

**HARROW COUNCIL**

**ADDENDUM**

**PLANNING COMMITTEE**

**DATE : 14<sup>th</sup> December 2017**

1/01	Please refer to <b>Appendix 1</b> (page 15)										
1/02	<p><b>Addendum Item 1:</b> Page 91 – RECOMMENDATION:</p> <p><b>REPLACE</b> item (i) with:</p> <p>i) To provide a total of four shared ownership flats (3 x 1-bed, 2 person units and 1 x 2-bed, 4 person unit) as an Affordable Housing Contribution. This Heads of Terms will also include a requirement for a viability review mechanism at 80% sales.</p> <p><b>Addendum Item 2:</b> Page 94 <b>REPLACE</b> LIST OF ENCLOSURES / APPENDICES with:</p> <p>Officer Report: Part 1: Planning Application Fact Sheet Part 2: Officer Assessment Appendix 1 – Conditions and Informatives Appendix 2 – Site Plan Appendix 3 – Site Photographs Appendix 4 – Plans and Elevations Appendix 5 – Objection letter/Response to objection</p> <p><b>Addendum Item 3:</b> Page 99 – Paragraph 4.4</p> <p><b>REPLACE</b> table with:</p> <table border="1" data-bbox="236 1727 1425 1955"> <tr> <td>Number of Letters Sent</td> <td>170</td> </tr> <tr> <td>Number of Responses Received</td> <td>10</td> </tr> <tr> <td>Number in Support</td> <td>0</td> </tr> <tr> <td>Number of Objections</td> <td>10</td> </tr> <tr> <td>Number of other Representations (neither objecting or supporting)</td> <td>0</td> </tr> </table>	Number of Letters Sent	170	Number of Responses Received	10	Number in Support	0	Number of Objections	10	Number of other Representations (neither objecting or supporting)	0
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	<p><b><u>Addendum Item 4:</u></b></p> <p>Page163 –  <b>ADD</b>– Objection letter/Response to objection – please refer to <b>Appendix 2</b> (page 31)</p>
1/03	Please refer to <b>Appendix 3</b> (page 36)
1/04	<p><b><u>HEADS OF TERMS UPDATE</u></b>  <b>(Page 168)</b></p> <p><b>ADD</b> the following heads of term:</p> <ul style="list-style-type: none"> <li>• The developer to ensure the effective implementation, monitoring and management of the travel plan for the site upon first occupation of the development.</li> <li>• A financial contribution for a Travel Plan Remedial Sum of £10,000.</li> <li>• A financial contribution for a Travel Plan monitoring fee of £5000.</li> </ul> <p><b><u>INFORMATION UPDATE</u></b>  <b>(Page 169)</b></p> <p><b>AMEND</b> Statutory Return Type to: Minor Development</p> <p><b><u>CONSULTATION UPDATE</u></b>  <b>(Page 182)</b></p> <p><u>LBH Travel Planner:</u>  The Travel Plan is acceptable. Financial contributions should be secured in respect of a Travel plan Remedial Sum and Monitoring fee to secure the effective implementation of the Travel Plan.</p> <p><u>LBH Environmental Health:</u>  There is no indication of any ventilation or extract facility, or any evidence to show that they are meeting the criteria set out in both BS4142 and BS8233. Therefore please can the following conditions be added:  No air extraction system shall be used on the premises until a scheme for the control of noise, fumes and odours emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.</p> <p>Deliveries and collections, including waste collections, shall be restricted to the following hours: 0800 hrs to 1800 hrs Monday to Fridays; 0800 hrs to 1300 hrs on Saturdays; and not at all on Sundays and Bank Holidays.</p> <p>Before the development hereby approved commences, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, hours of work, noise and vibration, air quality, waste management, plant and equipment,</p>

external lighting, site transportation, and permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction. Appropriate arrangement should be made for monitoring and responding to complaints relating to demolition and construction. All demolition, construction and enabling work at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the LPA.

**Officer Comment:** This is already covered by condition 3.

The rating level of noise emitted from plant and/or machinery at the development shall be at least 10dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with the latest version of British Standard 4142.

### **CONDITIONS UPDATE**

**(Page 202)**

**ADD** the following conditions:

#### Air Extraction System

No air extraction system shall be used on the premises until a scheme for the control of noise, fumes and odours emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

Reason: To ensure that potential adverse noise, fumes and odours impacts to residential premises within the development are mitigated in accordance with Policy 7.15 of the London Plan (2016), and to ensure a high standard of amenity for future occupiers in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

#### Deliveries and Servicing Restriction

Deliveries and collections, including waste collections, shall be restricted to the following hours: 0800 hrs to 1800 hrs Monday to Fridays; 0800 hrs to 1300 hrs on Saturdays; and not at all on Sundays and Bank Holidays.

Reason: To ensure that potential adverse noise impacts to residential premises within the development are mitigated in accordance with Policy 7.15 of the London Plan (2016), and to ensure a high standard of amenity for future occupiers in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

#### Noise 3

The rating level of noise emitted from plant and/or machinery at the development shall be at least 10dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with the latest version of British Standard 4142.

Reason: To ensure that potential adverse noise impacts to residential premises within the development are mitigated in accordance with Policy 7.15 of the London Plan (2016), and to ensure a high standard of amenity for future occupiers in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

**INFORMATIVES UPDATE**  
**(Page 208)**

**ADD** the following informative:

Drainage

The applicant is advised to contact TW Developer Services for consent to discharge additional foul water from the proposed development into the public sewers. More information on this can be found on Thames Water website [www.developerservices.co.uk](http://www.developerservices.co.uk).

The applicant is advised that we have a separate drainage system in Harrow where the drainage connections are separated. Surface water should be connected to surface water sewer and foul water should be connected to foul sewer only.

1/05

**Addendum Item 1:**

**West London Waste Authority and Planning Policy Team Leader Response**

*The West London Waste Authority Response*

The West London Waste Authority (WLWA) are responsible for providing facilities and for receiving waste collected by the six West London boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames and is primarily funded by a levy paid by the six boroughs.

*Planning Policy Team Leader Response*

Response as follows:

'The depot site is safeguarded for waste purposes under the West London Waste Plan (WLWP). The Waste Plan is a statutory requirement under the London Plan and essentially shows how the West London Waste Authority (WLWA) will allocate sufficient capacity to deal with the waste apportionment under the London Plan. It is based on evidence / capacity, as well as negotiation amongst the boroughs that jointly prepared the document.

The Waste Plan identifies the entire Central Depot in Table 5.1: Existing waste sites considered to have potential for redevelopment. 'Redevelopment' in this instance means changing existing waste management arrangements such that an increase in the site's recovery capacity is achieved. Table 5.1 indicates for the Depot site:

- a. Area: 2.31 ha (total site is identified as safeguarded)
- b. Potential contribution to waste apportionment: 150,150 tonnes per annum (tpa) (based on 65,000 t/ha)
- c. Existing contribution (i.e. the current Civic Amenity site): 25,780 tpa
- d. Potential additional contribution (i.e. difference between potential and existing): 124,370 tpa

The most relevant policy in the Waste Plan to the assessment of the proposed redevelopment of the existing depot facilities is Policy WLWP2 – Safeguarding and Protection of Existing and Allocated Waste Sites. This policy has a number of elements to it.

Firstly, land accommodating existing waste management uses in West London will be protected for continued use for waste management. Existing waste management uses in this instance refers to the Civic Amenity Site in the western part of the site (as identified in Appendix 2 of the Plan and cross-referenced to in the policy).

Secondly, the policy indicates that 'existing sites which have been allocated as having the potential for capacity expansion by redevelopment (Table 5-1) and new sites with potential for development for waste management facilities (Table 5-2) are also be safeguarded; this refers to the entire Depot site.

The third part of the policy relates specifically to how development applications will be assessed. It indicates that 'to ensure no loss in existing capacity, re-development of any existing waste management sites must ensure that the quantity of waste to be managed is equal to or greater than the quantity of waste for which the site is currently permitted to manage, or that the management of the waste is being moved up the waste hierarchy'. Existing waste management sites refers to the Civic Amenity Site in the western part of the site and not subject to the re-development and existing capacity (not potential capacity) is not impacted upon.

The final part of the policy indicates that 'development for non-waste uses will only be considered on land in existing waste management use, or land allocated in Table 5-2 if compensatory and equal provision of capacity for waste, in scale and quality, is made elsewhere within the West London Boroughs'. The subject site is currently used as depot, so not for existing waste use (Appendix 2), nor is it listed in Table 5-2: Additional sites with opportunity for developing waste facilities.

Consequently, given the above, whilst the overall Central Depot site is 'safeguarded' for waste purposes, the application of the policy to this specific proposal indicates there is not conflict

There are a number of other considerations that are relevant:

- The existing depot facilities are in poor condition and the proposal simply seeks to re-provide these to a modern and more efficient standard. The depot functions support a range of Council activities / infrastructure, including waste collection and transport. As such, it is an essential piece of infrastructure that would need to be either retained on-site or provided elsewhere.
- The size and nature of the depot functions means that there are limited alternative sites for the depot.
- The Waste Plan identifies a surplus between the potential additional contribution of the allocated sites (Tables 5-1 and 5-2) (816,920 tpa) and that required to meet London Plan apportionment (614,000 tpa).

As the Waste Plan was jointly prepared with other West London Waste Authority boroughs and in the context of waste apportionment obligations under the London Plan, the GLA and WLWA boroughs have been consulted and they may have differing views as to the application of Policy WLWP2 and the planning balance between re-provision of modern depot facilities (which support waste collection functions) and the safeguarding of the site for the potential future use for waste management (which may never eventuate)..

Hopefully the above clarifies Policy's interpretation of the Waste Plan and will assist

in any addendum report. It is all subject to any consultation responses from other boroughs / GLA.'

### **Addendum Item 2:**

#### **Principle of Development**

In light of the recent response from both the West London Waste Authority and Harrow Council Planning Policy Team Leader, the 'Principle of Development' section is updated as follows.

Replacement of paragraph 6.2.3 in 'Principle of Development' section:

The West London Waste Authority (WLWA) are responsible for providing facilities and for receiving waste collected by the six West London boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames and is primarily funded by a levy paid by the six boroughs. The WLWA have responded to state that they do *not* object to the current proposal. Harrow Council Planning Policy Team Leader has also responded to state they have no objection and that in effect that the scheme is policy compliant.

The Policy response acknowledges the West London Waste Plan Policy WLWP2 'Safeguarding and Protection of Existing and Allocated Waste Sites'. The Waste Plan identifies the entire Central Depot in Table 5.1: Existing waste sites considered to have potential for redevelopment. 'Redevelopment' in this instance means changing existing waste management arrangements such that an increase in the site's recovery capacity is achieved.

Four main points are raised in the policy responses:

Firstly the existing waste management use, which refers to the Civic Amenity Site in the western part of the site must be protected for waste management.

Secondly, the entire Depot site is indicated in Table 5-1, which are sites indicated as 'existing sites which have been allocated as having potential capacity for expansion by redevelopment are to be safeguarded'. This could be interpreted to indicate that there can be no other development on the entire depot site, to ensure its potential for waste management use is safeguarded.

*However*, the third part of the policy relates specifically to how development applications are assessed. It indicates that redevelopment of any existing waste management sites must ensure that the quantity of waste is equal to or greater than the quantity of waste which the site is currently permitted to manage. The 'existing' refers to the western part of the site. This existing capacity would *not* be harmed or reduced by the current proposal.

Finally, the policy states that 'development for non-waste uses will only be considered on land existing waste management use, or land allocated in Table 5-2 if compensatory and equal provision is made elsewhere. The current application site is not listed in Table 5-2 and is not for existing waste use.

On this basis, whilst the overall Central Depot site is 'safeguarded' for waste purposes, the application of the policy to this specific proposal indicates there is not a conflict

Other considerations are also highlighted: The existing depot is in need of upgrading

and modernisation. The depot functions support essential Council activities, including waste collection and transport. It is an essential piece of infrastructure that needs to be provided on this site or elsewhere. Also, the site and nature of the depot functions means that there are limited alternative sites for the depot. This is highlighted in Area Action Plan Policy 'AAP 21: Harrow Waste Management Site' which specifically states that the site is allocated partly for depot functions. It is acknowledged in this policy part A that proposals for intensification of existing waste management activity/new waste facilities would require provision to relocate the existing depot elsewhere or to consolidate existing depot functions. The supporting text to this policy paragraph 4.162 states that the Council's Depot functions will still be required over the life of the Plan and the Council does not currently own any other industrial sites to relocate the depot.

Furthermore, the Waste Plan identifies a surplus between the potential additional contribution of the allocated sites (Tables 5-1 and 5-2) (816,920 tpa) and that required to meet London Plan apportionment (614,000 tpa). So conceivably, even if the Depot site was developed, the WLWA could still meet its requirements.

In this regard, this issue of how practical it is to prevent any redevelopment of the depot in order to safeguard the *entire* site for potential future uses which may not take place. This needs to be balanced against the essential infrastructure nature of the depot discussed above and also the fact that the scheme would only affect part of the site.

It should be emphasized that the Policy response was caveated that the comments were subject to any consultation responses from other boroughs and the GLA, which have not yet been received. On this basis, it is considered that the scheme would on balance be overall compliant with policy and the Local Plan, although this may need reconsideration if serious objections or concerns were raised by the bodies cited above.

**Addendum Item 3:**

**Mezzanine- correction to paragraph 2.4 in 'Proposal' section**

The scheme does include a part mezzanine level at first floor level within the workspace on the southern part of the site.

**Addendum Item 4:**

**Neighbour objections- Paragraph 4.2**

A neighbour objection from an occupier located within 'The Hollies' on Christchurch Avenue, stating that the 3 storey building would block sunlight to their flat. This has been addressed in the main body of the report in the 'Neighbouring Amenity' section.

**Addendum Item 5:**

**Amended Flood Risk Assessment and Engineering Drainage section response, paragraph 6.35**

An amended Flood Risk Assessment has been submitted. The response from the Engineering section states that the updated FRA Revision G is satisfactory and there is no objection to the proposed development. On this basis, a condition will be attached to ensure that the scheme is undertaken and retained in accordance with this document.

