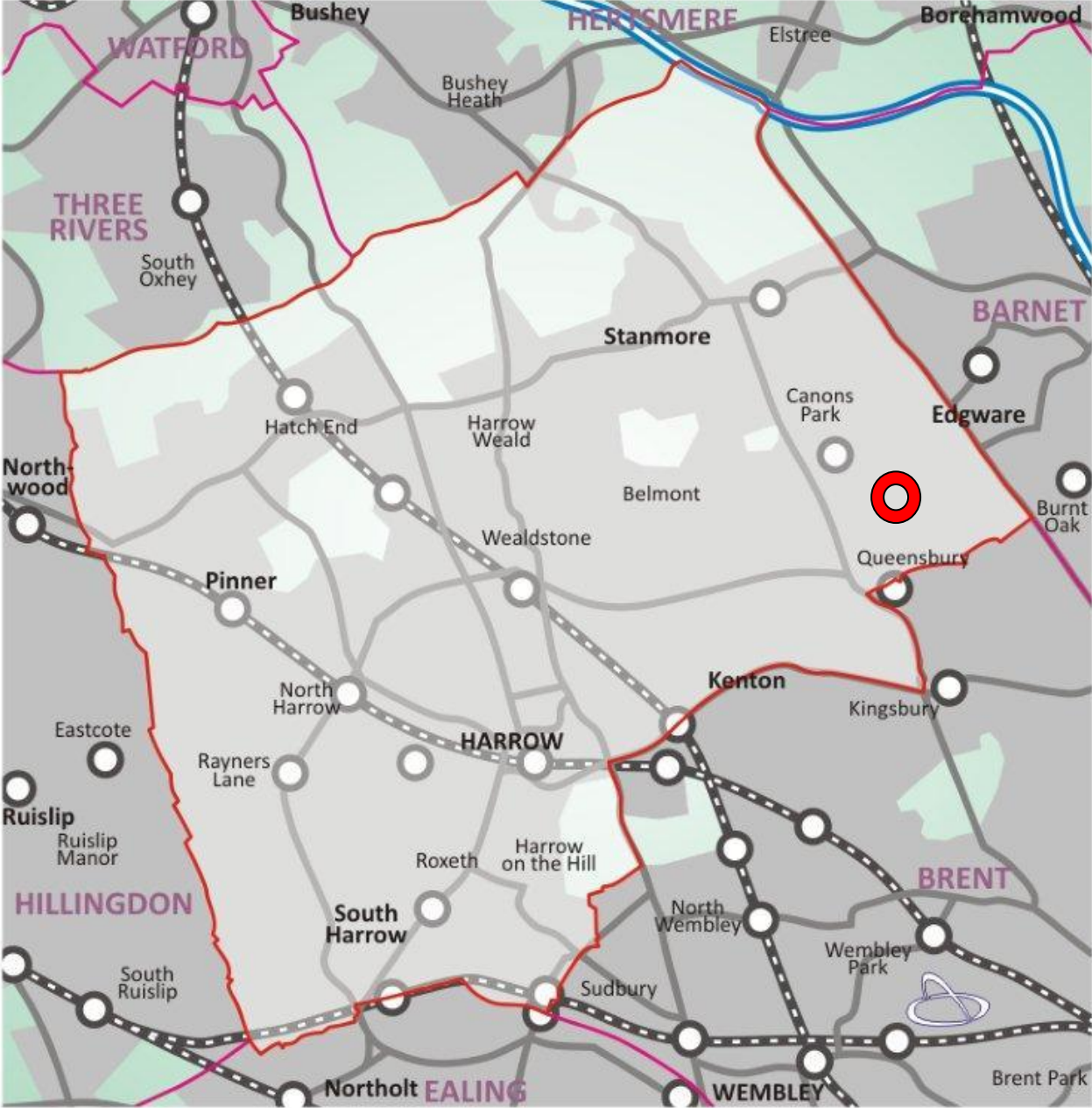
