed communities.

In this case, the proposed scheme provides 3 one-bedroom units and 5 studio flats. Whilst it is noted that the lack in the mix of housing would conflict with the aspirations of the above policies, it is considered that given that the proposed development would be acceptable in all other regards, it would be unreasonable to refuse this application on the grounds of the lack of a mix of unit sizes. Furthermore, given that this is a small scale development, a lack of a mix of units could on balance be supported in this case. Smaller sized units are also compatible with being located in a high PTAL area with no car parking.

Equalities Impact

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

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

S17 Crime & Disorder Act

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

The entrance to the proposed flats would be from Havelock Place, which is a busy thoroughfare and is afforded natural surveillance from passer bys. In this regard, the proposal is considered not to give rise to any conflict with regards to the above stated policies.

Consultation Responses

One objection received which has been addressed in section 3 of this report.

CONCLUSION

The proposed redevelopment of the site would provide a high quality development comprising of commercial use floor space at ground floor level with residential units above within a four storey high building. The site is currently vacant and the proposal would enhance the urban environment in terms of material presence, attractive streetscape, and good routes, access and makes a positive contribution to the surrounding Harrow Town Centre sub area in terms of quality and character.

The proposed redevelopment of the site would result in a modern, contemporary design that responds positively to the local context and would provide appropriate living conditions and commercial space which would be accessible for all future occupiers of the

development.

The layout and orientation of the buildings and separation distances to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers and the development would contribute towards the strategic objectives of reducing the carbon emissions of the borough.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan (2016), the Harrow Core Strategy 2012 and the Harrow and Wealdstone Area Action Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

CONDITIONS

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence until samples of the materials/ or details to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the Local Planning Authority:

a: facing materials for the building including the timber and brick treatments

b: perforated metal panels and vent panels

c: the windows/ doors including details for the glazed balcony screens

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

REASON: To safeguard the appearance of the locality and to ensure a satisfactory form of development.

3 The Class A1 use hereby permitted on the ground floor of the development hereby approved shall only be open to customers within the following hours and closed at all other times:

0800 and 2300hrs on Mondays to Sundays and Bank Holidays and closed at all other times;

No deliveries shall take place outside of these hours.

REASON: To safeguard the neighbouring and future occupiers of the residential units on the site from undue levels of noise and disturbance, thereby according with policies 7.6B and 7.15.B of The London Plan (2016).

4 The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to Lifetime Homes Standards, and thereafter retained to those standards.

REASON: To ensure provision of Lifetime Homes standard housing.

5 Prior to the construction of the building hereby approved on site beyond damp course level, 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 (2016), and policy DM1 of the Harrow Development Management Policies Local Plan 2013.

6 No plant or machinery, including that from fume extraction, ventilation and air conditioning or telecommunication equipment, which may be required by reason of granting this permission, shall be installed within the building without the prior written approval of the local planning authority. Any approved plant or machinery shall be operated only in accordance the approved details.

REASON: To ensure that the proposed development does not give rise to noise or odour nuisance to neighboring residents, thereby according with policies 7.6B and 7.15B of The London Plan 2016) and policy DM1 of the Development Management Policies Local Plan 2013.

7 No development shall take place, including any works of demolition, until a Construction Method and Logistics Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development

8 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water and sewage have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions. The applicant should contact Thames Water Utilities Limited and Harrow Drainage Section at the earliest opportunity. The development shall only be completed in accordance with any approval.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development

9 The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to

ensure a satisfactory form of development

10 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 approved in writing by the Local planning Authority.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development

11 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.

12 Notwithstanding the approved plans, revised detail of the cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority showing storage for eleven bicycles. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate cycle storage is provided.

13 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Design and Access Statement; AL(01)001; AL(01)100; AL(01)101; AL(01)102; AL(01)103; AL(01)104; AL(02)280; AL(03)320; AL(03)340; AL(03)360; AL(03)380; EXT_100; Design and Access Statement

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

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2016):

Policies 2.13, 2.15, 3.1, 3.5, 3.8, 3.16, 2.18, 4.2, 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

Harrow and Wealdstone Area Action Plan (2013)

AAP1, AAP4, AAP9, AAP13, AAP19

Development Management Policies Local Plan (2013)

Policies DM1, DM2, DM10, DM12, DM22, DM24, DM27, DM31, DM32, DM42, DM45, DM47.

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 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

5 INFORMATIVE:

The applicant is advised that any windows 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 **£17,675** 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 **£17,675** for the application, based on the levy rate for Harrow of £35/sqm and the stated chargeable floorspace of **504.75 sqm**

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

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

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;

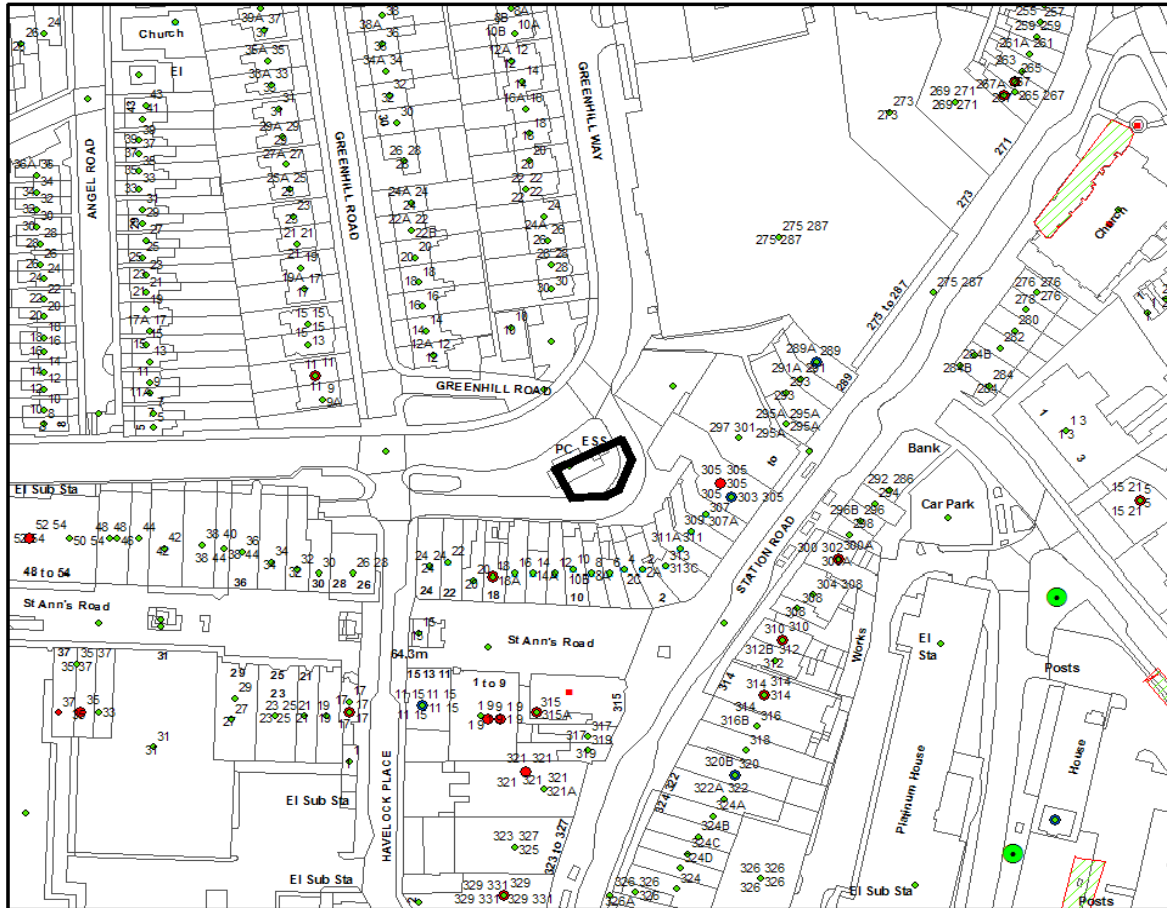
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL contribution for this development is **£54,570**.

Plan Nos: Design and Access Statement; AL(01)001; AL(01)100; AL(01)101; AL(01)102; AL(01)103; AL(01)104; AL(02)280; AL(03)320; AL(03)340; AL(03)360; AL(03)380; EXT_100; Design and Access Statement

PUBLIC CONVENIENCES, GREENHILL WAY, HARROW



ITEM NO: 2/03
ADDRESS: DARIEN, OLD HALL DRIVE, PINNER
REFERENCE: P/2356/16
DESCRIPTION: REDEVELOPMENT TO PROVIDE A TWO STOREY DWELLING WITH PARKING LANDSCAPING AND BIN STORAGE
WARD: HATCH END
APPLICANT: MR D PATEL
AGENT: PETER PENDLETON & ASSOCIATES
CASE OFFICER: DAVID BUCKLEY
EXPIRY DATE: 11/07/2016

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to condition(s):

REASON: The proposed development would provide a replacement dwelling within the application site that would have an appropriately sized footprint within the site in which it would sit. Furthermore, the proposed development would not unduly impact on the amenities of the residential occupiers of the adjoining, or nearby properties. The proposed replacement dwelling would therefore accord Policy CS1 of the Harrow Core Strategy 2012, Policies 7.4 and 7.6 of the London Plan (2016), policy DM1 of the Harrow Development Management Policies Local Plan (2013), and the Garden Land SPD (2013).