### **Addendum Item 6:**

#### **Drainage Conditions**

1. The development hereby permitted shall be undertaken in accordance with the approved Flood Risk Assessment Ref 1015124-RPT-CL-0001 Revision G dated 01 December 2017 and shall thereafter be retained in that form.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.

2. The development hereby permitted shall not commence until a scheme for works for the disposal of surface water, surface water 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. Details are required PRE-COMMENCEMENT as the condition would be unenforceable after this time.

### **Addendum Item 7:**

#### **Revised Plan Number for Flood Risk Assessment**

Flood Risk Assessment Ref 1015124-RPT-CL-0001 Revision B dated 11 October 2017 to be replaced with Flood Risk Assessment Ref 1015124-RPT-CL-0001 Revision G dated 01 December 2017.

### **Addendum Item 8:**

#### **Revised response from Environmental Health Officers:**

##### Noise

I consider the proposed night time noise emission limit for plant etc. is too low, as it exceeds several of the lowest night time background noise levels. I have no objection to the proposed daytime limit.

The noise report only refers to plant noise emission limits. Further information is required to identify other potential noise sources, such as traffic because of changed layout and also introduction of a multi-storey car park (possible high level noise)

##### Air Quality

The air quality report is satisfactory.

##### Dust Management

It should be noted that a dust management plan will be required, which cross-references the risk analysis and mitigation measures recommended in the air quality report. Such a dust management plan is often incorporated in a general construction management plan.

##### Lighting

I could not see any lighting strategy, although I assume there will be external lighting. If this is indeed the case, then we need a "lighting strategy" report produced by a competent professional which should state and demonstrate that the lighting design is in accordance with the guidance notes "Guidance Notes for the Reduction of Obtrusive Light GN01:2011" recommended by the IPL (Institute of Lighting Professionals) for the reduction of obtrusive light, to avoid nuisance and loss of amenity. This should include identification of appropriate "environmental zoning", and that lighting meets the relevant standards for "source intensity" (glare), "vertical illuminance" and "Upward Light Ratio" set out in the guidance. Such a lighting



strategy report should mean that no significant nuisance will be caused.

Please note a different type of report may be required for other planning purposes, but Environmental Health require this particular type of lighting strategy to be able to comment on possible nuisance.'

**Addendum Item 9:**

**Amendment to paragraph 6.24 Air Quality Assessment**

Comments have been received from Environmental Health Officers that a dust management plan will be required. As suggested in the EHO comment this has been incorporated in to a general construction management plan and so no further action is required.

**Addendum Item 10:**

**Amendment to paragraph 6.25 'Noise'**

Based on the comments from Environmental Health Officers (EHO), it is considered that the submitted Noise Report does not meet requirements for night time noise emission limit for plant and also does not refer to other noise sources. On this basis, after discussion with EHO, a condition will be attached to ensure a revised Noise Assessment be submitted and approved in writing by the Local Planning Authority.

**Addendum Item 11:**

**Noise Condition**

Existing Noise Condition will be replaced with the following:

Notwithstanding the details within the submitted Noise Report Reference 1015124-RPT-AS-0001 dated 09 October 2017, the development hereby permitted shall not be occupied until a revised Noise Report containing, but not limited to:

- a. Revised night time noise emission limit;
- b. Noise emission from sources other than plant

is submitted and approved in writing by, the local planning authority. The scheme shall be carried out in accordance with the approved details.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of neighbouring residents.

**Addendum Item 12:**

**New paragraph 6.25 'Lighting'**

Based on the comments from Environmental Health Officers (EHO), it is considered that a lighting strategy report would be required. On this basis, after discussion with EHO, a condition will be attached to ensure a lighting strategy report be submitted and approved in writing by the Local Planning Authority.

**Addendum Item 13:**

**Lighting Condition**

The development hereby permitted shall not be occupied until a Lighting Strategy report produced by a competent professional in accordance with "Guidance Notes for the Reduction of Obtrusive Light GN01:2011" recommended by the IPL (Institute of Lighting Professionals) for the reduction of obtrusive light, to avoid nuisance and loss of amenity has been submitted to, and approved in writing by, the local planning authority.

This report should include:

- a. identification of appropriate "environmental zoning",
- b. demonstration that lighting meets the relevant standards for "source intensity" (glare), "vertical illuminance" and

	<p>c. "Upward Light Ratio" set out in the guidance.</p> <p>The development shall be carried out in accordance with the approved details and shall thereafter be retained in that form.</p> <p>REASON: To ensure that adequate precautions are taken to avoid light nuisance and to safeguard the amenity of neighbouring residents.</p> <p><b>Addendum Item 14:</b>  <b>Cycle Parking condition to be replaced with the following:</b>  Notwithstanding the approved plans, prior to occupation of the development hereby approved safe and secure cycle and motorcycle storage, in accordance with London Plan standards shall be implemented and shall thereafter be retained.</p> <p>REASON: To provide sufficient bicycle and motorcycle parking space for the use of future occupiers.</p>						
2/01	<p><b><u>CONDITIONS UPDATE</u></b>  <b><u>(Page 239)</u></b></p> <p><b>AMEND</b> Condition 2:</p> <p>Approved Drawings and Documents:</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents: STM-A-BDP-PL-00-200-005 Rev A; STM-A-BDP-PL-00-200-006 Rev A; Royal National Orthopaedic Hospital The Hospital Link, Design and Access Statement (August 2017); Planning Statement (August 2017); STM-A-BDP-PL-00-200-007 Rev A; STM-A-BDP-PL-01-200-010 Rev A; STM-A-BDP-PL-02-200-010 Rev A; STM-A-BDP-PL-02-200-011 Rev A; STM-A-BDP-PL-XX-200-100 Rev A; STM-A-BDP-PL-XX-200-101 Rev A; STM-A-BDP-PL-XX-200-110 Rev A; STM-A-BDP-PL-XX-200-111 Rev A; STM-A-BDP-PL-XX-200-112 Rev A; STM-A-BDP-PL-XX-200_131 Rev A; STM-A-BDP-PL-XX-200-132 Rev A; STM-A-BDP-PL-XX-200-134 Rev A; STM-A-BDP-PL-XX-200-141 Rev A; STM-A-BDP-PL-XX-200-142 Rev A; STM-A-BDP-PL-XX-200-143 Rev A; STM-A-BDP-PL-XX-200-144 Rev A1; STM-C-BDP-DR-XX-95-7000 Rev P1; STM-C-BDP-DR-XX-95-7001 Rev P1; STM-C-BDP-DR-XX-96-7002 Rev P1; STM-A-BDP-PL-XX-200-136; STM-A-BDP-PL-XX-200-133 Rev B</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>						
2/03	<p><b><u>Addendum Item 1</u></b>  <b>ADD</b> additional consultation responses which were received since the application was put on the Committee agenda. Amend consultation section on 4.8 to add the following on Page 281 - 282. It should read as follows:</p> <table border="1" data-bbox="225 1765 1428 2033"> <thead> <tr> <th data-bbox="225 1765 512 1843">Details of Representation</th> <th data-bbox="512 1765 1027 1843">Summary of Comments</th> <th data-bbox="1027 1765 1428 1843">Officer Comments</th> </tr> </thead> <tbody> <tr> <td data-bbox="225 1843 512 2033">Anthony Cowen Chartered Accountants</td> <td data-bbox="512 1843 1027 2033"> Objects to the application due to: <ul style="list-style-type: none"> <li>We are concerned how such a planning application can be made where parts of the land</li> </ul> </td> <td data-bbox="1027 1843 1428 2033"> Issues relating to Traffic and parking are assessed in section 6.6 of this report. </td> </tr> </tbody> </table>	Details of Representation	Summary of Comments	Officer Comments	Anthony Cowen Chartered Accountants	Objects to the application due to: <ul style="list-style-type: none"> <li>We are concerned how such a planning application can be made where parts of the land</li> </ul>	Issues relating to Traffic and parking are assessed in section 6.6 of this report.
Details of Representation	Summary of Comments	Officer Comments					
Anthony Cowen Chartered Accountants	Objects to the application due to: <ul style="list-style-type: none"> <li>We are concerned how such a planning application can be made where parts of the land</li> </ul>	Issues relating to Traffic and parking are assessed in section 6.6 of this report.					

	<p>are leased and protected under the Landlord and Tenant acts.</p> <ul style="list-style-type: none"> <li>• The proposed 12 parking spaces allocated contradicts the parking spaces that are allotted to the leaseholders of Stanmore House.</li> <li>• The area can't sustain or manage the dwellings proposed.</li> <li>• Due to the siting of the proposed dwellings behind a parade of shops and late night venues. The noise level which emanates especially on Friday and Saturday will cause severe disturbance to the proposed dwellings.</li> <li>• The freeholder has a prior approval which would require parking (prior approval is car-free but one disabled parking space is needed if the proposal goes ahead)</li> <li>• The development would not have suitable accommodate, local residents, amenity rights along with light would be restricted as a result of the construction of this development.</li> <li>• Even if we were to be provided with the new parking spaces, the planning application does not address the timescale of events and makes no provisions for the interim building period when we would have no place to park as legally entitled by our lease.</li> </ul>	<p>The prior approval scheme would only be entitled to one disabled parking space.</p> <p>There are dwellings to the rear of 15-19 Church House, namely Ray Gardens as well as properties above shops on Stanmore Hill.</p> <p>Building regulations would take into consideration the possible issues with noise in relation to the high street. A condition has been added seeking the development is in line with Part M, M4 (2) Category 2: Accessible and Adaptable Dwellings of the Building Regulations 2015.</p> <p>The proposed leases for the car parking on site are non-material planning considerations.</p>
Michael Levy & CO Chartered Accountants	As above	Noted.
Sterling Estates Management	Please note this office block also includes a Santander Bank and they are allocated at least 3-5 spaces. Leaving the new dwellings with little to no parking.	As discussed above this is a private issue between neighbours.

**Addendum Item 2**

**OMIT** paragraph 6.6.4 under Traffic and Parking section.

**Addendum Item 3**

**AMEND** condition 2 to Appendix 1 on pages 296 – 300 to read as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: JM048 - PL – 0100 Rev A, JM048 - PL - 0200 Rev A, JM048 - PL – 0201 Rev A, JM048 - PL – 0202, JM048 - PL – 0203, JM048 - PL – 0001, JM048 - PL – 0002, JM048 - PL – 0102 Rev A, JM048 - PL – 0101 Rev A, JM048 - PL – 0003, JM048 - PL – 0103 dated 04/12/2017, JM048 - PL – 0300 Rev A, JM048 - PL – 0210 Rev A, 1675/02, CTP\_1675 Transport Statement Stanmore House, 170815\_JCG2293\_Planning Statement, Heritage Statement, HLEC46507 Stanmore House Flood Risk Assessment, HLEC46507001R Stanmore House Car Park SERA, 16-E061-002 Sustainability & Energy Statement, 2290 Daylight and Sunlight Assessment Issue 1, 20170522 Design and Access Statement Issue 01, Schindler 3100 Lift Specification, Landmark Lifts Ltd – Strategos Platform Lift specification

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

**Addendum Item 4**

**ADD** condition 15 to read as follows:

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. This is a PRE-COMMENCEMENT condition.

**Addendum Item 5**

**AMEND** drawing numbers on page 305 to read:

JM048 - PL – 0100 Rev A, JM048 - PL - 0200 Rev A, JM048 - PL – 0201 Rev A, JM048 - PL – 0202, JM048 - PL – 0203, JM048 - PL – 0001, JM048 - PL – 0002, JM048 - PL – 0102 Rev A, JM048 - PL – 0101 Rev A, JM048 - PL – 0003, JM048 - PL – 0103 dated 04/12/2017, JM048 - PL – 0300 Rev A, JM048 - PL – 0210 Rev A, 1675/02, CTP\_1675 Transport Statement Stanmore House, 170815\_JCG2293\_Planning Statement, Heritage Statement, HLEC46507 Stanmore House Flood Risk Assessment, HLEC46507001R Stanmore House Car Park SERA, 16-E061-002 Sustainability & Energy Statement, 2290 Daylight and Sunlight Assessment Issue 1, 20170522 Design and Access Statement Issue 01, Schindler 3100 Lift Specification, Landmark Lifts Ltd – Strategos Platform Lift specification

2/04

**Addendum Item 1:**

**AMEND** Recommendation as follows:

	<p>Agree a resolution to grant planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning to issue the decision following the expiry of the statutory consultation period. The application will be returned to the Planning Committee for determination if any significant objections are received to the proposal.</p> <p>Grant delegated authority to the Divisional Director of Regeneration, Enterprise and Planning to add/amend conditions following the expiry of the statutory consultation period.</p>
2/05	<p><b><u>Addendum Item 1:</u></b></p> <p>Re-Consultation: Revised Drainage Details</p> <p>30/11/2017 – 14/12/2017</p> <p>Number of Letters sent : 3</p> <p>Number of Responses received : 1</p> <p>Number in Support : 0</p> <p>Number of Objections : 1</p> <p>Number of other Representations (neither objecting or supporting) : 0</p> <p>The owner/occupiers of 37 Glanleam Road have updated the contents of their previous objection as follows:</p> <ul style="list-style-type: none"> <li>- The Council has not taken into account the overall drainage issues of the 'Stanmore Open Park' area in connection with the proposed drainage plan.</li> </ul> <p><i>(Officer's Response: Please see section 6.4.1 to 6.4.3 of the officer's report)</i></p> <ul style="list-style-type: none"> <li>- The revised plans do not show a necessary drainage channel along the 39/37 border and hence there would be a creation of dam effect.</li> </ul> <p><i>(Officer's Response: Please see section 6.4.1 to 6.4.3 of the officer's report)</i></p> <ul style="list-style-type: none"> <li>- The recent weather conditions have already resulted in flooding</li> </ul> <p><i>(Officer's Response: The proposed plans are being assessed by the validity of the completed drainage system, currently the site is under construction)</i></p> <p><b><u>Addendum Item 2:</u></b>  <b>ADD Condition 3</b></p> <p>Prior to the use of the proposed patio area and steps, the works required to enact the proposed drainage plan, approved under drawing numbers: 15039 PD 01.01 Rev B, 15039 PD 01.00, Technical Documentation Underground Container F-Line, email from Antoine Edghill dated the 20/10/2017, shall be completed on site.</p>

	Reason: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.
<b>2/06</b>	<p>Page 379; Proposal Section Paragraph 2.3</p> <p><b>REPLACE</b> existing text with following;</p> <p>The ground floor element would be set off the common boundary with Wyvenhoe Road by approx. 2.5m and the first floor element set back from the common boundary by approx. 9.2m. At ground floor level the depth of the proposed building would be 29.0m and at first floor 21.5m in depth. The width of the proposed two storey building would be 18.5m.</p>

## **APPENDIX 1**

1/01 – KODAK, HEADSTONE DRIVE, WEALDSTONE

### **Amendment to Report**

1. Under section 'Reasons for Recommendations' – Paragraph 4 – amend the figure relating to bus services and bus stop contribution to £425,636. (shown as £423,636 on the committee report),
2. Officers would point out that the CIL (both local and Mayoral) contributions noted within the committee report does not include the affordable housing relief. This would be forthcoming when a CIL liability notice has been served on commencement of development.
3. The fact sheet under transportation section refers to 264 parking spaces. The correct figure is actually 261 and this is the figure that has been considered under the relevant section of the appraisal in the committee report.
4. Under section 4.12 relating to external consultation responses, the Officers comments in response to TfL's representations should state that 'The applicant has produced a Technical Note in response to the comments submitted by TfL, and this has been incorporated within the appraisal below. Officers consider that the response provided by the applicant adequately deals with the comments made by TfL and the proposal provides adequate information to approved Condition 20'.