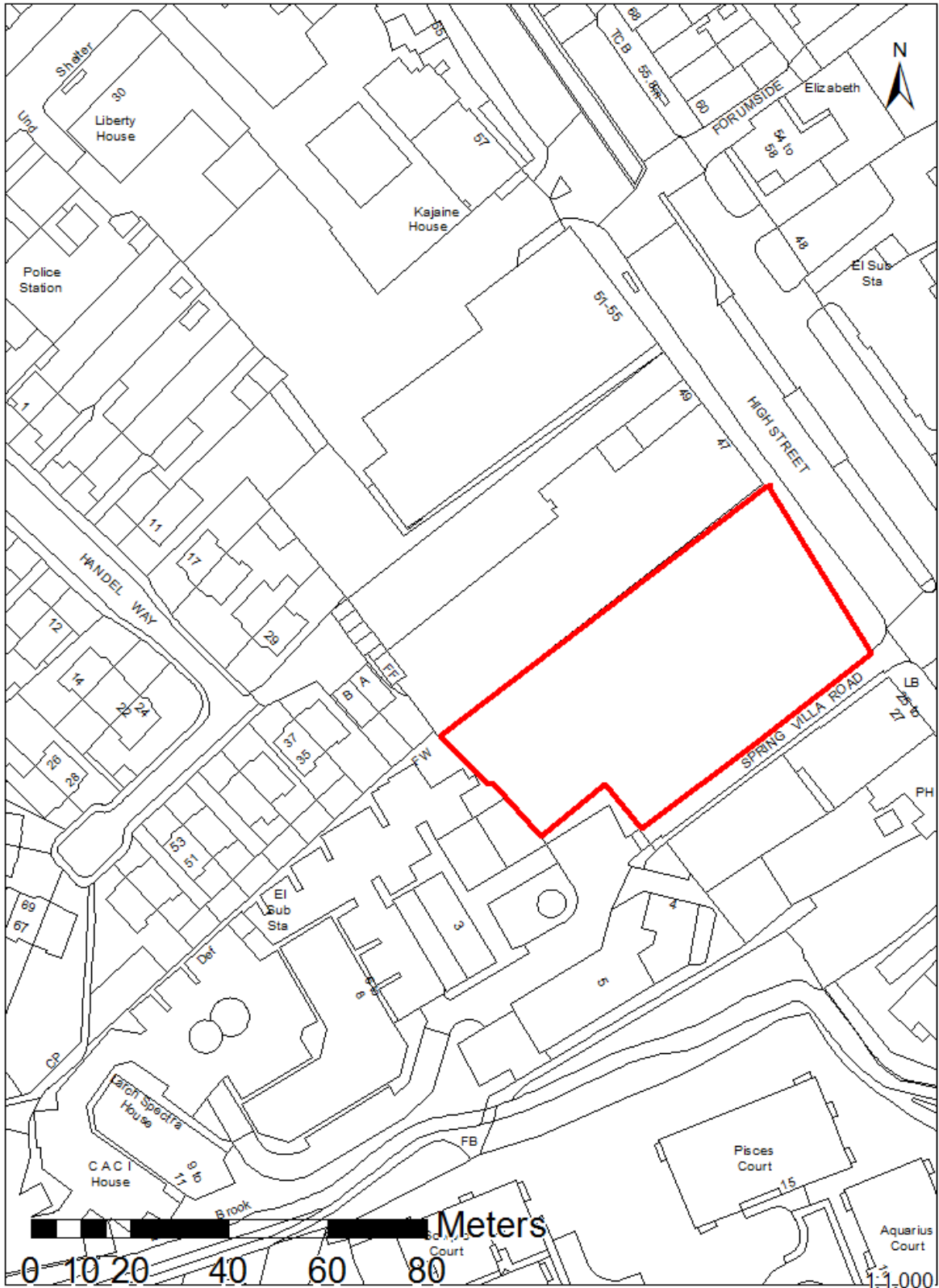