INFORMATION:

This application is reported to the Planning Committee as there has been significant public interest in this application. It is therefore excluded from the Scheme of Delegation dated 29th May 2013 under Proviso E.

Statutory Return Type: 13: Minor Dwellings

Council Interest: None

Net additional Floorspace: 348 sqm

GLA Community Infrastructure (CIL) Contribution (provisional):

£12,180 (based on a £35 contribution per square metre of additional floorspace)

Harrow Community Infrastructure (CIL) Contribution (provisional):

£38,280 (based on a £110 contribution per square metre of additional floorspace)

Site Description

- The application site contains a detached two storey dwellinghouse with front and rear gardens. The dwelling has previously been extended by way of a single storey side extension to each side.
- The existing dwelling is sited at an angle to the front boundary, which is not typical of

dwellings on this side of Old Hall Drive.

- The original dwellinghouse measures 12m in width and 7.50m in depth for the main house, or 18m-22m in width, including the ground floor side extensions.
- The site is located on the north side of Old Hall Drive, a short close of 9 detached properties of which 7, including the application property, occupy large plots at the eastern end of the close.
- There is a tree with a Tree Protection Order (TPO) in the front garden.
- The entire application site is located within a Critical Drainage Area, with the rear part of the site located within Environment Agency Flood Zones 2 and 3.
- The eastern end of the close is separated from the properties adjacent to Uxbridge Road by the Woodridings Stream, a tributary of the River Pinn, which also runs through the northern part of the garden of the application property.
- This part of Old Hall Drive is generally characterised by detached dwellings of varying sizes and styles set in large, wooded plots. Many of these properties have been altered and extended, but a feeling of space is maintained throughout, particularly due to the distances between the buildings and the side boundaries and the extensive rear gardens.
- The application site slopes down from south to north, towards the stream, and this is typical of neighbouring properties. Immediately to the rear of the existing dwelling is a relatively level area of lawn, with a tree/shrub mass 25 metres beyond where the slope begins to steepen towards the watercourse.
- The adjacent property to the east is Pine Ridge, a detached two storey dwelling with two storey side and rear extensions. There is a rise in levels of approximately 1.5 metres to this adjacent site.
- The adjacent property to the west is Glen Cottage, a detached two storey dwelling with two storey side and rear extensions and a conservatory. There is a drop in levels of approximately 1.5 metres to this adjacent site.

Proposal Details

Summary of the Proposal

- The proposal is to demolish the existing house and build a new two storey, four bedroom house in a modern style.

Scale and External Elements

- The new house would be set roughly in the centre of the width of the plot. The main front wall would be set back 10m from the front boundary, with the front projection set back 6m from the main front wall.
- The width of the proposed house at 17m would be less than the 22m width of the existing house and so there would be open space on both side boundaries.
- The proposed new house would have a full height of 8m, while the existing house has an eaves height of 5m and a full height of 8m.
- The submitted plans show that the front of the house would have a flint stone cladding, with a chalk lime rendering on the flank walls.
- There would also be oak beams at the corners of the house.
- The windows frames would be a slate grey colour, with a slate grey zinc roof.
- There are several flank windows at ground and first floor although at first floor level these all serve non-habitable rooms and corridors etc.

Internal Configuration

- The submitted plans show that the proposal would consist of a single family unit, with kitchen, dining and living rooms on the ground floor and 4 bedrooms on the first floor.

- Purpose built storage would also be provided.
- As shown on the plans, the house would be considered to be a 4 bedroom, 8 person house.

Landscaping, Parking and Refuse

- The submitted plans show 2 x cars parked in the front garden with a large area of soft landscaping at the front and refuse storage also in the front garden. The existing tree in the front garden which has a Tree Protection Order (TPO) will be retained in the proposal.
- No cycle storage has been shown.

Revisions to Previous Application

The previously withdrawn application reference P/5976/15 has been amended so that:

- The dwelling has been moved further to the western side of the site by approximately 2m.

Relevant History

P/1093/16 – Works to a TPO Tree
GRANTED : 24/05/2016

P/1084/16 - Works to a TPO Tree
GRANTED : 06/06/2016

P/1036/16 – Works to a TPO Tree
GRANTED : 28/04/2016

P/5976/15 – Redevelopment to provide a two storey dwelling with parking, landscaping and bin storage
Decision Status : WITHDRAWN BY APPLICANT

P/2494/12 – Demolition of existing dwelling and construction of two storey dwelling with accommodation in roof space.
Refused : 09/11/2012

Reasons for Refusal:

1. *The proposed dwelling, by reason of excessive scale, bulk and siting in close proximity to the side boundaries, would result in a visually imposing, dominant and obtrusive form of development in the street scene which would be out of proportion and scale with neighbouring dwellinghouses, to the detriment of the character and appearance of the area, contrary to policies 7.4B and 7.6B of The London Plan (2011), core policy CS1B of Harrow Core Strategy (2012), saved policy D4 of the Harrow Unitary Development Plan (2004) and the adopted Supplementary Planning Document – Residential Design Guide (2010).*

2. *The proposed dwelling, by reason of excessive bulk, rearward projection and siting close to the western boundary of the site, would be a visually intrusive and dominant form of development when viewed from the rear garden and rear habitable rooms of Glen Cottage, resulting in an overbearing impact and loss of outlook to the occupiers of that property, contrary to saved policy D5 of the Harrow Unitary Development Plan (2004) and the adopted Supplementary Planning Document – Residential Design Guide (2010).*

P/1611/12 – Demolition of dwelling and construction of two storey detached dwelling with

accommodation in roof space
Decision: Withdrawn by applicant

HAR/21481/A – Alterations and Extensions
GRANTED : 1964

Applicant Submission Documents

- Tree Protection Plan Revision A May 2016
- Agricultural Survey to British Standard 5837:2012 dated 04/05/2016
- Drainage Plan 02 P1 ; Thames Water Consent
- Construction & Demolition Management Plan ARP/DR/0813/001 Dated 26/05/2016
- Construction Management Plan dated 17th May 2016
- Construction Logistics Plan (Version 2) dated 17th May 2016
- Ecological Data Search for Darien Report Reference 110 20 July 2015.

Consultations

Engineering Drainage Section- See Section 4 of this report.
The Pinner Association- No response received
Tree Officer- See Section 5 of this report
Highways Authority - See Section 6 of this report
Landscape Architect- See Section 2 of this report

Advertisement

- N/A

General Site Notice

Expiry Date: 23/06/2016

Notifications

Sent: 08
Replies: 03, plus one petition containing 8 signatures
Expiry: 10/06/2016

Summary of Responses

- The design of the house is not appropriate for the special character of the road.

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 the Development

LP: 3.8, DMP: DM1

Character and Appearance of the Area

LP: 7.4, 7.6, DMP: DM1, SPD: Residential Design Guide

Residential Amenity

LP: 3.5, 7.6

DMP: DM1

SPD: Residential Design Guide

Development and Flood Risk

DMP: DM9, DM10

Trees and Development

LP 7.21, DMP: DM22

Traffic and Parking/ Vehicle Crossover

LP: Table 6.2, DMP:DM42

Accessibility

Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings

SPG: Mayors Housing Guide 2012

Ecology and Biodiversity

LP: 7.19, DMP: DM20

Equalities

S17 Crime & Disorder Act

LP: 7.3, DMP: DM1

Consultation Responses

Principle of the Development

The land in which the proposed new dwelling would be erected on would constitute previously developed land, as the land is currently occupied by an existing house on site, with the increased depth of just over 4m which would be a permitted extension for a detached house. Therefore any development of the land would not be considered development of garden land, as identified within the Harrow Garden Land SPD (2013).

Harrow's Development Management Policies Local Plan 2013 states that all development must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted. Therefore, while the proposal is acceptable in principle, these issues will be addressed below.

Character and Appearance of the Area

Policy DM1 of the DMP seeks to ensure that "proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted". The

adopted Residential Design Guide SPD emphasises the importance of local character and design and gives guidance for appropriate development within Harrow.

A neighbour objection has been raised, stating that the modern design is inappropriate for the area, which will be addressed in this section of the report.

Proposed Design and Materials

Policy DM1. C of the Harrow Development Management Policies Local Plan (2013) states that all proposals should have regard to the context provided by neighbouring buildings and the local character and pattern of development in terms of their design. Paragraph 4.35 of the Residential Design Guide SPD states that where there is a strong coherence of building design, it is often appropriate to compliment what already exists. It goes on to state that rigid replication of existing development is not always desirable and in these instances, innovative building designs will be more appropriate. Paragraph 4.36 of the SPD states that irrespective of whether a development compliments the existing building fabric of an area or constitutes an innovative new style in its setting, the design must be of a high standard. Building designs which are harmful in their site and setting will not be accepted.