### **Conditions**

**ADD** the full list of Conditions and Informatives below:

### **Representations Received**

The LPA has received a letter of representation from the Education and Skills Funding Agency (ESFA) in respect of this application and the reserved matters application submitted for development plot D7 (P/5079/17) which is summarised as below.

**NB** - P/5079/17 is still under consideration.

- The primary school on the site was secured as part of the outline consent and forms integral element of the permitted scheme.
- Access to school appears not to have been given due consideration in either reserved matters.
- Both applications submitted seriously jeopardise the delivery of the school and we strongly encourage LB Harrow to reconsider the merits of both applications.
- Currently the school only has construction access across London and Quadrant Housing Trust's site from their own new road network and only until the 'green link' is completed.
- Rokeby Road is an adopted road up to the existing security barrier and the continuation of that road past the barrier belongs to Harrow View LLP. The school is therefore reliant on Harrow View LLP to allow school construction and operational access past the current barrier. Harrow LLP will provide the school with construction access.
- Not clear if the portion of Rokeby Road past the barrier would be adopted or remain private. If it remains private then school will have no unfettered right to access its own site over Harrow View LLP land without permission.
- Delivery of school can be resolved by planning conditions attached to both reserved matters requiring construction access and operational access.

Full copy of the ESFA response is attached following the Conditions and Informatives.

## Officers Response

The LPA has met with both L&Q and Harrow LLP to discuss a strategy to ensure that construction access can be provided at the point when construction commences on the school site and that permanent operational access is secured once the school building has been completed.

Both L&Q and Harrow LLP are commented to ensuring that the school on the Harrow View East site is built and both land owners are agreeable to suitable conditions to be imposed to their respective reserved matters application.

Officers consider that an appropriate mechanism can be applied to ensure both construction and operational access for the school. The Council's Highways Authority is also in agreement in principle to the adoption of the section of the road extending from Rokeby Road leading to the school land. Accordingly, the following condition is being suggested in addition to the conditions that have been set out in Appendix 1. This will ensure that construction access for the primary school provider is guaranteed from land owned by L&Q. It also allows the flexibility of allowing a temporary vehicle access across the green link should the school construction commences after the green link has been delivered. The matter of operational access will be secured under Harrow LLP's reserved matters application.

*Prior to the commencement of development in Zone A, a School Construction Access and Management Strategy shall be submitted to and agreed in writing by the local planning authority.*

*The School Construction Access and Management Strategy shall include the following:*

- a) details of construction access identified in a scaled plan, demonstrating that construction vehicles can enter plot A6 in a safe manner throughout the entirety of construction period and be able to manoeuvre safely along the identified route (including appropriate turning space);*
- b) The construction period*
- c) Details of any temporary access over the green link that may be required up until the school has completed construction;*
- d) How long the access will be made available and how it would be retained and maintained;*
- e) That the proposed access route is suitable for construction vehicles without impeding on pedestrian safety and what temporary safeguards would be put in place, including any construction signage;*
- f) How construction vehicles would be managed through the site without impediment; and*
- g) Any full details reinstatement works and when that will be completed.*

*The development shall only be completed and operated in accordance the approved School Construction Access and Management Strategy.*

*REASON: To ensure that the delivery of the proposed school at construction stage is not prejudiced by the proposed development on Development Zone A and to ensure that the aspirations of the wider Harrow View Masterplan to bring forward a sustainable community development is met.*



## **CONDITIONS**

**Phase A (Development Zone A)  
Harrow View East (Former Kodak Factory Site)  
Headstone Drive, Harrow HA1 4TY  
Application: P/4332/17**

### **General**

- 1 Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the approved drawings and documents.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

### **Pre-Commencement Conditions**

- 2 Notwithstanding the submitted Drainage Strategy, no development shall take place, other than works of demolition, until details of works for the disposal of surface water, including surface water attenuation and storage (which include details of storage calculations accounting for climate change; outlet and cross-section of proposed storage; details of flow restrictions; and management plan for disposal of ground water during construction phase), have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include measures to prevent water pollution and details of SuDS and their management and maintenance. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited. To ensure that measures are agreed and built-in to the development to manage and reduce surface water run-off, this condition is a PRE-COMMENCEMENT condition.

- 3 Notwithstanding the submitted Drainage Strategy, no development shall take place, other than works of demolition, until a foul water drainage strategy, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the agreed drainage strategy has been implemented and shall thereafter be retained.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development and to ensure that the development would be resistant and resilient to foul water flooding. To ensure that measures are agreed and put in place to dispose of foul water arising from the development, this condition is a PRE-COMMENCEMENT condition.

- 4 Notwithstanding the details submitted on drawing number TM276L04 Rev C01, no development shall commence (other than demolition works) in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) until details of the levels of the proposed building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, have been submitted to, and agreed in writing by the local planning authority. The development shall be carried out in accordance with the details so agreed.

REASON: The submitted levels plans does not provide sufficient details in respect to all land adjoining the site and detailed proposed levels are required for all ground surfacing including entrances to buildings, ramped pedestrian access, gradients and 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. To ensure that appropriate site levels are agreed before the superstructure commences on site, this condition is a PRE-COMMENCEMENT condition.

### **Progression-Point Conditions**

- 5 Notwithstanding the details shown on the approved drawings, the development shall not progress beyond damp proof course level in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) until samples of the materials (or appropriate specification) to be used in the construction of the external surfaces noted below have been submitted to, and agreed in writing by, the local planning authority:
- a) facing materials for the buildings, including brick mortar and glazed brick to entrances;
  - b) windows and doors;
  - c) balconies including privacy screens and soffits;
  - d) entrance canopies;
  - e) boundary treatment including all pedestrian/ access gates (including gates to parking courts);
  - f) ground surfacing;
  - g) rainwater goods;

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

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

- 6 The development hereby approved shall not progress beyond damp proof course level until one x 1:1 sample mock-up of the proposed mansion block and one x 1:1 sample mock of the industrial typology block, to include the bay/ balcony, window opening and two brick piers to be used in the external faces of the buildings have been erected on site (or at such other location(s) as may be agreed in writing by the local planning authority) and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details, samples and drawings so agreed and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

- 7 The development hereby approved in relation to criterion a) and b) shall not progress above damp proof course level in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) until details noted below have been submitted to and approved in writing by the local planning authority:
- a) full details (including specification) of any extraction flues, plant/ ventilation systems (excluding plant associated with non-residential uses), rainwater disposal systems (including downpipes) and any rollershutters, gates and other means of

- controlling access to the car park;
- b) details to demonstrate that all plant/ ventilation systems would meet the plant noise criteria set out in the submitted Noise and Vibration Strategy (Ref: 001); and
  - c) a follow up acoustic survey to demonstrate installed plant compliance shall be submitted after completion of the works above.

The application shall be implemented in full accordance with such details and be maintained thereafter.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of residents.

- 8 The development hereby approved shall not progress beyond damp proof course level until detailed specification and drawings of the combined heat and power plant and the external part of the flue, have been submitted to, and agreed in writing by, the local planning authority. The details submitted shall demonstrate compliance with the Mayor's SPG for sustainable design and construction in terms of emissions and shall include any noise mitigation as so required if the proposed plant is unable to meet the noise level criteria set out in the submitted Noise and Vibration Strategy (Ref: 001). The combined heat and power plant shall be installed and thereafter retained in accordance with the specification so agreed, and the post installation noise/emissions testing shall be carried out in accordance with the arrangements so agreed. In the event that the local planning authority does not approve the test results, such remedial action as shall be specified in writing by the local planning authority shall be carried out no later than a date as shall be specified in writing by the local planning authority.

REASON: To ensure that the combined heat and power system comply with the standards published in the Mayor of London's Sustainable Design & Construction supplementary planning guidance (2014) (or such appropriate standards as may supersede them).

- 9 The development hereby approved shall not progress above damp proof course level in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) until details to show that appropriate noise mitigation measures in line with the strategy set out in the submitted Noise and Vibration Strategy (Ref: 001) have been incorporated within the design of each building (including appropriate glazing and Mechanical Ventilation and Heat Recovery System) has been submitted to, and agreed in writing by, the local planning authority. The details shall include independent acoustic testing where applicable. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of the site and provides adequate noise mitigation.

- 10 The development hereby approved shall not progress above first floor level until details of privacy screens to be installed to the balconies/terraces and their locations across the development or where feasible repositioning of balconies to avoid direct overlooking have first been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of the site.

- 11 The development hereby approved in relation to development plot A1, shall not progress above damp proof course level until a revised southern elevation to the first tower block showing the flank secondary windows of the units located on the first to fourth floors to be obscurely glazed and non-opening has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this building.

- 12 Notwithstanding the submitted lighting strategy, the development hereby approved shall not progress above damp proof course level in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) until details (including specification and elevations) of the lighting of all public realm and other external areas (including buildings, and podiums/ roof terraces) within the site has been submitted to, and agreed in writing by, the local planning authority. The details shall include light spillage and lighting levels. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: The submitted lighting strategy provides insufficient details and further details are required to ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of residential quality.

- 13 Notwithstanding the submitted Landscape Strategy and accompanying drawings, the development hereby approved shall not progress above damp proof course level in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) until the following details have been submitted to, and agreed in writing by, the local planning authority:
- a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, raised planters and external seating,. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer. The hard and soft landscaping details shall demonstrate how they would contribute to privacy between the approved private terraces and the public pedestrian route, and communal garden/open space areas.
  - b) Details of all furniture, boundary treatment, play equipment, irrigation if proposed, specification for the proposed pergola (including proposed material and source) and detailed drawings of such; details of the vent grilles to all communal areas including any vent screening and details of any signage to the public realm.
  - c) Full scale metric cross section plans for all open spaces, including private communal open space. Full elevations and cross-sections for the podium level (where proposed) including the proposed details for the external walls (including ventilation) for the podium deck and should include tree planting/ fixing details for the podium levels.
  - d) A specification of all play equipment to be installed including provision for children

with disabilities and special sensory needs; a specification of the surface treatment within the play areas; and arrangements for ensuring the safety and security of children using the play areas.

e) Details of the temporary site boundary adjoining the later phases and the proposed art work including materials to be used.

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

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity.

14 Notwithstanding the submitted biodiversity protection and enhancement strategy, the development hereby approved shall not progress above damp proof course level in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) until the following details have been submitted to, and agreed in writing by, the local planning authority:

a) provision of the required numbers, locations, specification of bat boxes, bird boxes and invertebrate shelter boxes (which shall include 'built in' features where feasible);

b) hard and soft landscape details and planting plans (including details for any climbing plants) where appropriate for the green/ brown roofs which shall include written specification of the planting and the biodiverse roof detail build-up of the layers, including the substrate and schedules of plants, noting species, plant sizes or types (all at time of planting) proposed numbers / densities and details of the maintenance including irrigation; and

c) details of how the proposed enhancements would be monitored and the methodology on how the results would be reported/ recorded to relevant authorities.

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

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the Heart of Harrow.

15 The development hereby approved in relating to development plot A2, shall not progress above damp proof course level until a detailed strategy has been submitted to, and agreed in writing by, the local planning authority, outlining what measures would be put in place to ensure that the individual refuse bins for the maisonettes located within Block A2 would be returned to their respective properties after emptying within a reasonable timeframe on the of day collection. The measures shall be carried out in accordance with the strategy so agreed and shall be retained as such thereafter.

REASON: To safeguard the appearance and character of the surrounding area.

16 The development hereby approved in relating to development plots A3-A and A5, shall not progress above damp proof course level until a detailed strategy has been submitted to, and agreed in writing by, the local planning authority, outlining the interim measures to be put in place for the temporary refuse collection point at the first

junction of the tertiary road and the green link (near to block A5). Details shall include the required temporary hard standing and the proposed detailed soft landscaping reinstatement works to be implemented at the point when through vehicular access is made available from the site to the later phases of the masterplan. The development shall be carried out in accordance with the strategy so agreed. The temporary hard standing shall be reinstated to soft landscaping upon future road access being made available and shall thereafter be retained.

REASON: To safeguard the appearance and character of the surrounding area.

- 17 The development hereby approved shall not progress above damp proof course level in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) until a strategy for the efficient use of mains water within the residential parts of the development, pursuant to a water consumption limit of 105 litres per person per day, has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the strategy so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes efficient use of mains water.