 = application site



Middlesex Hse, 29-45 High Street	P/0178/18
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Middlesex Hse, 29-45 High Street



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

25th July 2018

Application Number: P/0178/18
Validation Date: 28/03/2018
Location: MIDDLESEX HOUSE 29 - 45 HIGH STREET
EDGWARE
Ward: EDGWARE
Postcode: HA8 7UU
Applicant: EDGWARE ROAD PROPERTIES LIMITED
Agent: PLANNING ENVIRONMENT AND DEVELOPMENT
SERVICES
Case Officer: DAVID BUCKLEY
Expiry Date: 27/07/2018

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal:

Redevelopment to Provide Two And Three Storey Extensions; Recladding of Existing Building and External Alterations; Change Of Use Of Part Raised Ground Floor and Above From B1 Office to Residential Use Class C3; Creation of 111 Residential Units; Retention of 338.6 sq m of Existing B1 Office Accommodation on Part Raised Ground Floor; Creation of Internal Courtyard; Car and Cycle Parking; Landscaping; Refuse Storage.

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Agree a resolution to grant planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

Heads of Terms for the Legal Agreement

- i) Employment and Recruitment Plan; Projected cost £43,500 based on payment of £3,000/£1m of development cost.
- ii) Children's Play Space payment based payment of £2,876 based on child yield of 7.5, requirement of 4 sq m/child, £95/sq m of requirement.
- iii) Carbon offsetting payment in accordance with Policy 5.2 of the London Plan: Contribution of £23,228.24 towards carbon reduction programmes within the Borough
- iv) Affordable Housing: Provision of 11 x affordable housing units. Affordable Housing Tenure – Discount Market Rent Tenure - rental levels at 20 per cent below local market rent
- v) Planning permission monitoring fee.
- vi) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

REASON

The proposed development of the site would provide a quality development comprising of a satisfactory level of residential accommodation, thereby contributing to the Borough's housing stock. The housing development would be appropriate in terms of material presence, attractive streetscape, and good routes, access and make a contribution to the local area, in terms of quality and character.

The proposed development would provide a meaningful contribution to the Boroughs housing stock, and on balance would provide a satisfactory mix of housing throughout the development. Whilst the proposed affordable housing would not be fully policy compliant, and acceptable amount of affordable housing that would be London Plan space standard compliant, would be provided.

The proposed redevelopment of the site would result in a modern design that responds positively to the local context, and would provide appropriate living conditions which would be accessible for all future occupiers of the development. The layout and orientation of the buildings and separation distance to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers and the development would contribute towards the strategic objectives of reducing the carbon emissions of the borough.

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

RECOMMENDATION B

That if, by 25th October 2018 or as such extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Regeneration, Enterprise and Planning on the grounds that:

The proposed development, by reason of failure to demonstrate an acceptable review mechanism in relation to provision of an appropriate level of affordable housing and by failing to off-set the carbon emissions of the proposed development would fail to comply with the requirements of policies 3.11, 3.12, 5.2 of The London Plan 2016 and policy CS1.J/T of the Harrow Core Strategy 2012, policy DM50 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

INFORMATION

This application is reported to Planning Committee as the development would be for 111 new residential units and it is subject to a Section 106 Agreement. It therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:

(E) All Major
Developments

Council Interest:

None

Gross Floor Area: 5,521 sq m (Applies to the Change of Use from B1 Office to C3 Residential Use and additional Floors in C3 Residential Use:

Net Additional Floor Area: 2,449 sq m (New Floors Only)

GLA Community Infrastructure (CIL) Contribution (provisional): £ 99,552.40 (based on a £35 contribution per square metre of additional floorspace)

Harrow Community Infrastructure (CIL) Contribution (provisional): £ 311,482.18 (based on a £110 contribution per square metre of additional floorspace)

HUMAN RIGHTS ACT

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

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 Crime & Disorder Act

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 **BACKGROUND PAPERS USED IN PREPARING THIS REPORT:**

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- Nation Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

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

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	Middlesex House 29 - 45 High Street Edgware, HA8 7UU
Applicant	Edgware Road Properties Limited
Ward	Edgware
Local Plan Allocation	Business Use Area
Conservation Area	No
Listed Building	No
Setting of Listed Building	Yes
Building of Local Interest	No
Tree Preservation Order	No
Other	No