The existing building is not of specific architectural value or heritage value and so there is no objection to the loss of this structure. The proposed dwelling would have a contemporary style and would be notably different to the design of the existing dwelling on site. Neighbour objections have been made that this would not be appropriate for the existing special character of the road.

However, the site has not been designated as a Conservation Area, nor do any of the existing neighbouring houses have any special heritage or other designation. Aside from being larger detached houses, there is no specific built form around the application site. The existing pattern of development is for larger detached houses, with a variety of roof forms and finished in a variety of materials and colours and in this respect the proposal would be in keeping with this broad pattern, although it is acknowledged that the design is of a modern type, especially in terms of the roof form. The proposed new house would be set well within the boundaries of the site and the footprint of the new dwellinghouse would be much less wide than the existing dwellinghouse on site. It would be lower in height than the existing house, although as it has a flat roof rather than a pitched roof it would be of a similar scale as the existing house. In terms of size and siting it would be in keeping with the existing house on site and nearby neighbouring houses.

Paragraph 4.39 Residential Design Guide SPD states that in deciding whether to approve the materials details of a development, the Council may take into account the colour and texture of the bricks, rendering or other cladding to be used.

A slate grey colour zinc roof is proposed with a chalk lime rendering on the flank elevations, hardwood oak timber posts and beams, slate grey glazing frame in RAL Colour Chart 7015 and flint stone cladding to the front elevation. Photos and also samples of these materials have been provided. The Design and Access Statement has justified the use of flint to the front façade as being within the context of Pinner Parish Church and has justified the use of the chalk lime rendering due to the Pinner chalk quarry, a historic quarry in the area. While the chalk quarry is not a strong justification, there are white rendered houses both within the immediate street scene and the wider area and so this is considered acceptable. However, within the immediate street scene or the local area there are no examples of this type of flint finish. The Church is an exceptional stand-alone

historic building and so is not an appropriate comparison and the flint would appear incongruous within the context of the existing street scene and this would be considered unacceptable. Furthermore, while detailed information on the colour of the proposed window frames has been provided, there has not been sufficient information provided on the proposed material to be used for the window frame, which would also be unacceptable. However, the issue of materials can be resolved through a planning condition and would therefore not constitute a reason for refusal in itself. Therefore a condition has been attached requiring the applicant to provide further material samples that would be more appropriate for the local context.

In summary, the proposal, while it would differ in its architectural style to existing houses, it would be in keeping in terms of its size, footprint and siting. The backdrop of mature trees, including the large TPO protected tree at the front the size of the site and the set back from the road, would provide ample setting space for the proposed building and would ensure that it is not excessively prominent within the street scene. Therefore, with the requirement of alternative materials to the proposed flint and further information on the proposed window frames, for which a condition has been recommended, it is considered that the contemporary design would provide an interesting and visually acceptable form of development in keeping with policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the Residential Design Guide SPD.

Landscaping

Policy DM23 of the Harrow DM Policies states that where substantial hard landscaping is proposed, soft landscaping should also be retained in the forecourt of private houses. In the current proposal, there is a proposal for hard surfacing to provide car parking space for two cars. Due to the lack of street parking available, this is considered acceptable. Harrow's Landscape Architect has commented that the proposed soft landscaping is considered acceptable, with the inclusion of certain conditions, requiring implementation of the landscaping plan and further details on hard landscape materials, boundary treatment and ground levels.

Refuse Storage

Policy DM45 of the Harrow DM Policies states that proposal will be required to make on-site for provision of general waste and recycling waste, etc. Harrow's Landscape Architect has commented that only 2 refuse bins have been shown on the proposed plans, while 3 x refuse bins are required. This comment is acknowledged. However, there is sufficient space in the proposed refuse storage area to provide 3 x bins without harm to the servicing arrangement, the character of the area, or neighbours amenity and therefore the proposed arrangement is considered acceptable.

Residential Amenity

Policies DM1 seeks to "ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded.

Neighbouring Amenity

The neighbouring amenity concerns would relate to the adjacent neighbours at Glen Cottage on the western side and Pine Ridge on the north-eastern side.

Overlooking and Privacy

There are flank windows proposed at ground floor level on both eastern and western sides. On the western side adjacent to the neighbour at Glen Cottage, the distance from the flank windows to the boundary would be 4m. The adopted Residential Design Guide specifies that this is acceptable on a building this height in order to protect neighbouring amenity.

On the eastern side, the ground floor flank windows would be slightly under 3m from the boundary, but due to the site orientation and the distance from the main house at Pine Ridge to the shared boundary, the impact in terms of overlooking and loss of privacy would be acceptable in accordance with the Residential Design Guide SPD.

The first floor flank windows on the western side would serve a bathroom and a hallway, with the bathroom window high-level only. The submitted plans show that this would be obscure-glazed. A condition will be attached to ensure that these windows are obscure-glazed and high level only, to protect neighbouring amenity.

The first floor flank window on the eastern side serves a hallway. The submitted plans show that this would be obscure-glazed. A condition will be attached to ensure that these windows are obscure-glazed and high level only, to protect neighbouring amenity. There are no neighbours directly to the rear and so there would not be harm in terms of overlooking or loss of privacy to neighbours at the rear.

Light and Outlook

The proposed dwellinghouse would sit further forward than the neighbouring house at Pine Ridge to the east. It would comply with the 45 degree code when measured from the main front corner of this house. There is a front projection at two storeys on the near corner of Pine Ridge. However, this appears to not contain the primary windows to habitable rooms and there is a significant distance between the two houses. Therefore there would not be harm in terms of loss of light or outlook and the relationship between these two houses would be acceptable in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013) or the Residential Design Guide SPD.

The rear wall of the proposal would project beyond the main rear wall of the neighbour to the west at Glen Cottage. It would comply with the horizontal 45 degree code in relation to the first floor corner of this neighbouring house. It would project approximately 3m beyond the main rear wall of the conservatory at Glen Cottage. This is an acceptable relationship in accordance with the Residential Design Guide SPD. Furthermore, the proposed new dwelling would be replacing an existing house in a similar siting and of a similar scale and so the impact in terms of neighbouring amenity would be acceptable.

Amenity of Future Occupiers

The house would be considered to be of a sufficient size to be acceptable as 4 bedroom, 8 person house set over 2 floors. While built-in storage is not shown on the plans, the generous size and layout of the house is sufficient that there would not be harm to future occupier amenity due to this omission.

The outlook of all the habitable rooms would be considered acceptable and the floor to ceiling height of 2.50m on the ground floor and a minimum of 2.50m on the first floor would be considered sufficient to offer acceptable living accommodation to future occupiers.

Therefore the proposal is considered acceptable for future occupiers in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the Residential Design Guide SPD (2010).

Outdoor Amenity Space

Paragraph 4.60 of the adopted SPD states that for developments of traditional dwellinghouses, the size of the private garden to be provided should be proportionate to the size of the dwelling and the likely needs of the intended occupiers. The existing rear garden would be sufficient to provide an adequate garden.

Development and Flood Risk

The entire site is located within a Critical Drainage Area. The rear part of the site is located within Environment Agency Flood Zones 2 and 3, with the River Pinn running through the rear garden, although this is not in close proximity to the proposed new house. Policy DM10 was introduced to address surface water run-off and flood risk from developments. Policy DM9 of the Harrow Development Management Policies Local Plan (2013) states that proposal that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

The new house would have a smaller footprint than the existing dwelling on site and so would not exacerbate surface water or flooding concerns. The applicant has obtained Thames Water consent to connect to a public sewer/public lateral drain, which is considered acceptable.

It is acknowledged that although the applicant has applied to the Environment Agency for permission for the discharge of water in to the main river, this consent has not yet been received. It should be noted that even if planning permission were granted in this instance, the Environment Agency permission would still be required and without it the proposal would not be possible. An informative has been added to this report for the applicant's reference. In addition to this, a surface water drainage informative has been attached to address concerns and for the applicants information.

Therefore, with the additional requirements highlighted above, it is considered that the proposal meets the requirements of Policies DM9 and DM10 of the Harrow Development Management Policies Local Plan (2013).

Trees and Development

Policy DM1 of the Harrow Development Management Policies Local Plan (2013) states that the assessment of the design and layout of proposals will have regard to the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

Policy DM22 states that the removal of trees subject to TPO's or assessed as being of significant amenity value will only be considered acceptable where it can be demonstrated that the loss of the tree(s) is outweighed by the wider public benefits of the proposal.

The applicant has submitted an Arboricultural Report detailing the existing trees onsite, including the tree at the front which has a Tree Protection Order (TPO) and any potential impacts from the proposed development. The Council's Tree Officer has commented that the proposed measures and details within the Arboricultural Report are acceptable and the undertaking of this will form one of the conditions of the planning permission. The Tree Officer has also commented that a condition related to arboricultural supervision including installation of ground protection should be attached.

Based on this and subject to a safeguarding condition, it is considered that the proposed works would not have any detrimental impact on the health of these trees.