### **Pre Occupation Conditions**

- 18 The development hereby approved shall not be first occupied in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) until a scheme for the on-going management, management programme of works and maintenance of all the hard and soft landscaping within the development, to include a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (including communal residential areas), other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development or any sub-phase of the development, whichever is the sooner, for its permitted use. The Landscape Management Plan shall be carried out in a timely manner as approved.

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

To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity within the Heart of Harrow and to ensure a high standard of design, layout and amenity.

- 19 The development hereby approved shall not be first occupied in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) until a schedule of landscape maintenance for a minimum period of 5 years, from implementation of final planting, has been submitted to, and approved by, the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

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

To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity within the Heart of Harrow and to ensure a high standard of design, layout and amenity.

20 The non-residential premises located within development plots A1, A2, A4 and A5 hereby approved shall not be first occupied and used (as when each use comes forward) without the local planning authority's prior agreement, in writing, of the following details:

- a) a scheme for the projection of amplified sound to customers, neighbouring residents (including future occupiers) and other members of the public inside and (where relevant) outside of the building;
- b) any externally situated plant and/or other machinery;
- c) any externally situated temporary or permanent furniture, means of enclosure and other equipment associated with the extension of commercial activity outside of the building.

The occupation and use of the ground floor, including any part thereof, shall be carried out in accordance with the notification and details so agreed until such time as a material change of use occurs that is authorised either by any statutory instrument, local development order or by the local planning authority granting of planning permission.

REASON: To ensure that the operation of the ground floor uses and any associated equipment, plant, machinery and/or outdoor activity is compatible with residential and visual amenity.

21 The non-residential use at ground floor within Block A5 shall not be occupied until there has been submitted to, and agreed in writing, by the local planning authority, a refuse collection strategy for this unit, which shall include appropriate measures to ensure that the refuse bins are brought down to the relevant collection point on collection day and assurance from the occupiers of that unit that the emptied bins are returned to the designated refuse store within a reasonable timeframe on the day of collection. The strategy shall be implemented as so agreed and shall thereafter be retained.

REASON: To minimise visual clutter within the green link and to ensure that there is no impedance to the public route and ensure a high standard of residential quality.

23 Prior to the first occupation of each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15), details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant sub-phase and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON : To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces and to ensure that the development achieves a

high standard of amenity for future occupiers the buildings.

- 24 Prior to first occupation of each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) 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.

- 25 Prior to occupation of each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15), details of the arrangements for the distribution of mail (including any mail boxes) and other deliveries to residents within the development shall be first submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development contributes to the achievement of a lifetime neighbourhood and a high standard of design and layout.

- 26 The development shall be undertaken in accordance with the approved Sustainability Statement and Energy Strategy. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion in relation to each sub-phase (as so agreed pursuant to condition 6 (Phasing Strategy) of outline permission granted under ref: P/2165/15) of the development, a post construction assessment shall be undertaken demonstrating compliance with the approved Energy Statement; which thereafter shall be submitted to the local planning authority for written approval.

REASON: To ensure the delivery of a sustainable development.

### **General Conditions**

- 27 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage areas, as shown on the approved drawing plans.

REASON: To safeguard the appearance and character of the surrounding area and to ensure a high standard of residential quality in accordance.

- 28 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 ensure appropriate safeguards are in place to protect any retained tree on site.

- 29 Unless otherwise agreed in writing by the local planning authority, the non-residential premises hereby approved on development plots A2, A4 and A5 shall only be open to the public between: 7am and 11pm on Mondays to Saturdays; and 8.30 am and



10.30pm on Sundays and Bank Holidays.

REASON : To ensure that the operation of the ground floor uses is compatible with residential amenity.

- 30 The foodstore premises hereby approved on development plot A1 shall only be open to the public between: 7am and 11pm on Mondays to Sundays and Bank Holidays.

REASON : To ensure that the operation of the ground floor uses is compatible with residential amenity.

- 31 Deliveries to any non-residential uses within the development shall take place only between the hours of 6.30am and 11pm on Mondays to Saturdays and between the hours of 8.30am and 10pm on Sundays and Bank Holidays, unless otherwise agreed in writing by the local planning authority.

REASON : To ensure that the noise impact of deliveries associated with non-residential uses within the development is minimised and that the development achieves a high standard of amenity for future and the neighbouring occupiers.

## **INFORMATIVES**

- 1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2016)

Policies 3.3, 3.4, 3.5, 3.6, 3.8, 3.11, 3.12, 5.1, 5.2, 5.3, 5.7, 5.11, 5.12, 5.13, 5.18, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.8, 7.13, 7.14, 7.15

The Harrow Core Strategy (2012)

Core Policies CS1

Harrow and Wealdstone Area Action Plan (2013)

Policies: AAP 1, AAP 3 AAP 4, AAP 5, AAP 9, AAP 11, AAP 13, AAP 19, AAP 20

Development Management Policies Local Plan (2013)

Policies DM 1, DM 2, DM 7, DM 10, DM 12, DM 14, DM 28, DM 42, DM 49

Supplementary Planning Document – Residential Design Guide (2010)

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016).

Mayors Housing Supplementary Planning Guidance (2016)

- 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](mailto:communities@twoten.com)

#### 4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

#### 5 INFORMATIVE:

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

#### 6 INFORMATIVE:

Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract a liability payment of **£2,600,431** 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 **£2,600,431** for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of **74,298.04 sqm**.

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

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

7 INFORMATIVE:

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

Harrow's Charges are:

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

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

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

All other uses - Nil.

The Harrow CIL contribution for this development is **£8,089,680.40**.

- 8 The applicant is advised to engage with the Designing Out Crime Officer at an early stage of the detailed design stage in respect of meeting the requirement of condition 24.
- 9 The applicant is advised to liaise with the neighbouring Harrow Crown Court in terms of managing construction traffic and construction activity within proximity of the Crown Court.

Plan Nos:

KPA-BPTW-ZZ-XX-DR-A-0010 Rev C01; KPA-BPTW-ZZ-XX-DR-A-0022 Rev C01;  
KPA-BPTW-ZZ-ZZ-DR-A-0028 Rev C01; KPA-BPTW-ZZ-GF-DR-A-0029 Rev C01;  
KPA-BPTW-ZZ-01-DR-A-0031 Rev C01; KPA-BPTW-ZZ-XX-DR-A-0032 Rev C01;  
KPA-BPTW-ZZ-02-DR-A-0034 Rev C01; KPA-BPTW-ZZ-ZZ-DR-A-0100 Rev C01;  
KPA-BPTW-ZZ-ZZ-DR-A-0101 Rev C01; KPA-BPTW-ZZ-ZZ-DR-A-0102 Rev C01;  
KPA-BPTW-01-GF-DR-A-1100 Rev C01; KPA-BPTW-01-01-DR-A-1101 Rev C01;  
KPA-BPTW-01-02-DR-A-1102 Rev C01; KPA-BPTW-01-03-DR-A-1103 Rev C01;  
KPA-BPTW-01-04-DR-A-1104 Rev C01; KPA-BPTW-01-05-DR-A-1105 Rev C01;  
KPA-BPTW-01-06-DR-A-1106 Rev C01; KPA-BPTW-01-07-DR-A-1107 Rev C01;  
KPA-BPTW-01-08-DR-A-1108 Rev C01; KPA-BPTW-01-09-DR-A-1109 Rev C01;  
KPA-BPTW-01-10-DR-A-1110 Rev C01; KPA-BPTW-01-GF-DR-A-1120 Rev C01;  
KPA-BPTW-01-01-DR-A-1121 Rev C01; KPA-BPTW-01-02-DR-A-1122 Rev C01;  
KPA-BPTW-01-03-DR-A-1123 Rev C01; KPA-BPTW-01-04-DR-A-1124 Rev C01;  
KPA-BPTW-01-05-DR-A-1125 Rev C01; KPA-BPTW-01-06-DR-A-1126 Rev C01;  
KPA-BPTW-01-07-DR-A-1127 Rev C01; KPA-BPTW-01-08-DR-A-1128 Rev C01;  
KPA-BPTW-01-09-DR-A-1129 Rev C01; KPA-BPTW-01-10-DR-A-1130 Rev C01;  
KPA-BPTW-01-11-DR-A-1131 Rev C01; KPA-BPTW-01-12-DR-A-1132 Rev C01;  
KPA-BPTW-01-ZZ-DR-A-2100 Rev C01; KPA-BPTW-01-ZZ-DR-A-2101 Rev C01;  
KPA-BPTW-01-ZZ-DR-A-2102 Rev C01; KPA-BPTW-01-ZZ-DR-A-2103 Rev C01;  
KPA-BPTW-01-ZZ-DR-A-2104 Rev C01; KPA-BPTW-01-ZZ-DR-A-2105 Rev C01;  
KPA-BPTW-01-ZZ-DR-A-2106 Rev C01; KPA-BPTW-01-ZZ-DR-A-2107 Rev C01;  
KPA-BPTW-01-ZZ-DR-A-2108 Rev C01; KPA-BPTW-01-ZZ-DR-A-2109 Rev C01;  
KPA-BPTW-02-GF-DR-A-1200 Rev C01; KPA-BPTW-02-01-DR-A-1201 Rev C01;  
KPA-BPTW-02-02-DR-A-1202 Rev C01; KPA-BPTW-02-03-DR-A-1203 Rev C01;  
KPA-BPTW-02-04-DR-A-1204 Rev C01; KPA-BPTW-02-05-DR-A-1205 Rev C01;  
KPA-BPTW-02-06-DR-A-1206 Rev C01; KPA-BPTW-02-07-DR-A-1207 Rev C01;

KPA-BPTW-02-08-DR-A-1208 Rev C01; KPA-BPTW-02-ZZ-DR-A-2200 Rev C01;  
KPA-BPTW-02-ZZ-DR-A-2201 Rev C01; KPA-BPTW-02-ZZ-DR-A-2202 Rev C01;  
KPA-BPTW-02-ZZ-DR-A-2203 Rev C01; KPA-BPTW-03-GF-DR-A-1300 Rev C01;  
KPA-BPTW-03-01-DR-A-1301 Rev C01; KPA-BPTW-03-02-DR-A-1302 Rev C01;  
KPA-BPTW-03-03-DR-A-1303 Rev C01; KPA-BPTW-03-04-DR-A-1304 Rev C01;  
KPA-BPTW-03-05-DR-A-1305 Rev C01; KPA-BPTW-03-06-DR-A-1306 Rev C01;  
KPA-BPTW-03-ZZ-DR-A-2301 Rev C01; KPA-BPTW-03-ZZ-DR-A-2302 Rev C01;  
KPA-BPTW-03-ZZ-DR-A-2303 Rev C01; KPA-BPTW-04-GF-DR-A-1400 Rev C01;  
KPA-BPTW-04-01-DR-A-1401 Rev C01; KPA-BPTW-04-02-DR-A-1402 Rev C01;  
KPA-BPTW-04-03-DR-A-1403 Rev C01; KPA-BPTW-04-04-DR-A-1404 Rev C01;  
KPA-BPTW-04-05-DR-A-1405 Rev C01; KPA-BPTW-04-06-DR-A-1406 Rev C01;  
KPA-BPTW-04-07-DR-A-1407 Rev C01  
KPA-BPTW-04-08-DR-A-1408; KPA-BPTW-04-ZZ-DR-A-2401 Rev C01; KPA-BPTW-04-ZZ-DR-A-2402 Rev C01; KPA-BPTW-04-ZZ-DR-A-2403 Rev C01; KPA-BPTW-04-ZZ-DR-A-2404 Rev C01; KPA-BPTW-05-GF-DR-A-1500 Rev C01; KPA-BPTW-05-01-DR-A-1501 Rev C01; KPA-BPTW-05-02-DR-A-1502 Rev C01; KPA-BPTW-05-03-DR-A-1503 Rev C01; KPA-BPTW-05-04-DR-A-1504 Rev C01; KPA-BPTW-05-05-DR-A-1505 Rev C01; KPA-BPTW-05-06-DR-A-1506 Rev C01; KPA-BPTW-05-07-DR-A-1507 Rev C01; KPA-BPTW-05-08-DR-A-1508 Rev C01; KPA-BPTW-05-ZZ-DR-A-2501 Rev C01; KPA-BPTW-05-ZZ-DR-A-2502 Rev C01; KPA-BPTW-05-ZZ-DR-A-2503 Rev C01; TM276L03 Rev C01; TM276L08 Rev C01; TM276L01 Rev C01; TM276L04 Rev C01; TM276L05 Rev C01; TM276L06 Rev C01; TM276L07 Rev C01; TM276L09 Rev C01; TM276L101 Rev C01; TM276L102 Rev C01; TM276L201 Rev C01; TM276L202 Rev C01; TM276L301 Rev C01; TM276L302 Rev C01; TM276L401 Rev C01; TM276L402 Rev C01; TM276L501 Rev C01; TM276L00 Rev C01; TM276L10 Rev C01; 39048/5501/028A; 39048/5501/030A;; 39048/5501/022A; 39048/5501/023A; 39048/5501/024A; 39048/5501/025A; 39048/5501/026A; 39048/5501/027A; 39048/5501/031

Documents:

Planning Statement; Urban Design Report (KPA-BPTW-ZZ-XX-A-DO-1601 Rev C01); Arboricultural Method Statement (RT-MME-123204 Rev B); Biodiversity Protection and Enhancement Strategy (RT-MME-123251); Energy Statement (39048/007 Rev P3); Lighting Strategy (39048/2001 R007); Noise and Vibration Mitigation Strategy (39048/3002 001); Surface Water Drainage Strategy (39048/2001 R001 Rev 01); Sustainability Strategy (39048-3001 Rev 1.1); Transport Strategy (39048/5501 Rev 2); Statement of Community Involvement (October 2017); Daylight and Sunlight Report (October 2017); Scheme Internal Daylight Report (October 2017); Landscape Statement (October 2017)



Education & Skills  
Funding Agency

Education and Skills Funding Agency  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London, SW1P 3BT

[www.gov.uk/esfa](http://www.gov.uk/esfa)

Reference: FS0401

08 December 2017

Sunil Sahadevan  
Head of Development Management and Building Control  
London Borough of Harrow  
Civic Centre  
Station Road  
Harrow HA1 2XF

Dear Mr Sahadevan,

**Former Kodak Factory Site, Headstone Drive, Harrow, HA1 4TY**

We write in relation to applications P/4610/17 and P/5079/17 for Reserved Matters approvals associated with the redevelopment of the former Kodak site. The delivery of a primary school on the site was secured as part of the outline consent (P/2165/15) and forms an integral element of the permitted scheme.