Housing		
Density	Proposed Density hr/ha	589 hr/ha (165 rooms/0.28 ha)
	Proposed Density u/ph	286 u/ha
	PTAL	PTAL 6a
	London Plan Density Range	Urban Setting: 200-450 hr/ha Central Setting: 650-1100 hr/ha
Dwelling Mix	Studio (no. / %)	59/53%
	1 bed (no. / %)	41/37%
	2 bed (no. / %)	8/7%
	3 bed (no. / %)	3/3%
	4 bed (no. / %)	0
	Overall % of Affordable Housing	35% Of Units Within New Floors 10% Of Overall Development
	Affordable Rent (no. / %)	Discount Market Rent 35% Of Units Within New Floors
	Intermediate (no. / %)	0%
	Private (no. / %)	101 units / 90% of Overall Development
	Commuted Sum	N/A
	Comply with London Housing SPG?	Yes
	Comply with M4 ⁽²⁾ of Building Regulations?	Yes Subject to a planning

		condition, the scheme will meet accessibility requirements
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Transportation		
Car parking	No. Existing Car Parking spaces	70
	No. Proposed Car Parking spaces	70 Total: 66 Residential (Includes 4 disabled) 4 Office Use
	Proposed Parking Ratio	0.59:1 (Residential Use Only)
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	124
	Cycle Parking Ratio	1.2:1
Public Transport	PTAL Rating	6a
	Closest Rail Station / Distance (m)	Edgware Tube 750m
	Bus Routes	142, 340, 186
Parking Controls	Controlled Parking Zone?	On eastern side of High Street Edgware (LB Barnet)
	CPZ Hours	8am-8pm
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	Private car park at application site. Double yellow lines on High Street Edgware and Spring Villa Road
Parking Stress	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
	Summary of results of survey	N/A
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Large communal refuse bin areas located in lower ground floor.

Sustainability / Energy	
Development complies with Part L 2013?	Yes
Renewable Energy Source / %	Yes, Details in Report

1.0 SITE DESCRIPTION

- 1.1 The application site is located on the south-western side of High Street, Edgware and within a designated Business Use Area. The High Street forms a boundary between the London Boroughs of Harrow and LB Barnet which covers the opposite, eastern side of High Street Edgware.
- 1.2 Within the Business Use Area there is a business park to the rear/south-west of the application site. Accessed via Spring Villa Road, immediately south of the application site. To the rear/west of the application site, north of the business park, there are residential dwellinghouses on Handel Way.
- 1.3 The site to the south at No. 25-27 High Street is a community centre; with only a small caretaker flat in terms of residential it is not considered that there would be harm to this unit. The site at No. 47 to the north is in kitchen and otherwise non-residential use.
- 1.4 The existing building on site consists of a podium and two towers, with the podium element set at lower and upper ground floor. The front tower, which faces on to High Street Edgware, consists of two storeys above the raised ground floor, with the taller building at the rear currently standing 7 storeys above the raised ground floor. The façade of the building is set out in a regular grid in a style typical of this type of mid-20th century development.
- 1.5 Existing parking is located at the rear and in the undercroft/lower ground floor of the building which is currently in use as car parking serving the office building.
- 1.6 As mentioned, the building is currently in office use. However, substantial information has been submitted to demonstrate that the building has already been partly vacated and that notice has been served on remaining office tenants to vacate the building. There is already extant Prior Approval to change the use of the entire upper floor levels of the building from B1 Office to C3 residential, with only an office use retained at the front of the site at the upper ground floor.
- 1.7 The site is rated with a public transport accessibility level (PTAL) of 6a, which is the highest possible level, owing to its close proximity to tube and bus networks.
- 1.8 The site is partly within fluvial flood zone 1, 2, and 3, as well as Strategic Flood Risk Assessment flood zones 3a and 3b, and a Critical Drainage Area.
- 1.9 The adjacent public house to the west, the White Hart Hotel at No. 21 High Street is a statutorily Grade II Listed Building. This is located to the south of the Shishu Bhavan Centre at No. 25-27 which is immediately to the south.