Therefore, subject to the safeguarding condition, it is considered that the proposed development would be in compliance with Policy 7.21 of The London Plan (2015), Policies DM1 and DM22 of the Harrow DM Local Plan (2013) and the guidance contained in the Council's adopted SPD Residential Design Guide (2010).

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'.

A condition has been attached to ensure that the proposed dwelling will meet regulation M4 (2) as far as possible and this were demonstrated before works commence.

Traffic and Parking/Construction Issues

The London Plan (2016) Table 6. 2 states that for a 4 or more bedroom house up to 2 parking spaces can be provided. The number of parking spaces on site has been specified in the application as two spaces in the front driveway. The Highways Authority has commented that this is acceptable.

The proposal would require sufficient cycle parking spaces in order to meet the London Plan standards. The Design and Access Statement has indicated that secure cycle storage be provided. There is sufficient space on site for this to be provided and so this is not considered to require a condition requiring provision of storage.

There is a potential for harmful impact on neighbouring amenity and the structural stability of the flint bridge, due to the fact that this is a tight, constrained site whereby large delivery vehicles and construction activity could impinge on neighbouring amenity.

A Construction Logistics Plan, Construction Management Plan and Construction and Demolition Management Plan have been submitted by the applicant. The response from the Highways Authority has stated additional information is required, specifically information related to the times of use of the highway, which they have recommended to be restricted to 09.30 to 15.30 hours. A condition has been recommended requiring a revised Construction Management and Logistics Plan to address this to be submitted to and approved by the Local Planning Authority. The Highways Authority has also stated that applicant should contact Highways Authority for a traffic order to suspend normal parking arrangements and that the footway requires reconstruction to accommodate a skip and that the verge needs to be removed and made a pedestrian walkway. An informative has been attached to inform the applicant of this requirement.

Ecology and Biodiversity

Policy 7.19C (a) of The London Plan (2012) states that development should, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity. Policy DM 20 of the Harrow Development Management Policies Local Plan (2013) relates to Protection of Biodiversity and Access to Nature. This states that proposals that would harmful to locally important biodiversity or increase deficiencies in access to nature will be resisted.

Part of the River Pinn runs through the far end of the rear garden. However, the application site is not within a designated area of importance for biodiversity, either at local or national level. The applicant has submitted an Ecological Data Search, which confirms that there are no sites with European or national statutory designation within the search area and no Local Nature Reserves. In the previously refused application at the site reference P/2494/12 Harrow Council's Biodiversity Officer commented that there is not suitable habitat for protected species present at the application site and therefore there are no issues or concerns related to this. There is no indication that the designations or site circumstances have changed within the relevant designations and so this comment is still valid in the current assessment.

Therefore it is not considered that there would be any harm to protected species or biodiversity and so the proposal would comply with Policy DM 20 of the Harrow Development Management Policies Local Plan (2013).

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

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

Consultation Responses

The following comment has been made in objection to the proposal:

- *The design of the house is not appropriate for the special character of the road. (Summerland)*
This has been addressed in Section 2 above and in the condition requiring amended materials that would be more appropriate for the site circumstances.

CONCLUSION

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

CONDITIONS

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

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and in accordance with any details that are to be submitted as required by planning conditions: Site Plan ; Location Plan ; 15152-15-01; 15152-15-02; 15152-15-03; External Finishes Sample Board ; 15152-15-16; Tree Protection Plan Revision A May 2016; Agricultural Survey to British Standard 5837:2012 dated 04/05/2016 ; Drainage Plan 02 P1 ; Thames Water Consent ; Construction & Demolition Management Plan ARP/DR/0813/001 Dated 26/05/2016 ; Construction Management Plan dated 17th May 2016 ; Construction Logistics Plan (Version 2) dated 17th May 2016 ; Ecological Data Search for Darien Report Reference 110 20 July 2015.

3 The window(s) in the first floor flank walls of the approved development shall:

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

REASON: To safeguard the amenity of neighbouring residents.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s), other than those shown on approved plan no windows shall be installed in the flank walls of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

5 Notwithstanding the submitted details and approved plans, the development hereby permitted shall not commence beyond damp proof course, until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

- a) Facing materials;
- b) Windows and doors;
- c) Rainwater goods.

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

REASON: To safeguard the appearance of the locality.

6 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local

planning authority considers should be protected in accordance with Policy DM22 of the Harrow Development Management Policies Local Plan (2013).

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development.

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 2015 and thereafter retained in that form.

REASON: To ensure that, where the development is capable of meeting 'Accessible and adaptable dwellings' standards and that the development complies with relevant policies. Details are required prior to commencement as the development would be unenforceable after this time.

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

10 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

- The boundary treatment
- Hardstanding

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

REASON: To safeguard the appearance of the locality.

11 Notwithstanding the submitted Construction Management Plan, no development shall take place, including any works of demolition, until a revised Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include the additional detail :

- i. Delivery times and access arrangements

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development which would otherwise fall within Class A in

Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling and to safeguard the amenity of neighbouring residents.

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2016)

3.5 Quality and Design of Housing Developments

3.8 Housing Choice

6.9 Cycling

6.13 Parking

7.2 An Inclusive Environment

7.3 Designing Out Crime

7.4 Local Character

7.6 Architecture

Harrow Core Strategy (2012)

CS1.B Local Character

CS1.K Lifetime Homes

Harrow Development Management Policies Local Plan (2013)

DM1 Achieving a High Standard of Development

DM9 Managing Flood Risk

DM10 On Site Water Management and Surface Water Attenuation

DM22 Trees and Landscaping

DM23 Streetside Greenness and Forecourt Greenery

DM27 Amenity Space

DM42 Parking Standards

DM45 Waste Management

Supplementary Planning Documents

Mayor of London Housing Supplementary Planning Guidance (2012)

Residential Design Guide Supplementary Planning Document (2010)

Accessible Homes Supplementary Planning Document (2010)

Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings

2 **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.

3 INFORMATIVE:

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

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

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

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

Also available for download from the Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

4 INFORMATIVE:

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service.

5 INFORMATIVE:

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.

6 INFORM 61_M

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 £12,180 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 £12,180 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 348 sqm

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

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

7 INFORM 62_M

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: (£38,280)

8 INFORMATIVE:

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.

9 INFORMATIVE

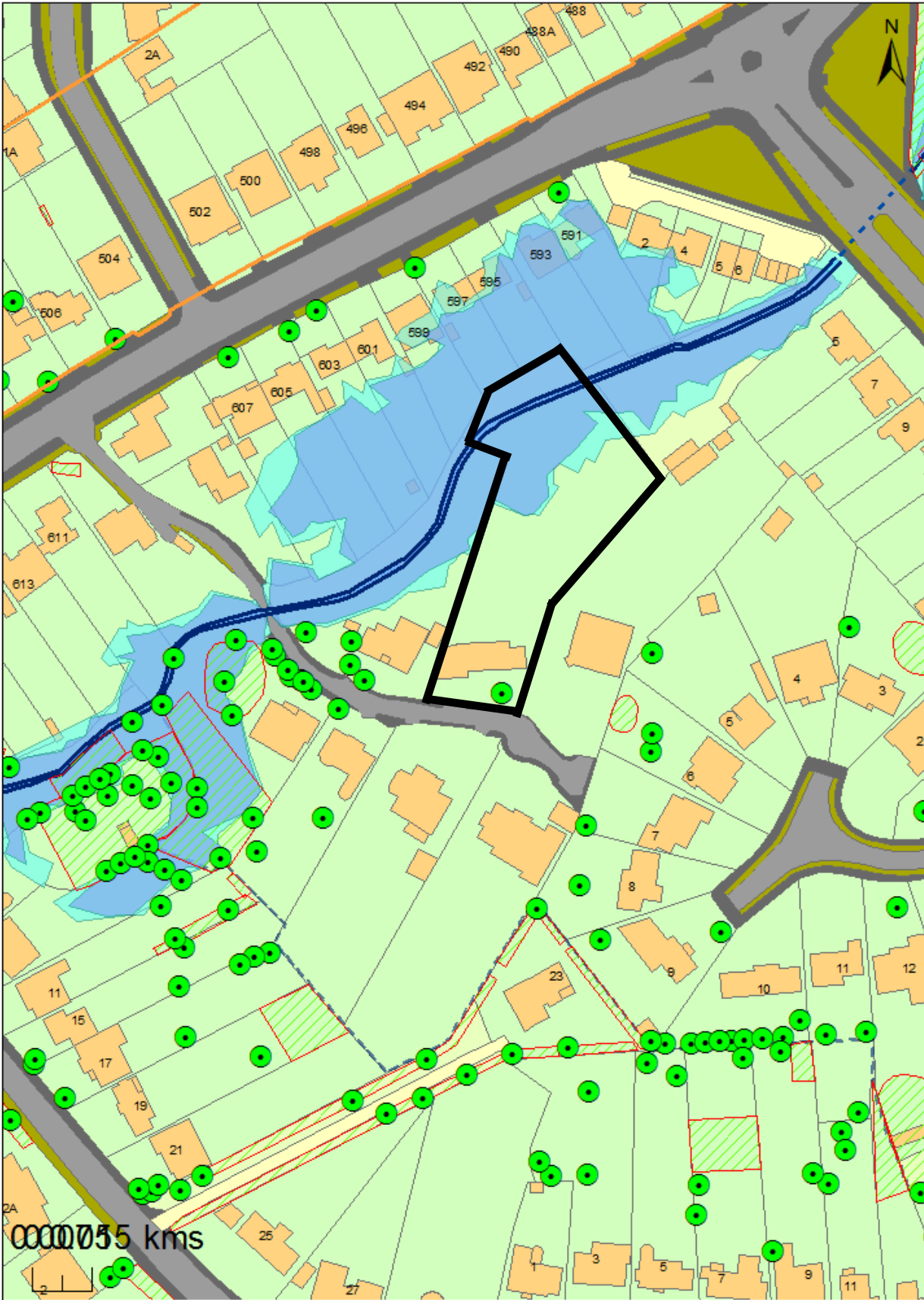
It is noted Environment Agency (EA) consent is required, in relation to connection to the river as highlighted in Section 4 above. In the event that this planning permission is granted, this will not supersede EA consent, which would still be required.