Disappointingly access to the school appears not to have been given due consideration in either of the reserve matters applications or in the planning officer's assessment of application P/4610/17 which is due to be considered at planning committee on 14 December 2017. Both applications as submitted seriously jeopardise the delivery of the school and we strongly encourage LB Harrow to reconsider the merits of both applications.

The intention is for Harrow View Primary School to occupy the school site. The school is being provided to serve the local community and specifically to meet the need for primary school places arising from the residential development on the Kodak site.

Currently the school only has construction access across London and Quadrant Housing Trust's (L&Q) site from their own new road network and only until the 'green link' (adjacent to the school site) is completed.

Rokeby Road is an adopted road up to the existing security barrier and the continuation of that road past the barrier belongs to Harrow View LLP. The school is therefore reliant on Harrow View LLP to allow the school construction and operational access past the current barrier. We understand that Harrow View LLP is not willing to provide the school with construction access along this portion of Rokeby Road.

It is not clear to the ESFA whether the portion of Rokeby Road past the current barrier (that Harrow View LLP own) will remain private or become an adopted road (allowing free

access by the public). If it remains private then the school will have no unfettered right to access its own site over Harrow View LLP land without permission. To date this permission has not been forthcoming and the school will not be able to operate without a permanent access solution in place.

Neither of the current Reserved Matters applications make reference to how the school will be accessed on a construction or operational basis, nor do they give a timeline for completion of each phase of development. This appears to be an oversight on the part of both applicants and the Local Planning Authority and must be addressed if the delivery of the school is not to be jeopardised.

In order to resolve this matter and ensure the delivery of the school a planning condition must be attached to L&Q's Reserved Matters approval requiring them to provide continued access across its site until: (1) the school has been constructed; and (2) permanent, operational access to the school is provided.

L&Q also need to be required to redesign and re-phase its development to give: (1) the above construction access required at the time we need to construct the school; and (2) an alternative, permanent operational access to the school should the intended permanent access off Rokeby Road not be provided by Harrow View LLP.

A planning condition also needs to be attached to Harrow View LLP's Reserved Matters application requiring provision of permanent operational access for the school via its site, when required by the school.

If a suitable solution is not agreed in time then we request that L&Q's application be withdrawn from next week's planning committee agenda so this matter can be given appropriate consideration. Ultimately, if neither developer is willing to ensure access to the school site as per the recommended conditions above, then both Reserved Matters applications should be refused on the basis that they prevent the delivery and operation of the school.

We trust that our concerns will be given full consideration and suitable steps taken to ensure this matter is satisfactorily resolved.

Yours sincerely

**Mark Smethurst**

Project Director, Education and Skills Funding Agency

## **APPENDIX 2**

1/02 - INTERSHOP HOUSE, LOWLANDS ROAD, HARROW



**RCC Town Planning Consultancy**  
Sandcliffe House, Northgate Street,  
Devizes, Wiltshire, SN10 1JT

**T:** 01380 730047  
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**E:** info@rcctownplanning.co.uk  
**W:** www.rcctownplanning.co.uk

Date: 13<sup>th</sup> December 2017

Harrow Council  
Planning Department  
Civic 1  
Station Road  
Harrow  
HA1 2XY

Copy via email to  
planningapplications@harrow.gov.uk

Dear Sirs,

**URGENT: LATE REPRESENTATION REGARDING PLANNING APPLICATION P/4494/15 DUE TO BE HEARD AT PLANNING COMMITTEE ON 15<sup>TH</sup> DECEMBER 2017**

**FOR: REPLACEMENT OF EXISTING BUILDING WITH 7 STOREY BUILDING**

**AT: INTERSHOP HOUSE, 41-45 LOWLANDS RD, HARROW, HA1 3AW.**

We act for the owners of the neighbouring site immediately to the west of the application site and we are instructed to comment on the above application. Our clients have owned the majority of the three-storey building known as 33-39 Lowlands Road for many years. However, they have recently completed on the purchase of two remaining flats within the block and now own the whole of the site.

This three-storey building, like the application site, lies within an area of development potential for higher rise buildings and within a highly sustainable location close to the town centre and public transport opportunities. The existing building is a poor quality construction which does not make the best use of the site, and is rather an anomaly in the streetscene, being dwarfed by its neighbours, including the proposed scheme for a 7 storey building subject of this application. As such, our clients are proposing to redevelop the building for a higher rise development, and we have recently been considering the development potential of this site with a view to submitting for pre-application advice and a planning application in the near future.

As part of this work, it has come to light that the proposed redevelopment of Intershop House, 41-45 Lowlands Rd, includes a number of high level west facing windows; windows which will face directly onto 33-39 Lowlands Road. These windows are at levels 3, 4, 5 and 6 respectively, with level 7 having large west facing terraces. These windows are proposed to serve the open plan living/dining/ kitchen spaces to the 2 flats at each of these levels; being shown on the plans adjacent the dining table. These spaces are also served by north or south facing balconies and windows.

Our concerns are that notwithstanding the comments made by the planning officer within their report, that such windows, facing directly onto our clients site and at a location almost on the shared western boundary, will stymie the re-development potential of our clients' site. Indeed, it is difficult to see how any redevelopment of the neighbouring site at 3<sup>rd</sup> floor level and above

can be designed without significantly impacting upon light levels from these windows and of course, any views obtainable. The impact on the future potential of a neighbouring site is indivisible from high quality design criteria and is an important material planning consideration. We would suggest that the current scheme which includes these west facing windows would thus be contrary to policy DM1 of the DMP and Chapter 7 of the NPPF, both of which require a high standard of design and layout'.

We note that the planning officer's committee report references these 'high level **secondary** windows' (our emphasis) at paragraph 10.14, suggesting that the windows and change in materials provide additional articulation such that this tall, west-facing elevation will be appropriate in the streetscene. We also note that the planning officer has discussed this very issue of impact on potential development of neighbouring sites at paragraph 11.25, in which it is stated that:

'The submitted plans indicate that the western elevation would have a number of high level windows, which are noted as being secondary windows to the rooms that they serve. This being the case, it is considered that should the adjacent property come forward for development, then the location of these windows should not prejudice the development of that site. Given that the proposed flank windows are secondary in nature, it is considered that the loss of the light/outlook from these windows in the event of a neighbouring development would not be detrimental to the living conditions of future occupiers of this development. Accordingly, it is considered appropriate that a condition be added to this permission, which does not allow for these identified windows on the western flank elevation to be considered as protected, whereby prejudicing the ability of a comprehensive scheme to come forward on the adjacent to the western boundary of the application site.'

We would question whether this mechanism is appropriate in terms of securing the development potential of the neighbouring site as future residents may quickly rely upon the light afforded by such windows and are unlikely to understand the implications of such windows being conditioned in such a manner. We would also ask why, if such windows are not necessary to preserve reasonable standards of amenity, such openings cannot simply be omitted from the scheme for the avoidance of any future doubt.

The neighbouring site is already constrained by reason of its narrow site depth. Bearing in mind the priority to redevelop brownfield land in sustainable locations to deliver a significant boost to the supply of housing such as that at 33-39 Lowland Rd, we would ask that officers, Councillors and the applicants give consideration to the omission of these high-level west facing windows (8 in total) at levels 3, 4, 5 and 6 from the proposed development. We would respectfully suggest that such a change could be adequately secured via planning condition.

As these comments are made following the publication of the officer report, we trust that the content of this letter will be shared with Councillors in advance of any planning decision in respect of the above application.

Yours faithfully,



**Richard Cosker** Bsc (Hons) DipTP MRTPI  
**Director - RCC Town Planning Consultancy**





**Cc Planning agent: [Frances.young@lichfields.uk](mailto:Frances.young@lichfields.uk)**

RCC Town Planning Consultancy is a trading name of RCC Town Planning Consultancy Ltd  
Registered in England and Wales at the above address: Registered No.7813081

Planning Department  
London Borough of Harrow  
Civic Centre  
Station Road  
Harrow  
Middlesex  
HA1 2UY

For the attention of Mongezi Ndela

**Date:** 14 December 2017  
**Our ref:** 14651/IR/FY/15190347v1  
**Your ref:**

Dear Sirs

**Intershop House, 41-45 Lowlands Road, Harrow HA1 3AW (Ref. P/4494/15)**

We write on behalf of Castleton Limited, the applicant, to respond to the comments made by RCC Town Planning Consultancy on behalf of the owners of 33-39 Lowlands Road by letter dated 13 December 2017.

The applicant has worked closely with officers over the past two years to ensure a high quality design and the scheme for 41-45 Lowlands Road has been revised on a number of occasions to reflect officers' comments in relation to height, scale and massing, elevational treatment and land use mix. Paragraph 10.14 of the Committee Report confirms that the bulk, scale and siting of the proposed building is appropriate, whilst paragraph 16.1 concludes that *"the proposed building would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers"*.

As noted at paragraph 10.14 of the Committee Report, the proposed detailing of the west elevation of the building is important to ensure that this elevation does not appear as a blank, uninteresting façade within the streetscene. The introduction of the small high level windows is important to provide additional light into the building and in addition adds interest to this elevation. The windows have been located at a high level to ensure no overlooking or loss of privacy to the adjoining properties at 33-39 Lowlands Road.

At this stage it is unknown as to whether the site at 33-39 Lowlands Road will be redeveloped or the scale of development that will be achieved. Officers have considered the potential redevelopment of the site at 33-39 Lowlands Road and this is reflected at paragraph 11.25 of the Committee Report which states that *"the location of these windows should not prejudice the development of that site" (33-39 Lowlands Road)*. It also confirms that *"given that the proposed flank windows are secondary in nature, it is considered that the loss of the light/outlook from these windows in the event of a neighbouring development would not be detrimental to the living conditions of future occupiers of this development."*

The applicant therefore considers that the potential redevelopment of no. 33-39 Lowlands Road is sufficiently protected by the proposed condition 24: Flank Windows which states:

*"Notwithstanding the approved plans, the secondary flank windows within the western flank elevation (facing no. 39 Lowlands Road) hereby permitted shall not be considered protected windows should the adjacent site be brought forward for a comprehensive redevelopment."*

## LICHFIELDS

The applicant confirms their acceptance of Condition 24 and is aware of other schemes in London where a similar restriction has been successfully imposed. The applicant does not therefore consider that it is necessary to remove these high level secondary windows but recognises that should the adjoining site at 33-39 Lowlands Road be redeveloped, these windows would not be protected. It will however be important for any future scheme for 33-39 Lowlands Road to be designed in a way which complements the proposed development at our client's site.

I would be grateful if you would report these comments at this evening's planning committee.

Yours faithfully



**Frances Young**  
Associate Director

## **APPENDIX 3**

1/03 – FORMER CUMBERLAND HOTEL & VICTORIA HALL

**ADD** the following Conditions and Informatives to the report:

### **CONDITIONS – P/4332/17 – Cumberland Hotel/ Victoria Hall**

#### **General Conditions**

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

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

- 2 Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the approved drawings and documents.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

#### **Pre-Commencement Conditions**

- 3 No development shall take place, including any works of demolition, until a demolition and construction logistics plan has first been submitted to, and agreed in writing by, the local planning authority. The plan shall detail the arrangements for:
- a) the parking of vehicles of site operatives and visitors;
  - b) loading and unloading of plant and materials;
  - c) storage of plant and materials used in construction the development;
  - d) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
  - e) wheel washing facilities; and
  - f) a scheme for recycling/disposing of waste resulting from demolition and construction works.
  - g) measures for the control and reduction of dust
  - h) measures for the control and reduction of noise and vibration.

The demolition and construction of the development shall be carried out in accordance with the plan so agreed.

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers and to ensure that the transport network impact of demolition and construction work associated with the development is managed and that measures are agreed and in place to manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

- 4 No development shall take place, including any works of demolition, until a construction management strategy, to include details of cranes and other tall construction equipment (including obstacle lighting) has been submitted to, and agreed in writing by, the local planning authority. The construction of the development shall be carried out in accordance with the strategy so agreed.

REASON: To ensure that construction work and construction equipment associated with the development does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter and receiver systems. To ensure that measures are agreed and in place to avoid any obstruction to air traffic and to safeguard the integrity of air traffic operational systems during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

- 5 No development other than demolition shall take place until a scheme ('the second scheme') for the management of contamination risk at the site has first been submitted to, and agreed in writing by, the local planning authority. The second scheme shall include the following:
- a) details of a site investigation to provide information for a detailed assessment of the risks to all receptors that may be affected, including those off site;
  - b) the results of the site investigation and an options appraisal and remediation strategy giving full details of remediation measures and how they are to be undertaken; and
  - c) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant leakages, maintenance and arrangements for contingency action.

The development other than demolition shall be carried out in accordance with the second scheme so agreed.

REASON: To ensure that the development does not activate or spread potential contamination at the site and that the land is appropriately remediated for the approved uses. To ensure that measures are agreed and in place to identify and manage potential sources of contamination during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

- 6 No development shall take place, other than works of demolition, until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include measures to prevent water pollution and details of SuDS and their management and maintenance. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited. To ensure that measures are agreed and built-in to the development to manage and reduce surface water run-off, this condition is a PRE-COMMENCEMENT condition.

- 7 No development shall take place, other than works of demolition, until a foul water drainage strategy, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the agreed drainage strategy has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, and to ensure that the development would be resistant and resilient to foul water flooding. To ensure that measures are agreed and put in place to dispose of foul water arising from the

development, this condition is a PRE-COMMENCEMENT condition.

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement.

- 9 Prior to the commencement of development (other than works of demolition) detailed elevations of the substation shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details so agreed.