1.10 Overall the application site sits within a varied street scene with a number of taller buildings and aside from the White Hart, there is very little in the immediate street scene that is of architectural merit.

2.0 PROPOSAL

External Appearance

2.1 The initial development description only referred to the new floors and external alterations as the new flats in the existing floors would have been undertaken as part of extant prior approval permission. The description has been altered and now includes the flats in the existing floors. This is explored in more depth in the 'Principle' section below.

2.2 The proposed development would result in an increase in height to a maximum of 3 storeys to the front tower, increasing from 2 storeys above raised ground floor, to 5 storeys above raised ground floor. The taller rear building would be increased from 7 storeys above raised ground floor to 9 storeys. The additional floors would follow the same massing as the existing building.

2.3 In addition, the entire existing building would be re-clad in a finish to create a new, coherent appearance and balconies would be added to the existing and proposed floors of both the front and rear tower.

2.4 The roof of the raised ground floor would be removed to create a communal courtyard for the flats proposed on the raised ground floor.

Residential/Office Accommodation

2.5 The proposal would provide 111 units in total, comprising 80 units within the existing building and 31 units in the proposed new floors. An area of 338.6 sq m office space would be retained at the front of the upper ground floor, with a new entrance installed.

2.6 As mentioned, initial proposal within this application did not include the lower floors of the building, which would have been completed to a lower standard as they have an extant prior approval for change of use. The current proposal offers accommodation much closer to The London Plan space standards, which is addressed within the body of the report, with an altered unit mix and with 3 fewer units than would have been created within the prior approval scheme. This issue will be addressed in greater detail in the sections below.

Car and Cycle Parking, Refuse Storage

- 2.7 There would be capacity for 70 car parking spaces at lower ground floor level, with 66 for the residential use and 4 are for persons with disability. There are 20% active electric parking spaces proposed and another 20% passive electric parking spaces, i.e., electric enabled. Cycle parking has also been indicated on the lower ground with 124 long stay places and 10 short stay places. 4 motorbike spaces are proposed.
- 2.8 The refuse storage would be similar to existing arrangement, with a total of 19 x 1,000 litre waste and recycling bins provide on the Lower Ground Floor for the residential and commercial units. This storage would be separate for the residential and commercial uses.
- 2.9 Deliveries and refuse collation would take place within the site, away from the public highway and sufficient space has been provided within the carpark to accommodate a 10m refuse vehicle which would be able to stop within 10m of the refuse collection point.

3.0 RELEVANT PLANNING HISTORY

- 3.1 As separate dwellinghouses, each of the houses have prior approval for deeper rear extensions as follows:

P/5753/17/PRIOR - Conversion Of Offices On Raised Ground Floor (Class B1A) To 12 Self-Contained Flats (Class C3) (Prior Approval Of Transport & Highways Impacts Of The Development Contamination And Flooding Risks On The Site And Impacts Of Noise From Commercial Premises On The Intended Occupiers Of The Development)
Granted: 14/02/2018

P/0133/17 - Prior Approval Office To Residential- Conversion Of Offices (Class B1a) On First To Seventh Floors To 71 Self-Contained Flats (Class C3) (Prior Approval Of Transport & Highways Impacts Of The Development, Contamination And Flooding Risks On The Site And Impacts Of Noise From Commercial Premises On The Intended Occupiers Of The Development)
Granted: 25/04/2017

P/3745/17/PRIOR - Prior Approval Office to Residential - Conversion of Offices on Raised Ground Floor (Class B1a) to 18 Self-Contained Flats (Class C3) (Prior Approval Of Transport & Highways Impacts Of The Development, Contamination And Flooding Risks On The Site And Impacts Of Noise From Commercial Premises On The Intended Occupiers Of The Development)
Granted: 30/10/2017