10 INFORMATIVE

The applicant is advised that they should contact Highways Authority for a traffic order to suspend normal parking arrangements and that the footway requires reconstruction to accommodate a skip and that the verge needs to be removed and made a pedestrian walkway.

Plan Nos: Site Plan ; Location Plan ; 15152-15-01; 15152-15-02; 15152-15-03; External Finishes Sample Board ; 15152-15-16; Tree Protection Plan Revision A May 2016; Arboricultural Survey to British Standard 5837:2012 dated 04/05/2016 ; Drainage Plan 02 P1 ; Thames Water Consent ; Construction & Demolition Management Plan ARP/DR/0813/001 Dated 26/05/2016 ; Construction Management Plan dated 17th May 2016 ; Construction Logistics Plan (Version 2) dated 17th May 2016 ; Ecological Data Search for Darien Report Reference 110 20 July 2015.

DARIEN, OLD HALL DRIVE, PINNER



© Crown copyright and database rights 2012 Ordnance Survey 100019206
DIGITAL MAP DATA (C) COLLINS BARTHOLOMEW LTD (2010)
Cities Revealed® aerial photography copyright The GeoInformation® Group, 2010



ITEM NO: 2/04

ADDRESS: WEST HOUSE GALLERY CAFE, WEST HOUSE, WEST END LANE, PINNER

REFERENCE: P/1792/16

DESCRIPTION EXTENSION OF PAVED TERRACE AND CONSTRUCTION OF LOW RISE WALL

WARD PINNER SOUTH

APPLICANT: MS CYNTHIA WELLS

AGENT: ORCHARD ASSOCIATES

CASE OFFICER: GRAHAM MANSFIELD

EXPIRY DATE: 20TH JUNE 2016 (EXTENDED EXPIRY; 22ND JULY)

RECOMMENDATION

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

INFORMATION:

This application is being reported to Planning Committee as Harrow Council are the landowner of the application site and the development would be located within a site which is greater than 0.1 hectares. The application also represents a departure from the development plan in proposed new development on designated Open Space. The application is therefore referred to the Planning Committee as it is excluded by Category 1(h) of Part 1 and Proviso D of the Scheme of Delegation dated 29 May 2013 respectively.

Statutory Return Type: Minor Development, all Other
Council Interest: None
Gross Floorspace: sqm
Net Additional Floorspace: 43.4sqm
GLA Community Infrastructure (CIL) Contribution: N/A
Harrow CIL contribution: N/A

Site Description

- The application site forms a section of the westernmost part of Pinner Memorial Park which is located to the west of Pinner District Centre.
- Pinner Memorial Park is designated as Open Space in the local plan.
- The site comprises the grounds of West House, a locally listed building, used currently as offices, a medical centre, café, and the surrounding car parking area and ancillary buildings.
- Permission was granted under planning application P/2618/13 for a new museum

building and link to West House, this is now nearing completion on site.

- The site is accessed off West End Lane.
- The wider expanse of the Pinner Memorial Park, a locally listed garden, comprise a bowling green and mature tree cover to the south, an ornamental lake and large expanses of open space to the east and north and a dwellinghouse, West House Lodge, immediately to the north of the site.
- West End Lane is primarily characterised by residential development with generously sized detached buildings. West Lodge School is located further to the south.
- A similar application has been assessed under planning application P/1796/16 for the retention of the existing terraced area

Proposal Details

- It is proposed to construct an extension to the existing terraced area adjacent to Daisy's Café within the ground floor of West House.
- It is proposed to use a similar paving material to what already exists on site.
- The proposed terraced area would measure 6.1m by 7.2m and would be bound by a low brick wall on the west, south and east side of the terrace
- The brick wall would measure approximately 6.4m in height and would rise to a height of 9.3m as the ground level drops towards the lake to the east.
- The proposed terrace and wall would be located close to trees of amenity value.

Relevant History

P/2412/06

PARTIAL DEMOLITION AND PART SINGLE AND PART TWO STOREY EXTENSION ON SOUTH SIDE TO PROVIDE CAFE EXHIBITION AND FUNCTION ROOMS NEW PITCHED ROOF INCORPORATING DORMERS OVER THE BUILDING TO PROVIDE OFFICE ACCOMMODATION AT LOFT LEVEL AND EXTERNAL ALTERATIONS
GRANTED : 03 November 2006

P/1016/11

CHANGE OF USE OF SECOND FLOOR FROM AN OFFICE TO A MEDICAL FACILITY (CLASS B1 TO CLASS D1)
GRANTED : 21 June 2011

P/2618/13

NEW TWO STOREY MUSEUM BUILDING WITH COVERED LINK TO EXISTING WEST HOUSE BUILDING
GRANTED : 18 October 2013

P/0973/15

DETAILS PURSUANT TO CONDITIONS 11 (CONSTRUCTION METHOD STATEMENT) AND 12 (SURFACE WATER STORAGE/ATTENUATION) ATTACHED TO PLANNING PERMISSION P/2618/13 DATED 18/10/13 FOR NEW TWO STOREY MUSEUM BUILDING WITH COVERED LINK TO EXISTING WEST HOUSE BUILDING;
APPROVED : 26 May 2015

P/3256/15

DETAILS PURSUANT TO CONDITION 3 (MATERIALS) OF PLANNING PERMISSION P/2618/13 DATED 18.10.2013 FOR NEW TWO STOREY MUSEUM BUILDING WITH COVERED LINK TO EXISTING WEST HOUSE BUILDING
APPROVED : 2nd September 2015

Pre-application discussion

- N/A

Applicant Submission Documents

- Design & Access Statement
- Arborio cultural Report

Consultations

Pinner Association

No response received

Harrow Council Parks

No Objections

Advertisement: Departure from Development Plan

Advert Expiry date: 14 July 2016

Site Notice Erected: 22 June 2016

Expiry: 13 July 2016

Notifications

1, 2 & 3 West House Cottages, West End Lane, Pinner, HA5 1AE

West House Lodge, 50 West End Lane, Pinner, HA5 1AE

Pinner Bowls Club, West End Lane, Pinner, HA5 1AE

Synergy Health Plus, West House, 50 West End Lane, Pinner, HA5 1AE

Sent: 6

Replies: 4

Expiry: 12 July 2016

Summary of Responses:

- A bottle neck resulting as a consequence of the low brick wall
- Restriction of access to the slope approaching the lake
- Permeability of the proposed paving
- Decrease the amount of space meant for the recreation of park users
- Suggestions for alternative locations for tables and chairs for café
- Balance of the café usage would restrict other park users.
- Long term Leaseholder not informed of planning application
- Covenant on the land stating the open space is solely for recreation and public benefit

APPRAISAL

The Development Plan

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

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

The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination

of this application.

In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan 2013 [SALP] and Harrow Local Area Map 2013 [LAP].

Procedural Issue

Though Harrow Council own the land on which development would take place, under the application Regulation 4 of The Town and Country Planning General Regulations 1992, Regulation 3 of those same Regulations does not apply as Harrow Council does not intend to develop the land.

MAIN CONSIDERATIONS

Development on Designated Open Space

Character and Appearance of the Area and Impact of Development on Locally Listed Buildings and Gardens

Trees and Development

Residential Amenity

Development and Flood Risk

Highways

Equalities Implications

S17 Crime & Disorder Act

Consultation Responses

Development on Designated Open Space

Pinner Memorial Park is designated as Open Space within the local plan. The Open Space has some built development on it at the western end including West House Lodge, a residential dwellinghouse and West House, a locally listed building. West House is currently used as café, office and medical centre. A museum is currently being constructed to house the William Heath Robinson Trust collection, a collection of artworks by the internationally renowned artist and illustrator William Heath Robinson.

Policy 7.18.B of the London Plan [LP] states that the loss of open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Policy DM18 of the DMP expands on the policies of the LP recognising a deficiency in the availability of local open spaces and the fact that quantitative improvements are unlikely to come forward. Given the price of land in the area and other pressures on land, a strategy of quantitative retention and qualitative improvement to open spaces is the most appropriate approach for the area. Policy DM18 of the DMP also expands on the policies of the LP, recognising that the survival of local open space relies on the use and value attributed to them by the community and that qualitative improvements of Open Space can be realised through the provision of ancillary facilities. Policy DM46 of the DMP supports community facilities which are located in the areas which they are intended to serve, they are safe and accessible and would not result in adverse impacts on residential amenity.