REASON: To ensure that this aspect of the development would have an acceptable impact on the character and appearance of the area and visual amenities of the neighbouring occupiers. To ensure the details are agreed before the structure is built on site, this is a PRE COMMENCEMENT CONDITION.

### **Progression-Point Conditions**

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

- a) facing materials for the building, including brickwork bond details;
- b) windows/ doors, including those to all servicing areas;
- c) balcony screens including balustrade detail, privacy screens and soffits;
- d) boundary treatment including all pedestrian/ access gates;
- e) ground surfacing;
- f) raised planters; and
- g) external seating.

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

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

- 11 The development hereby approved shall not progress beyond damp proof course level until a x 1:1 sample mock-up of a window opening, surrounding brickwork and proposed 'hit and miss' brick detail to be used in the external faces of the buildings have been erected on site (or at such other location(s) as may be agreed in writing by the local planning authority) and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details, samples and drawings so agreed and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

12 The development hereby approved shall not progress beyond basement level until the following details have been submitted to, and agreed in writing by, the local planning authority:

- a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, raised planters and external seating. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer. The hard and soft landscaping details shall demonstrate how they would contribute to privacy between the approved private terraces and the public pedestrian route, and communal garden/open space areas;
- b) Details of all furniture, boundary treatment, play equipment, irrigation if proposed; details of the vent grilles to all communal areas including any vent screening and details of any signage to the public realm;
- c) A specification of all play equipment to be installed including provision for children with disabilities and special sensory needs; a specification of the surface treatment within the play areas; and arrangements for ensuring the safety and security of children using the play areas;
- d) hard and soft landscape details and planting plans for the green/ brown roofs which shall include written specification of the planting and the biodiverse roof detail make build-up of the layers, including the substrate and schedules of plants, noting species, plant sizes or types (all at time of planting) proposed numbers / densities and details of the maintenance including irrigation; and
- e) proposals for increasing the availability of bird nesting places and bat roosts within the site (including detailed specification and locations of boxes and in-built features) together with details of their ongoing maintenance/ monitoring and any necessary replacement.

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

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm; to ensure a high standard of design, layout and amenity and to make appropriate provision for the protection, enhancement, creation and management of biodiversity within the Heart of Harrow.

13 The development hereby approved shall not progress beyond basement level until the details set out below have been submitted to and approved in writing by the local planning authority:

- d) full details (including specification) of any extraction flues, plant/ ventilation systems, rainwater disposal systems (including downpipes) and any rollershutters, gates and other means of controlling access to the car park;
- e) details to demonstrate that all plant/ ventilation systems would meet the plant

- noise criteria set out in the submitted Acoustic Planning Report (Ref:6690/APR)
- f) a follow up acoustic survey to demonstrate installed plant compliance; and
  - g) measures to be incorporated within the design of the buildings to minimise excessive noise breakout from the proposed community hall and commercial floorspace (including details of any mechanical ventilation that would be required).

The application shall be implemented in full accordance with such details and be maintained thereafter.

REASON: To ensure that potential adverse noise impacts to residential premises within the development are mitigated.

- 14 The development hereby approved shall not progress beyond basement level until detailed specification and drawings of the combined heat and power plant and the external part of the flue, have been submitted to, and agreed in writing by, the local planning authority. The details submitted shall demonstrate compliance with the Mayor's SPG for sustainable design and construction in terms of emissions and shall include any noise mitigation as so required if the proposed plant is unable to meet the noise level criteria set out in the submitted Acoustic Planning Report (Ref:6690/APR). The combined heat and power plant shall be installed and thereafter retained in accordance with the specification so agreed, and the post installation noise/ emissions testing shall be carried out in accordance with the arrangements so agreed. In the event that the local planning authority does not approve the test results, such remedial action as shall be specified in writing by the local planning authority shall be carried out no later than a date as shall be specified in writing by the local planning authority.

REASON: To ensure that the combined heat and power system comply with the standards published in the Mayor of London's Sustainable Design & Construction supplementary planning guidance (2014) (or such appropriate standards as may supersede them).

- 15 The development hereby approved shall not progress beyond basement level until details of privacy screens to be installed to the balconies serving units C/1-5 to C/10-5 in Block C or where feasible repositioning of balconies to avoid direct overlooking of adjacent windows have first been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of the site.

- 16 The development hereby approved shall not progress beyond basement level until revised flank elevations for units A/7-6 and A/7-7 in Block A showing the flank secondary windows of these units to be obscurely glazed and non-opening has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this building.

- 17 The development hereby approved shall not progress beyond basement level until



a revised north-west elevation to Block C (fronting the public route), showing the windows serving the stair core to this block replaced with similar height windows as proposed for the rest of this block, has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

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

- 18 The development hereby approved shall not progress beyond basement level until a strategy for the efficient use of mains water within the residential parts of the development, pursuant to a water consumption limit of 105 litres per person per day, has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the strategy so agreed and shall be retained as such thereafter.

REASON : To ensure that the development makes efficient use of mains water.

- 19 The development hereby approved shall not progress beyond basement level until details of the lighting (full specification, elevations and location) of all public realm and other external areas (including buildings and the basement car park) within the site has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles and achieves a high standard of residential quality.

- 20 The development hereby approved shall not progress beyond basement level until revised details have been submitted to, and approved in writing by, the local planning authority showing the provision of the correct number and appropriate size of bins for Blocks A and C, and details (floor plans/ elevations) showing a separate provision, including the correct number of bins, for the proposed commercial unit located in the ground floor of Block C. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

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 ensure that the development provides adequate refuse facility to serve the development and achieves a high standard of residential.

- 21 The development hereby approved shall not progress beyond basement level until revised details for the designated refuse holding area (fronting St Johns Road) have been submitted to and approved in writing by the local planning authority. Details shall demonstrate that the refuse bins would be held in an area on collection day within the site boundary to ensure that there is no impedance of the adjacent footway. The details shall be implemented prior to the first occupation of the development and shall be retained thereafter.

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: The submitted details show that the refuse holding area would impede

the adjacent footway and revised details are required to ensure that the development can be serviced without prejudice to the free flow of pedestrian traffic.

- 22 The development hereby approved shall not progress beyond basement level until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the development and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces and to ensure that the development achieves a high standard of amenity for future occupiers the buildings.

### **Pre Occupation Conditions**

- 23 Prior to the first occupation of the development, detailed specifications shall be submitted to, and approved in writing by, the local planning authority for the proposed changes to the highway associated with the proposed layby and the proposed details for the new crossover on Sheepcote Road. The existing vehicular accesses on Sheepcote Road and St. John's Road shall be closed when the new vehicular accesses hereby permitted are brought into use, and the highway shall be reinstated in accordance with details as agreed by, the local planning authority. The development shall not be occupied until the reinstatement works have been completed in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

- 24 Prior to bringing the community hall into use, a detailed management plan shall be submitted to, and approved in writing by, the local planning authority. Details should include, but not be limited to, hours of operation, management and staffing, types of event, control of internal sound levels and management of ingress and egress of patrons. The proposed use shall be carried out in accordance with the details so agreed.

REASON: To safeguard future occupiers of the development against unreasonable noise activity and disturbance associated with such uses.

- 25 The non-residential premises located in the ground floor of Block C shall not be first occupied and used without the local planning authority's prior agreement, in writing, of the following details:
- d) a scheme for the projection of amplified sound to customers, neighbouring residents (including future occupiers) and other members of the public inside and (where relevant) outside of the building;
  - e) any externally situated plant and/or other machinery;
  - f) any externally situated temporary or permanent furniture, means of enclosure and other equipment associated with the extension of commercial activity

outside of the building.

The occupation and use of the ground floor non-residential premises, including any part thereof, shall be carried out in accordance with the notification and details so agreed until such time as a material change of use occurs that is authorised either by any statutory instrument, local development order or by the local planning authority granting of planning permission.

REASON: To ensure that the operation of the ground floor uses and any associated equipment, plant, machinery and/or outdoor activity is compatible with residential and visual amenity.

- 26 The development hereby approved shall not be first occupied until a scheme for the on-going management, management programme of works and maintenance of all the hard and soft landscaping within the development, to include a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (including communal residential areas), other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development or any sub-phase of the development, whichever is the sooner, for its permitted use. The Landscape Management Plan shall be carried out in a timely manner as approved.

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

To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity within the Heart of Harrow and to ensure a high standard of design, layout and amenity.

- 27 The development hereby approved shall not be first occupied until a schedule of landscape maintenance for a minimum period of 5 years, from implementation of final planting, has been submitted to, and approved by, the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

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

To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity within the Heart of Harrow and to ensure a high standard of design, layout and amenity.

- 28 The development hereby permitted shall not be first occupied until details have been submitted to, and approved in writing by, the local planning authority for the timings (days and hours) of when the pedestrian gates would be fully opened for public access through the site and details of how this would be managed. The pedestrian gates shall remain open at the agreed times unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard the appearance and character of the surrounding area and to maximise opportunities to increase pedestrian permeability.

- 29 The development hereby permitted shall not be first occupied until there has been first submitted to, and approved in writing by, the local planning authority a revised Travel Plan to include targets to promote modal shift towards active travel. Details should include cycle trips associated with the development. The travel plan shall be implemented as agreed unless otherwise agreed in writing by the local planning authority.

REASON: To promote sustainable modes of travel for the future occupiers of the development.

- 30 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.

- 31 The residential premises hereby approved shall not be occupied until: (i) an audio-visual access control system has been installed; or (ii) such alternative security measures have been installed that shall first have been submitted to, and agreed in writing by, the local planning authority.

REASON: To ensure that the development achieves a high standard of residential quality for future occupiers of the development.

- 32 Prior to the first occupation of the residential units, details of the arrangements for the distribution of mail (including any mail boxes) and other deliveries to residents within the development shall be first submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development contributes to the achievement of a lifetime neighbourhood and a high standard of design and layout.

- 33 The development hereby approved shall not be occupied until the measures for the acoustic insulation and ventilation of the flats detailed in the Acoustic Planning Report (Ref: 6690/APR) submitted with the application have been implemented in full.

REASON: To ensure that potential adverse noise impacts to residential premises within the development are mitigated, and to ensure a high standard of amenity for future occupiers.

- 34 The development shall be undertaken in accordance with the approved Sustainability Statement and Energy Strategy. Within 3 months (or other such period agreed in writing by the local planning authority) of the final completion of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Energy Statement; which thereafter shall be submitted to the local planning authority for written approval.

REASON: To ensure the delivery of a sustainable development.

### **General Conditions**

- 35 The proposed alternative flexible C3(residential) use approved in the area designated as a commercial unit in the ground floor of Block C shall not be implemented until all marketing methods have been fully exhausted to provide a use falling within use classes A1, A2, A3, B1, D1 and D2. Should this not be achievable, a comprehensive marketing report, detailing the method, period of marketing (of which should be no less than 12 months) and terms of marketing undertaken shall be submitted to the local planning authority. The alternative C3 use shall not be implemented until the details of the marketing report have been first agreed in writing by the local planning authority. Following such approval, details for the internal layout and proposed external appearance, including private defensible area shall be submitted to the local planning authority for approval in writing prior to the conversion of the subject unit to a residential use.

REASON: To ensure that all endeavours are made to promote a commercial unit on the ground floor of Block C to help support the proper functioning of the future public square and activate this frontage; and to ensure a high standard of residential quality.

- 36 Notwithstanding the provisions of Part 16 (Communications) to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking and replacing that Order with or without modification, no development that would otherwise be permitted by that part of the Order (or the equivalent provisions of any replacement Order) shall be carried out without planning permission having first been obtained by the local planning authority.

REASON: To ensure that the development preserves the highest standards of architecture and materials.

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

REASON: To safeguard the ecology and biodiversity of the area.

- 38 Unless otherwise agreed in writing by the local planning authority, the commercial units located in Block C hereby approved shall only be open to the public between: 7am and 11pm on Mondays to Fridays; 7am, to 12am on Saturdays; and 8.30 am and 10.30pm on Sundays and Bank Holidays.

REASON : To ensure that the operation of the ground floor uses is compatible with residential amenity.

- 39 Deliveries to any non-residential uses within the development shall take place only between the hours of 06:30 and 23:00 on Mondays to Saturdays and between the hours of 08:30 and 22:00 on Sundays and Bank Holidays, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the noise impact of deliveries associated with non-residential uses within the development is minimised and that the development achieves a high standard of amenity for future and the neighbouring occupiers.

## INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2016)

Policies 2.13, 3.3, 3.4, 3.5, 3.6, 3.8, 3.11, 3.12, 5.1, 5.2, 5.3, 5.7, 5.11, 5.12, 5.13, 5.18, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.8, 7.13, 7.14, 7.15, 7.18, 8.2.

The Harrow Core Strategy (2012)

Core Policies CS1

Harrow and Wealdstone Area Action Plan (2013)

Policies: AAP 1, AAP 4, AAP 5, AAP 9, AAP 11, AAP 13, AAP 19, AAP 20

Development Management Policies Local Plan (2013)

Policies DM 1, DM 2, DM 7, DM 10, DM 12, DM 14, DM 28, DM 42, DM 49

Supplementary Planning Document – Residential Design Guide (2010)

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008).

Mayors Housing Supplementary Planning Guidance (2016)

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](mailto:communities@twoten.com)

4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

5 INFORMATIVE:

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

6 INFORMATIVE:

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

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

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

7 INFORMATIVE:

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

Harrow's Charges are:

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

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

Retail (Use Class A1), Financial & Professional Services (Use Class A2),

Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL contribution for this development is **TBC**

- 9 **INFORMATIVE:**  
Notwithstanding the note on your submitted plan(s), this decision has been made on the basis of measurements scaled from the plan(s), unless a dimensioned measurement overrides it.
- 10 The applicant is advised to engage with the Designing Out Crime Officer at an early stage of the detailed design stage in respect of meeting the requirement of condition 30.