P/4255/16 - Prior Approval Office to Residential - Conversion of Offices (Class B1a) on First to Seventh Floors to Seventy One Self-Contained Flats (Class C3) (PRIOR APPROVAL OF TRANSPORT & HIGHWAYS IMPACTS OF THE DEVELOPMENT, CONTAMINATION AND FLOODING RISKS ON THE SITE AND IMPACTS OF NOISE FROM COMMERCIAL PREMISES ON THE INTENDED OCCUPIERS OF THE DEVELOPMENT)

Refused: 14/11/2016

Reasons for Refusal:

In the absence of an adequate Flood Risk Assessment, and given the location of the site in Environment Agency designated Flood Zones 2 and 3, and Harrow Strategic Flood Risk Assessment zones 3a and 3b, insufficient information exists for the local planning authority to make a determination as to whether the proposal would result in unacceptable risks in terms of flooding impacts on site and whether appropriate mitigation measures can and would be implemented. The proposal cannot therefore be determined to be in compliance with provision O.2 (c) of the Town and Country Planning (General Permitted Development (England) Order 2015, as amended.

In the absence of an adequate Noise Impact Assessment, insufficient information exists for the local planning authority to make a determination as to whether the proposal would result in unacceptable impact in terms of noise on the future occupiers of the site. The proposal cannot therefore be determined to be in compliance with provision O.2 (d) of the Town and Country Planning (General Permitted Development (England) Order 2015, as amended.

4.0 CONSULTATION

4.1 A total of 226 consultation letters were sent to neighbouring properties regarding this application in the initial consultation. A site notice was displayed at the site and an advertisement was placed in The Harrow Times on 29th March 2018. The initial public consultation period expired on 18th April 2018 for the letters and 21st April 2018 for the site notice.

4.2 A second consultation process was undertaken, due to the amended development description which includes the entire building rather than just the additional floors, for neighbouring occupiers expired on 17th July 2018. The newspaper advert for reconsultations was placed in the Harrow Times on 5th July 2018. The site notice was displayed on site on 3rd July 2018, expiring 24th July 2018. Neighbouring borough letters will expire on 25th July 2018, due to information on relevant addresses being supplied after the deadline by LB Barnet. For this reason the decision will have to be made with delegated authority if the recommendation were to be agreed by the Members of the Planning Committee.

4.3 Adjoining Properties

Number of Letters Sent	226 (Each Consultation)
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Number of Responses Received	01
Number in Support	0
Number of Objections	01
Number of other Representations (neither objecting or supporting)	0

4.4 Names and addresses of neighbours who objected is listed in the box immediately below, while the box below that gives a summary of comments received with officer response.

4.5 Details of Representation:

Name/Address	Nature of Representation	Officer Comment
Jaimini, 79 Chester Drive	Objection to loss of a park	The application does not relate to the loss of a park and is not in close proximity to Chester Drive. This is assumed to be a comment mistakenly returned on this case, the respondent has been informed.

4.6 Statutory and Non Statutory Consultation

The following consultations have been undertaken and were reconsulted on the revised development description:

- LBH Highways
- Planning Policy
- Drainage Engineering Officers
- Waste Management Officers
- Landscape Architect
- Design Officer
- Transport for London
- Met Police Designing Out Crime Officers
- Campaign for a Better Harrow Environment
- Environmental Health Officers

4.7 External Consultation

4.8 A summary of the consultation responses received along with the Officer comments are set out in the Table below. In the interests of clarity, where there have been ongoing discussions and a series of preliminary responses, only the relevant or latest comments have been included.

Consultee	Summary of Comments	
Transport for London	Comment not received.	
Met Police Designing Out Crime Officers	Comment not received.	
Thames Water	<p>Waste Comments</p> <p>The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p> <p>'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing www.riskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."</p> <p>Thames Water would advise that provided the developer followed the sequential approach to the disposal of surface water we would have no objection to the proposed development.</p> <p>Officer Comment: Thames water comments are noted and the informative has been attached as requested.</p>	

4.9 Internal Consultation

4.10 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
Design Officer	The revised proposal has addressed the concerns in relation to design and is now considered to be acceptable, subject to conditions on materials and colours.	Comments noted and are addressed in the relevant section of the report below.