The proposed terrace would be located on part of the lawn which serves West House. As the terrace would be for a use which is clearly linked to an existing function of the Open Space, i.e. The café which serves the users of Pinner Memorial Park, it is considered that the proposal would constitute ancillary development of the Open Space that would

potentially have positive impacts on the use and value attributed to this area of Open Space. The development should therefore be assessed against the criteria of policy DM18.C of the DMP which state that development will be supported where:

- a. it is necessary to or would facilitate the proper functioning of the open space;*
- b. it is ancillary to the use(s) of the open space;*
- c. it would be appropriate in scale;*
- d. it would not detract from the open character of the site or surroundings;*
- e. it would not be detrimental to any other function that the open space performs; and*
- f. it would contribute positively to the setting and quality of the open space.*

The applicant has indicated that the extension of the terraced area is required for the continued vitality of the café which serves Pinner Memorial.

It is noted that an objection has been received in relation to the application in relation to the amount of space which would be lost as a result of the proposed terrace.

It has also been pointed by means of an objection that the proposed terrace would restrict access and detract from other uses of the open space.

However, given the existing nature of the space in terms of its poor nature of muddy soil and worn grass it is considered that the proposed terrace would facilitate a better function of the open space. Furthermore, due to the nature of the existing space it is considered that this area is not contributing positively to the use of the open space. Overall, it is considered that the provision of a high quality, purpose built space would attract a greater number of persons to the park to enjoy the open qualities of the space and thereby facilitate the proper functioning of the space. The proposal would have positive impacts on the vitality of the café which serves Pinner Memorial Park and the wider community. As such, it is considered that the proposal would accord with criteria a, b and e of policy DM18.C of the DMP.

Criteria c, d and f of policy DM18.C of the DMP will be considered in more detail in section 2 of the report below, where it is considered that the proposal would be proportionate in scale and that, on balance, the high quality design of the development would outweigh the moderately adverse impacts on the open character of the site and its surroundings.

For these reasons, and noting the objections received it is considered that the principle of the proposed use can be supported in this instance and development would accord with policy DM18 of the DMP.

Character and Appearance of the Area and Impact of Development on Open Space, Locally Listed Buildings and Gardens

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 reflects policies 7.4.B and 7.6.B of The London Plan 2016 and gives effect to policy CS1.B of the Harrow Core Strategy 2012, policies which seek to ensure that development respects local character and provides architecture of proportion, composition and scale that enhances the public realm. Criteria c, d, and f of policy DM18.C are also relevant to this application given the nature of the proposal within designated Open Space.

Policy CS1.D of the Harrow Core Strategy 2012 and policy DM7 of the DMP are also relevant given the location of the site within a locally listed historic garden and adjacent to the locally listed West House. These policies seek to ensure that the historic environment

would not be compromised by development. The NPPF and policy 7.8.C/D/E of The London Plan 2016 set out similar aims.

The application site is partly defined by its open and spacious setting within the designated Open Space of Pinner Memorial Park but also within the more suburban environment of the locally listed West House and West End Lane and the dwellinghouse immediately to the north, West End Lodge.

It is considered that the scale and layout of the paved terrace would successfully relate to the surrounding environment, whilst also ensuring that important views of the locally listed West House and the dwellinghouse are not adversely affected. Furthermore, due the low nature of the proposed wall around the terrace, it is considered that views towards the locally listed building would not be unduly impacted.

The Council's Conservation Officer has commented on the application and considers that the development preserves the special interest and character of both heritage assets. It also helps ensure the ongoing vitality of both the museum and café.

Nonetheless, development on an area of land not previously built upon would have some impact on the open qualities of the space. The paved terrace does contribute to the setting of the open space, albeit only moderately given the quality of the existing space which is predominately bare earth and the scale of the development proposed. It is considered that the loss of this space would have a moderately adverse impact on the open qualities of the Open Space. However, this loss would be outweighed by the public benefits of the proposed extended terrace.

An objection has been received in relation to the permeability of the proposed paving.

It is proposed to use a similar permeable material to the existing terraced area and it is considered that this treatment would be suitable for the intended use. Notwithstanding this a condition is attached to this permission requiring the submission of materials for the terrace and the low brick wall the character to ensure the character of the area is maintained. Furthermore a condition has been attached to this permission requiring the paving materials to be of a permeable nature.

For these reasons, and noting the objections received, it is considered that the proposed development would accord with policies 7.4.B, 7.6.B and 7.8.C/D/E of the LP and policies DM1, DM7 and DM18 of the DMP, in providing high quality architecture that would enhance the visual and cultural qualities of the locality whilst respecting the scale and siting of the surrounding context.

Trees and Development

The extended terrace area would be sited close to two trees of significance adjacent to the eastern and northern edge of the proposed terraced area, a swamp cypress tree and a silver fir tree. The proposal would be close to these trees of amenity value and therefore it is vital that the health of the trees are not unduly impacted by the proposed hardstanding.

An arboricultural report and tree protection plan has been submitted as part of the application which sets out procedures for ensuring the protection of the adjacent trees during the construction phase.

The Council's Arboricultural Officer has reviewed the application and subject to the

remediation measures suggested for the protection of these trees, considers that the development does not have any adverse impact on the existing or future health or setting of those trees of amenity value on the site.

Subject to conditions then, the development would accord with policy 7.19 and 7.21 of the LP and policies DM20 and DM22 of the DMP.

Amenity

Policy 7.6.B of The London Plan (2016) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Policy DM1 of the DMP similarly seeks to ensure that the amenities and privacy of neighbouring occupiers is not adversely affected by development.

Given the nature of the development, the paved terrace would not impact on any of the adjacent properties in terms of residential amenity. Furthermore, the modest height of the brick wall surrounding the proposed terrace would ensure that neighbouring residential amenity is maintained.

Notwithstanding the above, it has been necessary to attach conditions to this permission restricting the times of use of the terrace and to prevent undue noise impacting on neighbouring residents.

Subject to these conditions, the development therefore accords with policy 7.6.B and policy DM1 of the DMP in ensuring that the amenities of the neighbouring occupiers are not adversely affected.

Development and Flood Risk

The site is not located within a flood zone. However, given the potential for the site to result in higher levels of water discharge into the surrounding drains which could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall. With regards to surface water run-off and surface water attenuation, it has been necessary to attach a condition to this permission. Subject to such condition the development would accord with National Planning Policy, The London Plan policy 5.12.B/C/D and policy DM9 of the DMP.

Highways

The Council's Highways Officer has commented on the application and notes that there may be an increase in demand for parking but it is unlikely to be consistent throughout the day; as there are likely to be peaks such as at lunchtime.

However, as the surrounding Car parking Zone only operates for 1 hour per day and there is capacity in the surrounding streets and Chapel Lane car park is only a short walk away. The impact on car parking pressure would be satisfactory.

As such, the development would accord with National Planning Policy, The London Plan policy 6.9 and 6.13 and policy DM42 of the DMP.

Equalities Implications

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

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application would not have any impact on equalities.

S17 Crime & Disorder Act 1998

Policies 7.3.B and 7.13.B of The London Plan and policy DM1 of the Development Management Policies Local Plan 2013 require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development proposal does not present any issues in terms of crime or safety.

Consultation responses

- Decrease the amount of space meant for the recreation of park users
- Balance of the café usage would restrict other park users.

These issues are addressed in the above report

- A bottle neck resulting as a consequence of the low brick wall
- Restriction of access to the slope approaching the lake

These are not material planning considerations, the proposed brick wall would not encroach onto the existing access path adjacent to the east elevation of West House and access around the lakeside would still be maintained

- Permeability of the proposed paving

This is addressed in the above report

- Suggestions for alternative locations for tables and chairs for café

Each planning application is assessed on its own merits

- Long term Leaseholder not informed of planning application

Certificate B of the planning application form was served on other leaseholder of West House on 21st June 2016. A further notice of the planning application was sent on the same date

- Covenant in relation to the open space for solely recreation, benefit and public use

The details of covenants are not a material planning consideration

CONCLUSION

As the proposal would involve development on designated Open Space, the proposal would represent a departure from the development plan. However, it is considered that the moderately adverse environmental impacts of development on Open Space would be offset by the high quality design of the development proposed. The proposal would have a positive impact on social and economic impacts in enhancing the quality and value of the Open Space, enhancing cultural quality and access to culture in the area and potentially attracting tourism and investment to the locality.

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, it is considered that a departure from the development is justified in this instance and the application is recommended for grant.

CONDITION:

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 Notwithstanding the details of materials shown on the approved drawings, the development hereby permitted shall not commence until samples of the materials to be used in the construction of the all external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

a: the proposed wall materials

b: the ground surfacing

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

REASON: To ensure a satisfactory form of development and safeguard the appearance of the locality.