Plan Nos:

**Full set of architectural plans:**

- Site Location Plan
- M665\_ – Existing Floorplan Victoria Hall
- M665\_ES/08 – Existing Floorplan Cumberland Hotel
- M762\_100 PL1.1 – Proposed Ground Floor Site Plan
- M762\_101 PL1.1 – Proposed First Floor Plan
- M762\_102 PL1.1 – Proposed Second Floor Plan
- M762\_103 PL1.1 – Proposed Third Floor Plan
- M762\_104 PL1.1 – Proposed Fourth Floor Plan
- M762\_105 PL1.1 – Proposed Fifth Floor Plan
- M762\_106 PL1.1 – Proposed Sixth Floor Plan
- M762\_107 PL1.1 – Proposed Seventh Floor Plan
- M762\_108 PL1.1 – Proposed Eighth Floor Plan
- M762\_109 PL1.1 – Proposed Ninth Floor Plan
- M762\_110 PL1.1 – Proposed Tenth Floor Plan
- M762\_111 PL1.1 – Proposed Eleventh Floor Plan
- M762\_112 PL1.1 – Proposed Twelfth Floor Plan
- M762\_113 PL1.1 – Proposed Thirteenth Floor Plan
- M762\_114 PL1.1 – Proposed Fourteenth Floor Plan
- M762\_115 PL1.1 – Proposed Fifteenth Floor Plan
- M762\_116 PL1.1 – Proposed Roof Plan
- M762\_150 PL1 – Basement Floor Plan
- M762\_200 PL1.1 Block A+B – Front Elevation
- M762\_201 PL1.2 Block A+B – Rear Elevation
- M762\_202 PL1.1 Block A+B – Side Elevation
- M762\_205 PL1.1 Block C – Front Elevation
- M762\_206 PL1.1 Block C – Rear Elevation
- M762\_207 PL1.1 Block B + C – Side Elevation 1
- M762\_208 PL1.1 Block C – Side Elevation 2
- M762\_209 PL1.1 Block A – Side Elevation/Section

**Full set of landscape plans:**

- D2537-FBK-XX-00-L-0100 RevC – Colour Master plan
- D2537-FBK-XX-00-L-0200-RevD – Hard and Soft Landscape General Arrangement Plan
- D2537-FBK-XX-00-L-0400 Rev- – Site Landscape Sections Sheet 1 of 2
- D2537-FBK-XX-00-L-0401 Rev- – Site Landscape Sections Sheet 2 of 2



**Drainage plan:**

- D1759-C-01 – Surface Water Drainage

**Full set of reports that form part of the planning application:**

- Planning Statement
- Design and Access Statement
- Acoustics Planning Report
- Affordable Housing Statement RevA
- Air Quality Assessment
- Arboricultural Survey Report and Impact Assessment
- Contamination Phase I Desktop Study
- Daylight and Sunlight Report
- Daylight Within Report (November 2017)
- Delivery and Servicing Plan
- Drainage Report, Foul Sewage and Flood Risk Assessment
- Energy Statement
- Heritage Statement
- Landscape Report
- Preliminary Ecological Appraisal
- Statement of Community Involvement
- Sustainability Report
- Transport Assessment
- Travel Plan

## Victoria Hall and Cumberland Hotel, Harrow town centre

in the London Borough of Harrow

planning application no. P/4332/17

<p><b>Strategic planning application stage 1 referral</b></p> <p>Town &amp; Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town &amp; Country Planning (Mayor of London) Order 2008.</p>
<p><b>The proposal</b></p> <p>Residential-led redevelopment of up to 16-storeys to provide 204 residential units, 569 sq.m. of community space, 79 sq.m. of flexible retail space and associated landscaping and access.</p>
<p><b>The applicant</b></p> <p>The applicant is <b>Origin Housing</b>, and the architect is <b>MOSS Architecture</b>.</p>
<p><b>Strategic issues summary</b></p> <p><b>Opportunity Area:</b> The residential-led mixed use intensification of this highly accessible town centre site is strongly supported (paragraphs 13 to 14).</p> <p><b>Social infrastructure:</b> The proposed provision of enhanced community space as part of this comprehensive redevelopment is strongly supported (paragraph 15).</p> <p><b>Housing:</b> The affordable housing offer (42% with grant) has been independently verified as the maximum level. Early and late stage reviews must be secured in accordance with draft London Plan Policy H6 and the Mayor's Affordable Housing and Viability SPG (paragraphs 16 to 27).</p> <p><b>Urban design:</b> The proposed design and public realm enhancements are supported (paragraphs 28 to 31).</p> <p><b>Sustainable development:</b> The applicant must investigate the potential for further carbon dioxide savings for the non-residential component of the development. Urban greening and sustainable urban drainage systems must be secured by planning condition (paragraphs 33 to 34).</p> <p><b>Transport:</b> Whilst the scheme is generally acceptable in strategic transport terms, the applicant must address outstanding matters with respect to public transport; car parking; cycling and walking; travel planning; and, servicing and construction (paragraphs 35 to 42).</p>
<p><b>Recommendation</b></p> <p>That Harrow Council be advised that, whilst the scheme is broadly supported in strategic planning terms, the application does not yet fully comply with the London Plan and draft London Plan for the reasons set out in paragraph 46 of this report. The resolution of those issues could, nevertheless, lead to the application becoming compliant with the London Plan and draft London Plan.</p>

## Context

1 On 12 October 2017 the Mayor of London received documents from Harrow Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view.

2 The application is referable under the following categories of the Schedule to the Order 2008:

- 1A 1. "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats"; and,
- 1C 1.(c) "Development which comprises or includes the erection of a building of... more than 30 metres high and is outside the City of London".

3 Once Harrow Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## Site description

5 The 0.5 hectare site is located within Harrow metropolitan town centre and comprises: the Cumberland Hotel, which fronts Sheepcote Road to the northeast and St. John's Road to the southwest (and benefits from permission for 121 new residential units, 67% affordable with grant, and two commercial units); and, Victoria Hall (fronting Sheepcote Road), which is a community facility affiliated with St. John's Church, adjacent to the north. The site is not within a Conservation Area and none of the existing buildings on site are listed. However, St. John's Church is Grade II Listed. There also various other designated heritage assets in the vicinity, including Station Road War Memorial (Grade II) and Granada Cinema Building (Grade II).

6 The site falls within the Harrow & Wealdstone Opportunity Area and Housing Zone, and Harrow town centre is undergoing a steady process of urban renewal, with various strategic development proposals coming through the planning and delivery pipeline. Immediately to the north of this site, the redevelopment of the former Lyon House office site (GLA reference: PDU/2721/02 - 287 new homes, 17% affordable without grant, and 3,051 sq.m. of commercial space in buildings of up to 14-storeys) is now well underway.

7 In terms of the public transport accessibility of the site, Harrow-on-the-Hill station is approximately 480 metres to the southwest providing both London Underground services (Metropolitan line) and national rail services (between Marylebone and Aylesbury). In addition, there are numerous bus routes (including one 24-hour route) within 500 metres of the site. Overall, the site registers a public transport accessibility level of six(a), on a scale of zero to six(b), where six(b) denotes the most accessible locations in the capital.

## Details of the proposal

8 Comprehensive residential-led redevelopment up to 16-storeys to accommodate:

- 204 new residential units (42% affordable on a habitable rooms basis, before grant);
- 569 sq.m. community facility (to replace the existing Victoria Hall);
- 79 sq.m. flexible ground floor retail unit; and,
- a new pedestrian route from Sheepcoate Road to St. John's Road, incorporating a new public space between the community facility and St. John's Church.

## Case history

9 In October 2015 Origin Housing secured planning permission P/0586/15 for 121 units (67% affordable with grant) and two commercial units on the Cumberland Hotel site. The associated application was not referable to the Mayor of London. It is understood that this application remains implementable, however, following subsequent changes to the landscape of grant funding a new agreement on the level of grant funding for this development would need to be agreed before the scheme could be delivered.

10 Since the above-mentioned permission was granted, Origin reached an agreement with the Trustees of Victoria Hall to extend the development onto the Victoria Hall site, and to reprovide the existing community space within a larger, more comprehensive scheme. GLA officers held pre-application meetings to discuss this proposal on 15 April 2016 and 29 June 2017. The advice issued by GLA officers welcomed the evolution of this scheme into a more comprehensive form of development, and strongly supported the proposed new homes and improved community space that it would provide. The applicant's commitment to deliver at least 40% affordable housing was also supported. The applicant was, nevertheless, advised that detailed issues respect to: housing; urban design; inclusive access, sustainable development; and transport needed to be addressed by the future planning application.

## Strategic planning issues and relevant policies and guidance

11 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2012 Harrow Core Strategy and Proposals Map; 2013 Harrow and Wealdstone Area Action Plan; 2013 Development Management Policies Local Plan; and, the 2016 London Plan (Consolidated with Alterations since 2011).

12 The following are relevant material considerations:

- National Planning Policy Framework and National Planning Practice Guidance; and,
- Draft London Plan (consultation draft December 2017).
- Opportunity Area *London Plan;*
- Social infrastructure *London Plan;*
- Housing *London Plan; Affordable Housing and Viability SPG; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG;*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Inclusive access *London Plan; Accessible London: achieving an inclusive environment SPG;*

- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy; Mayor's Ambient Noise Strategy;*
- Transport and parking *London Plan; the draft Mayor's Transport Strategy;*
- Crossrail *London Plan; and, Mayoral Community Infrastructure Levy.*

### **Principle of development**

13 The site is located in Harrow metropolitan town centre, within the Harrow and Wealdstone Opportunity Area. The site also falls within the Harrow Housing Zone, which is prioritised for accelerated housing delivery with GLA funding support. London Plan Policy 2.13 and Policy SD1 of the draft London Plan identifies the Opportunity Area has having indicative capacity for 1,000 to 3,000 new jobs and 2,800 to 5,000 new homes. At the local level, the adopted Harrow and Wealdstone Area Action Plan (HWAAP) is the primary policy vehicle for shaping growth and change in this part of the borough. Whilst this site is not one identified specifically by the HWAAP, the plan recognises that there are various opportunities for development of this nature to support long-term regeneration in this particular part of the town centre.

14 Having regard to the policy context set out above, and noting the extant permission at the Cumberland Hotel site, the proposal to provide 204 new homes and (reprovided) community space is supported in strategic planning terms.

### **Social infrastructure**

15 As discussed in paragraph 6 Victoria Hall (a community facility affiliated with St. John's Church) forms part of the site. The hall provides 558 sq.m. of community floorspace, which is currently provided at both ground and first floor level. Further to discussions at pre-application stage it is clear that the applicant has engaged extensively with the trustees of Victoria Hall in order to successfully incorporate the Victoria Hall site as part of this redevelopment scheme to provide new homes and improved community space. Accordingly the applicant proposes to provide a new community facility of 569 sq.m., which has been designed in collaboration with the Victoria Hall trustees, and will be delivered to a basic level of internal fit out. The new community space would also benefit from being all at grade; which offers improved accessibility, as well as increased flexibility and breakout opportunities. GLA officers strongly support the proposals for the repovision of community space in line with London Plan Policy 3.16 and Policy S1 of the draft London Plan.

### **Housing**

16 This site forms part of the Harrow Housing Zone, which is prioritised for accelerated housing delivery with GLA funding support. Further to the extant consent for 121 units (67% affordable with grant) at the Cumberland Hotel part of this site, the applicant has coordinated a more comprehensive scheme with adjoining land in order to propose 204 new homes and improved community facilities. This approach would achieve a more efficient use of highly accessible town centre land, and deliver additional homes in accordance with London Plan Policy 3.3 and Policy H1 of the draft London Plan (increasing housing supply). Table 1 below sets out the proposed residential schedule.

<b>Unit type</b>	<b>London Affordable Rent</b>	<b>Intermediate</b>	<b>Private market</b>	<b>Total</b>
Studio	0	1	10	<b>11</b>
One-bedroom	6	16	34	<b>56</b>
Two-bedroom	19	33	79	<b>131</b>
Three-bedroom	2	4	0	<b>6</b>
<b>Total units</b>	<b>27</b>	<b>54</b>	<b>123</b>	<b>204</b>

**Table 1:** Proposed residential schedule

### Affordable housing

17 London Plan Policy 3.12 seeks the maximum reasonable amount of affordable housing and the Mayor's Affordable Housing and Viability SPG establishes a minimum pan-London threshold level of 35% affordable housing (before subsidy) as part of the Mayor's strategic long-term objective to increase the level of affordable housing delivered through the planning system to 50%. This approach is carried forward by policies H5 and H6 of the draft London Plan.

18 As discussed in paragraph 9, extant permission P/0586/15 was secured at the Cumberland Hotel part of this site in October 2015. This permission included a 67% provision of affordable housing, subject to the investment of affordable housing grant under the former funding programme for affordable housing completions up to 2018. The offer comprised 83 affordable units (27 affordable rent and 56 intermediate). Whilst it is understood that this scheme remains technically implementable, the associated grant funding offer expired in March 2017. Accordingly, a new agreement on the provision of affordable housing funding would be required in order to deliver that scheme. This would be subject to changed funding terms, which have been designed in line with the Mayor's objective to deliver genuinely affordable homes in response to London's need. Having regard to this, and noting that the extant permission includes affordable rent units of up to 80% of local market rent, it is unlikely that a 67% provision of affordable housing could be viably sustained whilst simultaneously delivering the deeper discounts required as a prerequisite of the current grant funding programme. For the avoidance of doubt, the planning application associated with the extant permission did not include a full viability assessment, therefore, it is not currently clear what provision of affordable housing the extant permission would achieve on a 'nil grant' basis.

19 The current, larger, scheme proposes a 42% provision of affordable housing (by habitable room) with grant under the current 2016-21 programme. As set out in Table 1 above, the proposed provision comprises 77 affordable units (27 London Affordable Rent and 54 intermediate). The current proposal would achieve an overall increase of 83 housing units compared to the extant permission at the Cumberland Hotel part of the site, but would provide two fewer intermediate affordable housing units.