Planning Policy Officer	No objection to the proposal. Issues related to principle, in particular loss of office space, quality of residential accommodation and affordable housing issues are included in the body of the report.	Comments noted and are addressed in the relevant section of the report below.
Landscape Architect	No objection to the proposal, subject to landscaping conditions. S.106 contribution should be made for play space	Comments noted, see relevant section of the report below.
LBH Highways	No objection to the principle of this development. The overall proposal does not result in a severe highways impact. Revised car park layout is acceptable. A parking management plan should be secured by pre-occupation condition setting out how parking spaces would be allocated and controlled.	Comments noted and are addressed in the relevant section of the report below.
Drainage Engineering Officers	No objection to the proposal. Submitted Flood Risk Assessment details are satisfactory.	Comments noted and are addressed in the relevant section of the report below.
Conservation Officer	The justification provided in the Heritage Statement for the slight harm to the Listed Building due to the increased height and is not sufficient and further justification should be provided.	Comments noted and are addressed in the relevant section of the report below.
Housing Officers	Scheme is not policy compliant in terms of the affordable housing provision.	Comments noted and are addressed in the relevant section of the report below.

5 POLICIES

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

- a. 'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'
- b. The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.
- c. In this instance, the Development Plan comprises The London Plan 2016, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].
- d. While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- e. The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.
- f. Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Regeneration
- Character and Appearance
- Amenity of Neighbouring Occupiers
- Amenity of Future Occupiers
- Development and Flood Risk
- Traffic, Parking, Servicing and Construction Issues
- Secure by Design Issues
- Affordable Housing
- Sustainable Development
- Community Engagement
- Section 106 Agreement

6.2 Principle of Development

Spatial Strategy

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

6.2.2 The main policy concerns in this case relates to the loss of the existing offices in the existing building the overall quality of accommodation and provision of the affordable housing in an existing part of the building rather than as part of the new development, all within the context of an existing prior approval to change the use from office to residential.

Loss of Offices

6.2.3 In terms of loss of the existing offices, it is acknowledged that there is a fall-back position for the building to become residential, as a result of the prior approval references P/0133/17 for the upper floors and P/3745/17/PRIOR for the raised ground floor for change of use of the entire building from B1 Office to C3 Residential (aside from an office on the upper ground floor, which relate to the entire existing building. This is used to circumvent the need to justify the loss of the employment

floor space (noting that some is still to be retained on the ground floor, which is a benefit of the scheme). As such, there would be no requirement to justify the loss of employment space in this instance. This fall-back position allows for the property to be in a residential use.

6.2.4 This is supported by a number of Planning Inspectorate appeal decisions where Planning Inspectors have stated that where prior approval has been granted this is a material planning consideration. Furthermore, the weight given to this consideration was found to be dependent on whether the prior approval has been implemented and if not implemented, the extent to which the prior approval is likely to be implemented. The applicant has submitted a number of documents which indicate that office tenants have vacated the building or have been served notice to vacate. While this cannot be taken as an absolute guarantee, on the balance of probabilities, the greater likelihood is that the prior approval would be implemented and this is a material planning consideration.

6.2.5 However, this does not automatically require the local planning authority to accept the internal arrangements as detailed within the prior approval scheme and the Local Planning Authority must give due consideration to the policy suite that is adopted.

Accommodation Unit Size and Unit Mix

6.2.6 Amendments have been made to the scheme, so that the layout within the existing section of the building would largely meet London Plan space standards. On this basis, 3 units have been omitted from the scheme and the number of studio flats has been increased significantly, while the number of 1 and 2 bedroom flats has been reduced. While on the surface this does not appear a positive change in the original submission, the plans submitted for the existing building were as per the prior approval scheme, with very few of the units meeting London Plan space standards as this is not a requirement of prior approval.