3 The erection of fencing for the protection of any retained tree and the lopping of any trees shall be undertaken in accordance with the recommendations outlined in the approved Arboricultural Impact Assessment by Arbol Euroconsulting dated 8th June 2016 and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. No works to trees, including their removal or lopping shall occur between the months of March to August (inclusive).

REASON: To safeguard any trees near the site of amenity value and mitigate the impact of development on local ecology and in the interests of site ecology.

4 The development hereby permitted shall be carried out in accordance with the following approved plans and documents (and any other documents required to discharge conditions): 562/11; 562/12; 562/13; 562/14; 563/10; Tree Protection Plan dated 08/06/16; Design and Access Statement; Arboricultural Impact Assessment

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

5 The development hereby permitted shall not be commenced until works for the disposal of surface water and surface water storage and attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk.

6 The terrace hereby permitted shall not be open to customers outside the following times:-

8am – 9pm Monday – Sunday inclusive without the prior permission in writing by the local planning authority.

REASON: To safeguard the residential amenities of nearby residents.

7 All tables, chairs and furniture relating to the use of the terrace shall be removed from the terrace and stored away when not in use (9pm – 8am the following day).

REASON: To ensure the openness of the site is retained when not in use.

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

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents.

INFORMATIVES:

1 INFORMATIVE:

The following National Planning Policy, the policies and proposals in The London Plan 2016, the Harrow Core Strategy 2012 and Development Management Policies Local Plan 2013 are relevant to this decision:

National Planning Policy Framework 2012

The London Plan 2015: 5.3.B, 6.3.A/B/C, 6.9; 6.10.B, 6.13.C/D/E, 7.4.B, 7.6.B, 7.8.C/D/E, 7.18.B, 7.19.C/D/E, 7.21.B

The Harrow Core Strategy: CS1.A/B/D/F/G

Development Management Policies Local Plan 2013: DM1, DM7, DM18, DM20, DM22, DM42

2 INFORMATIVE:

Notwithstanding the planning permission hereby permitted, further consent is required for the proposed works from Harrow Council Estates department.

3 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.

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 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 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.

Plan Nos: 562/11; 562/12; 562/13; 562/14; 563/10; Tree Protection Plan dated 08/06/16; Design and Access Statement; Arboricultural Impact Assessment

WEST HOUSE GALLERY CAFE, WEST HOUSE, WEST END LANE, PINNER



© Crown copyright and database rights 2012 Ordnance Survey 100019206
DIGITAL MAP DATA (C) COLLINS BARTHOLOMEW LTD (2010)
Cities Revealed® aerial photography copyright The GeoInformation® Group, 2010



ITEM NO: 2/05

ADDRESS: WEST HOUSE GALLERY CAFE, WEST HOUSE, WEST END LANE,
PINNER

REFERENCE: P/1796/16

DESCRIPTION PAVED TERRACE TO CAFÉ (RETROSPECTIVE)

WARD PINNER SOUTH

APPLICANT: MS CYNTHIA WELLS

AGENT: ORCHARD ASSOCIATES

CASE OFFICER: GRAHAM MANSFIELD

EXPIRY DATE: 20TH JUNE 2016 (EXTENDED EXPIRY; 22ND JULY)

RECOMMENDATION

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

INFORMATION:

This application is being reported to Planning Committee as Harrow Council are the landowner of the application site and the development would be located within a site which is greater than 0.1 hectares. The application also represents a departure from the development plan in proposed new development on designated Open Space. The application is therefore referred to the Planning Committee as it is excluded by Category 1(h) of Part 1 and Proviso D of the Scheme of Delegation dated 29 May 2013 respectively.

Statutory Return Type: Minor Development, all Other
Council Interest: None
Gross Floorspace: 0sqm
Net Additional Floorspace: 59sqm
GLA Community Infrastructure (CIL) Contribution: N/A
Harrow CIL contribution: N/A

Site Description

- The application site forms a section of the westernmost part of Pinner Memorial Park which is located to the west of Pinner District Centre.
- Pinner Memorial Park is designated as Open Space in the local plan.
- The site comprises the grounds of West House, a locally listed building, used currently as offices, a medical centre, café, and the surrounding car parking area and ancillary buildings.
- Permission was granted under planning application P/2618/13 for a new museum building and link to West House, this is now nearing completion on site.

- The site is accessed off West End Lane.
- The wider expanse of the Pinner Memorial Park, a locally listed garden, comprise a bowling green and mature tree cover to the south, an ornamental lake and large expanses of open space to the east and north and a dwellinghouse, West House Lodge, immediately to the north of the site.
- West End Lane is primarily characterised by residential development with generously sized detached buildings. West Lodge School is located further to the south.
- A similar application has been assessed under planning application P/1792/16 for the extension of the existing terraced area

Proposal Details

- The proposal seeks permission for an existing terraced area adjacent to Daisy's Café within the ground floor of West House.
- The terrace was constructed without permission in 2014.
- The terraced area measures 8.3m by 7.2m
- The existing terrace is located around a tree of amenity value.

Relevant History

P/2412/06

PARTIAL DEMOLITION AND PART SINGLE AND PART TWO STOREY EXTENSION ON SOUTH SIDE TO PROVIDE CAFE EXHIBITION AND FUNCTION ROOMS NEW PITCHED ROOF INCORPORATING DORMERS OVER THE BUILDING TO PROVIDE OFFICE ACCOMMODATION AT LOFT LEVEL AND EXTERNAL ALTERATIONS

GRANTED : 03 November 2006

P/1016/11

CHANGE OF USE OF SECOND FLOOR FROM AN OFFICE TO A MEDICAL FACILITY (CLASS B1 TO CLASS D1)

GRANTED : 21 June 2011

P/2618/13

NEW TWO STOREY MUSEUM BUILDING WITH COVERED LINK TO EXISTING WEST HOUSE BUILDING

GRANTED : 18 October 2013

P/0973/15

DETAILS PURSUANT TO CONDITIONS 11 (CONSTRUCTION METHOD STATEMENT) AND 12 (SURFACE WATER STORAGE/ATTENUATION) ATTACHED TO PLANNING PERMISSION P/2618/13 DATED 18/10/13 FOR NEW TWO STOREY MUSEUM BUILDING WITH COVERED LINK TO EXISTING WEST HOUSE BUILDING;

APPROVED : 26 May 2015

P/3256/15

DETAILS PURSUANT TO CONDITION 3 (MATERIALS) OF PLANNING PERMISSION P/2618/13 DATED 18.10.2013 FOR NEW TWO STOREY MUSEUM BUILDING WITH COVERED LINK TO EXISTING WEST HOUSE BUILDING

APPROVED : 2nd September 2015

P/1686/16;

ENLARGEMENT OF CAR PARK; RELOCATION OF BIN STORE, CYCLE RACKS, PAYMENT KIOSK AND INFORMATION BOARD;

NOT YET DETERMINED

P/1792/16;
EXTENSION OF PAVED TERRACED;
NOT YET DETERMINED

Pre-application discussion

- N/A

Applicant Submission Documents

- Design & Access Statement
- Arborio cultural Report

Consultations

Pinner Association: No response received

Harrow Council Parks : No Objections

Advertisement: Departure from Development Plan

Advert Expiry date: 14 July 2016

Site Notice Erected: 22 June 2016

Expiry: 13 July 2016

Notifications

1, 2 & 3 West House Cottages, West End Lane, Pinner, HA5 1AE

West House Lodge, 50 West End Lane, Pinner, HA5 1AE

Pinner Bowls Club, West End Lane, Pinner, HA5 1AE

Synergy Health Plus, West House, 50 West End Lane, Pinner, HA5 1AE

Sent: 6

Replies: 3

Expiry: 12 July 2016

Summary of Responses:

- Permeability of the paving
- Covenant in relation to the open space for solely recreation, benefit and public use
- Impact on the swamp cypress tree
- Overspill of the café into the public park

APPRAISAL

The Development Plan

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

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

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

In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan 2013 [SALP] and Harrow Local Area Map 2013 [LAP].

Procedural Issue

Though Harrow Council own the land on which development would take place, under the application Regulation 4 of The Town and Country Planning General Regulations 1992, Regulation 3 of those same Regulations does not apply as Harrow Council does not intend to develop the land.

MAIN CONSIDERATIONS

Development on Designated Open Space

Character and Appearance of the Area and Impact of Development on Locally Listed Buildings and Gardens

Trees and Development

Residential Amenity

Development and Flood Risk

Highways

Equalities Implications

S17 Crime & Disorder Act

Consultation Responses

Development on Designated Open Space

Pinner Memorial Park is designated as Open Space within the local plan. The Open Space has some built development on it at the western end including West House Lodge, a residential dwellinghouse and West House, a locally listed building. West House is currently used as café, office and medical centre. A museum is currently being constructed to house the William Heath Robinson Trust collection, a collection of artworks by the internationally renowned artist and illustrator William Heath Robinson.