20 As a general principle in line with the policy context set out in paragraph 17 above, and in accordance with the basic economies of scale, the Mayor expects uplifts in housing density to deliver at least commensurate uplifts in affordable housing provision. Notwithstanding this, it is acknowledged in this case that the deliverability of the extant 67% affordable housing provision is contingent on a grant funding offer which has now expired (as discussed in paragraph 18). It is further acknowledged that the affordable housing offer currently proposed would provide significantly enhanced levels of affordability in line with Policy H7 of the draft London Plan and the Mayor's Affordable Housing and Viability SPG. Having regard to the above, GLA officers have concluded that the most appropriate way to appraise the affordable housing offer within this scheme is to undertake a rigorous independent viability review, based on present day costs, values and grant conditions.

21 Further to the above, the applicant has submitted a full viability assessment. Following rigorous independent review it has been verified that the scheme could not viably achieve 35% affordable housing before subsidy, and that the proposed 42% provision of affordable housing with grant is the maximum level of affordable housing that this scheme can achieve in current market conditions.

22 On the basis that it has been independently verified that this scheme would not achieve a 35% provision of affordable housing before grant, the application is subject to the requirements of the 'Viability Tested Route' as defined by Policy H6 of the draft London Plan and the Mayor's Affordable Housing and Viability SPG. In line with this approach, the Section 106 agreement must secure early and late stage review mechanisms. The former is intended as an incentive to timely delivery, and the latter will ensure that the maximum level of affordable housing would be secured by the planning system through to the delivery stage.

23 In the interests of transparency, the Council is reminded that draft London Plan Policy H6 and the Mayor's Affordable Housing and Viability SPG strongly encourages local planning authorities (LPAs) to publish any submitted financial viability assessment, and any associated independent viability review. The Mayor's SPG makes clear that, where this information is not published by an LPA, the Mayor reserves the right to publish it himself.

Affordable housing tenures

24 The applicant proposes a tenure split of 35% London Affordable Rent and 65% intermediate (London Affordable Rent levels are set out within table 2 below, intermediate products will have eligibility capped at incomes of £90,000 per year). The weighting towards intermediate tenure has been developed following joint pre-application discussions, and accords with the parameters of the Mayor's Affordable Housing and Viability SPG and Policy H6 of the draft London Plan on the basis that it secures at least 30% low cost rent and at least 30% intermediate. Further to this Harrow Council is content, having had regard to the Local Plan and the independent review of financial viability, that the remaining 40% would be shared as 12.5% London Affordable Rent and 87.5% intermediate.

	<b>London Affordable Rent</b>
<b>One-bedroom</b>	£144.26 per week
<b>Two-bedroom</b>	£156.80 per week
<b>Three-bedroom</b>	£167.00 per week

**Table 2:** Proposed affordability levels (London Affordable Rent).

Residential standards, play space and density

25 All dwellings will meet or exceed the minimum space standards established by London Plan Policy 3.5 (Table 3.3) and Policy D4 of the draft London Plan. The scheme also responds positively to the residential design quality benchmarks of the Housing SPG and includes the required 10% provision of wheelchair accessible/adaptable units. This is supported and should be secured by condition, along with Building Regulations standards M4(2) and M4(3) in line with London Plan Policy 3.8.

26 With respect to children's play space, the scheme includes a designated play area of 349 sq.m., which is tailored towards doorstep play for children under five. Whilst this would exceed play requirements of young children at the site, this provision represents a marginal 31 sq.m. shortfall against the overall requirements of the Play and Informal Recreation SPG, when assessed across all age groups. The applicant has nevertheless demonstrated that the recreational needs of older children within the development can be met by various local open

spaces in the general vicinity of the site. This approach is acceptable; however, the Council is encouraged to seek an open space contribution where appropriate to mitigate any intensified use of local spaces.

27 London Plan Policy 3.4 and Policy D6 of the draft London Plan seek to optimise housing density, with the draft London Plan placing greater emphasis on a design-led approach and requiring an independent design review of proposed development which exceeds various prescribed thresholds. In this case the scheme is 1,018 habitable rooms per hectare / 408 units per hectare. This marginally exceeds the threshold within Policy D6 of the draft London Plan and would therefore trigger the design review process. In this case the scheme has not been subject to an independent design review. However, it has been subject to qualified design critique and an iterative process of revision as part of various GLA and Harrow Council pre-application meetings. In general, noting the characteristics of the location and context (town centre and Opportunity Area), this site lends itself well to a high quality, high density mixed use development. The proposed density is in line with the typical range expected for a site of these characteristics as defined by Table 3.2 in support of London Plan Policy 3.4, and noting the broad support for the design and residential quality (as discussed in this report) the density is acceptable.

### **Urban design**

28 The proposal responds well to the characteristics of this town centre site, and GLA officers strongly support the evolution of this scheme into a more comprehensive form - which helps to optimise residential density, deliver enhanced community facilities and provide a more integrated redevelopment to support the regeneration of this part of the town centre.

29 The scheme comprises three blocks - blocks A and B (7 to 8-storeys) which front Sheepcote Road; and, block C (10 to 16-storeys) which fronts St. John's Road. Block B includes the new community facility, whilst block C would accommodate a ground floor commercial unit, fronting St. John's Road.

30 The layout of these blocks is supported, and allows for a new east-west connection to be created between Sheepcote Road and St. John's Road, through the centre of the site. The arrangement of blocks would also create a new courtyard space between Block B and St. John's Church (Grade II). The proposed introduction of these new pieces of public realm is strongly supported, and the courtyard space in particular would help to create a high quality landscaped setting to the south of the Grade II Listed St. John's Church.

31 Having considered the characteristics of this town centre site; the Opportunity Area and Housing Zone context; and, having had special regard pursuant to Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990, GLA officers support the design, height, scale and massing of this residential-led mix use redevelopment, which would deliver new connectivity and public realm, improved community facilities and enhancements to the setting of the neighbouring St. John's Church (Grade II). The proposal would also ensure an appropriate response to the other designated heritage assets in the vicinity (refer to paragraph 5 above). Accordingly, the application complies with London Plan policies 7.1 and 7.8, and policies D1 and HC1 of the draft London Plan. In accordance with Policy D11 of the draft London Plan, the Council should secure an informative prescribing the submission of a fire statement, produced by a third party suitable qualified assessor, in consultation with the London Fire Brigade.



## **Inclusive access**

32 The commitment to ensure equal and convenient access throughout the development is supported, and the proposed enhancements to on-site community facilities and provision of new public space and an east-west connection is welcomed in particular. The applicant has committed to a 10% provision of wheelchair accessible/adaptable homes, and has provided sufficient Blue Badge parking spaces to allow for a 1:1 provision of spaces to units. This is supported and the application accords with London Plan Policy 7.2 and Policy D3 in the draft London Plan.

## **Sustainable development**

### Energy strategy

33 In accordance with the principles of London Plan Policy 5.2 and Policy SI2 of the draft London Plan, the applicant has submitted an energy statement, setting out how the development proposes to reduce carbon dioxide emissions. In summary the proposed strategy comprises: energy efficiency measures (including a range of passive design features and demand reduction measures); a site heat network driven by combined heat and power plant; and, renewable technologies (comprising 500 sq.m. of photovoltaic panels). The approach proposed would achieve a 46% carbon dioxide reduction for the residential component of the scheme and a 15% reduction for the non-residential component. Whilst the principles of the energy strategy are supported, the applicant must explore the potential for additional measures to deliver further carbon dioxide reductions (particularly for the non-residential component). Once all opportunities for securing further feasible on-site savings have been exhausted, a carbon offset contribution should be secured to mitigate any residual shortfall.

### Climate change adaptation

34 London Plan Policy 5.10 and Policy G5 of the draft London Plan seek the incorporation of new green infrastructure as part of development proposals, and London Plan policies 5.12 and 5.13 and policies SI12 and SI13 of the draft London Plan seek to reduce flood risk and secure sustainable urban drainage systems to reduce surface water runoff. The scheme includes various locations for soft landscaping; sedum roofs; and, permeable paving, as well as below ground rainwater storage to support urban greening and reduce surface water runoff rates in line with the Sustainable Design and Construction SPG. This is supported and the Council should secure detailed approval of sustainable drainage and urban greening measures by way of planning condition.

## **Transport**

### Public transport

35 A contribution of £25,000 is sought towards step free access enhancements for Harrow-on-the Hill Station as mitigation in line with London Plan Policy 6.1 and Policy T3 of the draft London Plan.

### Car parking

36 The proposal includes 62 residential parking spaces, which equates to 0.4 spaces per unit (consistent with the extant permission at the site). However, noting the high public transport access level, and in the interests of encouraging mode shift away from car use, a reduction is encouraged in response to London Plan Policy 6.13, Policy T6 of the draft London Plan and the

draft Mayor's Transport Strategy. Notwithstanding this, the proposed like for like re-provision of 22 spaces for the community hall use is accepted.

37 The commitment to provide 20 on-site spaces for Blue Badge users is welcomed, as is the London Plan compliant provision of active and passive electric vehicle charging points (EVCP). Restriction of on-street parking permits for future residents should be secured by an appropriate legal mechanism, and Blue Badge and EVCP provision should be secured by way of planning condition in line with London Plan Policy 6.13 and Policy T6 of the draft London Plan.

#### Cycling and walking

38 The development includes a new pedestrian link through the site between Sheepcote Road and St John's Road. This is welcomed. It is nevertheless understood that as part of the site security strategy this route may be gated off late at night, for use by residents only. GLA officers seek to achieve the optimum balance between public access and security having regard to the advice of the Metropolitan Police, in line with draft London Plan Policy D10. Further to this, and to promote active travel and improved permeability, a planning condition/obligation should be secured to ensure this route would remain open to the public for as long as is practically possible in line with London Plan Policy 6.10 and Policy T2 of the draft London Plan.

39 In line with pre-application advice the applicant has undertaken pedestrian and cycling environment audits. The submitted findings have identified that some local routes/links are in need of improvement. The Council is strongly encouraged to secure an appropriate contribution towards delivering associated improvements accordingly in line with London Plan policies 6.9 and 6.10 and policies T2 and T5 of the draft London Plan. The need for a contribution to deliver 'Legible London' (or similar) wayfinding signage should also be considered by the Council in line with London Plan Policy 6.10 and Policy T2 of the draft London Plan.

40 The proposal includes 341 cycle spaces for the residents, including 18 larger spaces at the basement, and 8 spaces for the community use. This meets the minimum London Plan standards and is supported in line with London Plan Policy 6.9 and Policy T5 of the draft London Plan.

#### Travel planning

41 The current travel plan overlooks the potential for cycle trips associated with the proposal. Given existing and proposed cycle provision in the area, and in the context of the draft Mayor's Transport Strategy, GLA officers expect cycling to be a well-used mode of transport within the scheme. The travel plan should be updated to reflect this, and to include ambitious targets to promote mode shift towards active travel in line with London Plan Policy 6.3 and Policy T4 of the draft London Plan. Approval and implementation of the revised travel plan should be appropriately secured as part of any planning consent.

#### Servicing and construction

42 A delivery and servicing plan (DSP) has been submitted. The proposed servicing arrangements are acceptable, and the DSP, in conjunction with a construction logistics plan, should be secured for detailed approval by way of planning condition in line with London Plan Policy 6.14 and Policy T7 of the draft London Plan.

## Local planning authority's position

43 Harrow Council is expected to formally consider the application at a planning committee meeting on 14 December 2017.

## Legal considerations

44 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## Financial considerations

45 There are no financial considerations at this stage.

## Conclusion

46 London Plan and draft London Plan policies on Opportunity Area, social infrastructure, housing, urban design, inclusive access, sustainable development and transport are relevant to this application. Whilst the scheme is broadly supported in strategic planning terms, the application does not yet fully comply with the London Plan and draft London Plan as set out below:

- **Opportunity Area:** The comprehensive residential-led mixed use redevelopment of this highly accessible town centre site is strongly supported in line with London Plan policies 2.13 and 3.3, and policies SD1 and H1 of the draft London Plan.
- **Social infrastructure:** The proposed provision of enhanced community space as part of this comprehensive redevelopment is strongly supported in line with London Plan Policy 3.16 and Policy S1 of the draft London Plan.
- **Housing:** The proposed affordable housing offer (42% with grant) has been independently verified as the maximum level subject to early and late stage review mechanisms in line with London Plan Policy 3.12, the Mayor's Affordable Housing and Viability SPG and policies H5 and H6 of the draft London Plan.
- **Urban design:** The proposed design and public realm provision is supported in line with London Plan policies 7.1 and 7.8 and policies D1 and HC1 of the draft London Plan.
- **Inclusive access:** The proposed response to access and inclusion is supported in line with London Plan Policy 7.2 and Policy D3 of the draft London Plan.

- **Sustainable development:** The proposed energy strategy and climate change adaptation measures are broadly supported in strategic planning terms. Once all opportunities to secure further feasible on-site carbon dioxide savings have been exhausted, a carbon offset contribution must be secured to mitigate any residual shortfall. The Council must secure the associated energy strategy and climate change adaptation details by way of planning condition in accordance with London Plan polices 5.2, 5.10, 5.12 and 5.13 and policies S12, S12 and S13 of the draft London Plan.
- **Transport:** Whilst the scheme is generally acceptable in strategic transport terms, issues with respect to: public transport; car parking; cycling and walking; travel planning; and, servicing and construction should be addressed in line with London Plan policies 6.1, 6.3, 6.9, 6.10, 6.13 and 6.14 and policies T2, T3, T4, T5, T6 and T7 of the draft London Plan.

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## Agenda Item 9 – Representations on Planning Applications

<b>Item:</b>	<b>Address:</b>	<b>Speakers:</b>
<b>1/01</b>	<b>Harrow View East (former Kodak)</b>	<b>Objector:</b> Pamela Swain, Resident <b>Applicant:</b> Alister Henderson, Agent
<b>1/02</b>	<b>Intershop House, Lowlands Road, Harrow</b>	<b>Objector:</b> Irene Wear, Resident <b>Applicant:</b> Frances Young, Agent
<b>2/02</b>	<b>82 Rowlands Road, Harrow</b>	<b>Objector:</b> Charles Flattery, Resident <b>Applicant:</b> Andy Tyrrell, Agent
<b>2/05</b>	<b>37 Glanleam Road, Harrow</b>	<b>Objector:</b> Martin Leigh, Resident <b>Applicant:</b> Dipesh Shah, Architect