Policy 7.18.B of the London Plan [LP] states that the loss of open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Policy DM18 of the DMP expands on the policies of the LP recognising a deficiency in the availability of local open spaces and the fact that quantitative improvements are unlikely to come forward. Given the price of land in the area and other pressures on land, a strategy of quantitative retention and qualitative improvement to open spaces is the most appropriate approach for the area. Policy DM18 of the DMP also expands on the policies of the LP, recognising that the survival of local open space relies on the use and value attributed to them by the community and that qualitative improvements of Open Space can be realised through the provision of ancillary facilities. Policy DM46 of the DMP supports community facilities which are located in the areas which they are intended to serve, they are safe and accessible and would not result in adverse impacts on residential amenity.

The existing terrace is located on part of the lawn which serves West House. As the terrace is linked to use which is clearly linked to an existing function of the Open Space, i.e. The café which serves the users of Pinner Memorial Park, it is considered that the existing terraced area would constitute ancillary development of the Open Space that would potentially have positive impacts on the use and value attributed to this area of Open Space. The development should therefore be assessed against the criteria of policy DM18.C of the DMP which state that development will be supported where:

- a. it is necessary to or would facilitate the proper functioning of the open space;
- b. it is ancillary to the use(s) of the open space;
- c. it would be appropriate in scale;
- d. it would not detract from the open character of the site or surroundings;
- e. it would not be detrimental to any other function that the open space performs; and
- f. it would contribute positively to the setting and quality of the open space.

The applicant has indicated that the retention of the terraced area is required for the continued vitality of the café which serves Pinner Memorial Park.

Overall, it is considered that the provision of a high quality, purpose built space attracts a greater number of persons to the park to enjoy the open qualities of the space and thereby facilitate the proper functioning of the space. The existing terrace provides positive impacts on the vitality of the café which serves Pinner Memorial Park and the wider community. As such, it is considered that the development accords with criteria a, b and e of policy DM18.C of the DMP.

Criteria c, d and f of policy DM18.C of the DMP will be considered in more detail in section 2 of the report below, where it considered that the terrace is proportionate in scale and that, on balance, the high quality design of the development would outweigh the moderately adverse impacts on the open character of the site and its surroundings.

For these reasons, it is considered that the principle of the use can be supported in this instance and development would accord with policy DM18 of the DMP.

Character and Appearance of the Area and Impact of Development on Open Space, Locally Listed Buildings and Gardens

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 2016 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. Criteria c, d, and f of policy DM18.C are also relevant to this application given the nature of the proposal within designated Open Space.

Policy CS1.D of the Harrow Core Strategy 2012 and policy DM7 of the DMP are also relevant given the location of the site within a locally listed historic garden and adjacent to the locally listed West House. These policies seek to ensure that the historic environment would not be compromised by development. The NPPF and policy 7.8.C/D/E of The London Plan 2015 set out similar aims.

The application site is partly defined by its open and spacious setting within the designated Open Space of Pinner Memorial Park but also within the more suburban environment of the locally listed West House and West End Lane and the dwellinghouse immediately to the north, West End Lodge.

It is considered that the scale and layout of the paved terrace successfully relates to the surrounding environment, whilst also ensuring that important views of the locally listed West House and the dwellinghouse are not adversely affected.

The Council's Conservation Officer has commented on the application and considers that the development preserves the special interest and character of both heritage assets. It also

helps ensure the ongoing vitality of both the museum and café.

Nonetheless, development on an area of land not previously built upon would have some impact on the open qualities of the space. The paved terrace does contribute to the setting of the open space, albeit only moderately. It is considered that the loss of the former grassed space would have a moderately adverse impact on the open qualities of the Open Space. However, this loss would be outweighed by the public benefits of the terrace. Notwithstanding the above, a condition has been added to this permission requiring the removal of furniture when not in use to maintain the openness of the park.

An objection indicates concerns regarding the permeability of the existing terrace area. The material used for the existing terraced area consists of paving slabs laid on crushed mortar. There are gaps between the slabs and gravel around the base of the existing tree allowing drainage. The existing paving material is identical to the paving laid to the front of West House and is considered to be suitable for the intended use and harmonises with the paving adjacent to West House. Furthermore the material for the terrace does not detract from the appearance of the surrounding open space.

For these reasons, it is considered that the development would accord with policies 7.4.B, 7.6.B and 7.8.C/D/E of the LP and policies DM1, DM7 and DM18 of the DMP, in providing high quality architecture that would enhance the visual and cultural qualities of the locality whilst respecting the scale and siting of the surrounding context.

Trees and Development

The existing terrace area is sited around a swamp cypress tree which is considered to be of significant amenity value.

An arboricultural report highlights that no ill-effects have been noted to the swamp cypress in terms of the terrace located around its' base. The report states that the tree has a good vitality and suggests that the terrace is retained, as moving it could cause irreparable root damage.

The Council's Arboricultural Officer has reviewed the application and is satisfied with the arboricultural report provided. As such the development accords with policy 7.19 and 7.21 of the LP and policies DM20 and DM22 of the DMP.

Amenity

Policy 7.6.B of The London Plan (2016) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Policy DM1 of the DMP similarly seeks to ensure that the amenities and privacy of neighbouring occupiers is not adversely affect by development.

Given the nature of the development, the paved terrace does not impact on any of the adjacent properties in terms of residential amenity. However, it has been necessary to attach conditions to this permission in relation to audible noise and restrictions in relation to the hours of use.

Subject to these conditions, the development would accord with policy 7.6.B and policy DM1 of the DMP in ensuring that the amenities of the neighbouring occupiers are not adversely affected.

Development and Flood Risk

The site is not located within a flood zone. However, given the potential for the site to result in higher levels of water discharge into the surrounding drains which could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall. With regards to surface water run-off and surface water attenuation, it has been necessary to attach a condition to this permission. Subject to such condition the development would accord with National Planning Policy, The London Plan policy 5.12.B/C/D and policy DM9 of the DMP.

Highways

The Council's Highways Officer has commented on the application and notes that there may be an increase in demand for parking but it is unlikely to be consistent throughout the day; as there are likely to be peaks such as at lunchtime.

However, as the surrounding Car parking Zone only operates for 1 hour per day and there is capacity in the surrounding streets and Chapel Lane car park is only a short walk away. The impact on car parking pressure would be satisfactory.

As such, the development would accord with National Planning Policy, The London Plan policy 6.9 and 6.13 and policy DM42 of the DMP.

Equalities Implications

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

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application would not have any impact on equalities.

S17 Crime & Disorder Act 1998

Policies 7.3.B and 7.13.B of The London Plan and policy DM1 of the Development Management Policies Local Plan 2013 require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development proposal does not present any issues in terms of crime or safety.

Consultation responses

- Permeability of the paving
- Impact on the swamp cypress tree
- Overspill of the café into the public park

This is addressed in the above report

- Covenant in relation to the open space for solely recreation, benefit and public use
- The details of covenants are not a material planning consideration*

CONCLUSION

As the existing terrace would involve development on designated Open Space, the development would represent a departure from the development plan. However, it is considered that the moderately adverse environmental impacts of development on Open Space would be offset by the high quality design of the development. The terrace has a positive impact on social and economic impacts in enhancing the quality and value of the Open Space, enhancing cultural quality and access to culture in the area and potentially attracting tourism and investment to the locality.

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, it is considered that a departure from the development is justified in this instance and the application is recommended for grant.

CONDITION:

1 The development hereby permitted shall be retained in accordance with the following approved plans and documents: 563/10; 562/11 Rev A; Tree Protection Plan dated 08/06/16; Design and Access Statement; Arboricultural Impact Assessment.

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

2 The development hereby permitted shall not be commenced until works for the disposal of surface water and surface water storage and attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk.

3 The terrace hereby permitted shall not be open to customers outside the following times:- 8am – 9pm Monday – Sunday inclusive without the prior permission in writing by the local planning authority.

REASON: To safeguard the residential amenities of nearby residents.

4 All tables, chairs and furniture relating to the use of the terrace shall be removed from the terrace and stored away when not in use (9pm – 8am the following day).

REASON: To ensure the openness of the site is retained when not in use.

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

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents in accordance.

INFORMATIVES:

1 INFORMATIVE:

The following National Planning Policy, the policies and proposals in The London Plan 2016, the Harrow Core Strategy 2012 and Development Management Policies Local Plan 2013 are relevant to this decision:

National Planning Policy Framework 2012

The London Plan 2016: 5.3.B, 6.3.A/B/C, 6.9, 6.10.B, 6.13.C/D/E, 7.4.B, 7.6.B, 7.8.C/D/E, 7.18.B, 7.19.C/D/E, 7.21.B

The Harrow Core Strategy: CS1.A/B/D/F/G

2 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 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: 563/10; 562/11 Rev A; Tree Protection Plan dated 08/06/16; Design and Access Statement; Arboricultural Impact Assessment

WEST HOUSE GALLERY CAFE, WEST HOUSE, WEST END LANE, PINNER



© Crown copyright and database rights 2012 Ordnance Survey 100019206
DIGITAL MAP DATA (C) COLLINS BARTHOLOMEW LTD (2010)
Cities Revealed® aerial photography copyright The GeoInformation® Group, 2010



SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.