Comparative tables of the Unit Mix of the prior approval scheme and current proposal are indicated below (this relates to units within the existing sections of the building only):

	Studio	1B2P	2B3P	Total
1st	5	13	0	18
2nd	5	11	2	18
3rd	1	5	1	7
4th	1	5	1	7
5th	1	5	1	7
6th	1	5	1	7
7th	1	5	1	7
Sub-total	15	49	7	71
Total	18	57	8	83

Unit Mix in Current Proposal (Existing Building Only)				
	Studio	1B2P	2B3P	Total
GF	1	9	1	11
1st	14	3	0	17
2nd	14	3	0	17
3rd	6	1	0	7
4th	6	1	0	7
5th	6	1	0	7
6th	6	1	0	7
7th	6	1	0	7
Total	59	20	1	80

6.2.7 The current proposal would deliver 80 units within the existing floors, with the breakdown consisting of 59 studios, 20 1b 2p units and 1 x 2b 3p unit (on the raised ground floor). The majority of these units would meet the London Plan space standards. The majority of the studios would have a GIA of 37 sq m and above and a number at 36 sq m, which due to their regular shape, access to natural light/outlook and provision of balconies is close enough to be considered acceptable. In the taller rear tower, there would be 5 studio units (one each on floors 1 to 5) which would measure only 33 sq m, which is markedly below the required 37 sq m in London Plan SPG space standards. However, the layout for these studios would be acceptable and there is also a 5 sq m balcony provided. While this is not policy compliant and would not usually be considered acceptable, it is taken in to the balance of planning considerations.

- 6.2.8 The other major concern in terms of accommodation quality is that the currently proposed unit mix would lead to a higher than desired proportion of studio style accommodation, which would not lead to a satisfactory housing choice. With regard to the new floors of the scheme, no studio flats are proposed, with the majority being 1b2p and 2b3p and some 2b4p units. This and the excellent Public Transport Accessibility Level (6a) both help to balance concerns about the currently proposed mix. This is addressed in greater depth later in the report.
- 6.2.9 This provision is a considerable improvement on proposed accommodation that would otherwise be created under the extant prior approval for change of use. The proposal would offer significant improvements, including the ground floor terrace garden area) and with regard to the numerous other benefits that the scheme would offer, the LPA would insist on the Affordable Housing being provided on the uplift of units only in this instance. For clarity, this would be for the units located in the upper, proposed floors of the building, rather than the existing building, which has extant prior approval permission for residential units, which is a material planning consideration which carries significant weight.
- 6.2.10 Based on the above considerations, the Local Planning Authority would be in a position to support the scheme in principle. The unit mix issue and affordable housing is addressed in more detail in the Housing section of the report.

6.3 Regeneration

6.3.1 The London Borough of Harrow published a Regeneration Strategy for 2015 – 2026. The objective of this document is to deliver three core objectives over the plans life, which include;

- **Place;** Providing the homes, schools and infrastructure needed to meet the demands of our growing population and business base, with high quality town and district centres that attract business investment and foster community engagement;
- **Communities;** Creating new jobs, breaking down barriers to employment, tackling overcrowding and fuel poverty in our homes and working alongside other services to address health and welfare issues;
- **Business;** Reinforcing our commercial centres, promoting Harrow as an investment location, addressing skills shortages, and supporting new business start-ups, developing local supply chains through procurement.

6.3.2 The loss of the existing office space would not contribute to the Council's regeneration agenda in some regards. However, this has already been established as a material planning consideration due to the extant permission for prior approval and a section of office space will be retained at the front of the building. The increased accommodation at the site would contribute to the existing business within the area and during the construction phase, new jobs would be created.

6.3.3 It is therefore considered that the proposed development would meet the overarching principles of regeneration into the area.

6.4 Character and Appearance of the Area and Setting of the Listed Building

6.4.1 The National Planning Policy Framework (NPPF) was published by the Government on March 27th 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area, unless other material considerations indicate otherwise (S.38 (6) of the Planning Act). The development plan for Harrow comprises The London Plan 2016 [LP] and the Local Development Framework [LDF].

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

6.4.3 The London Plan (2016) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. Core Strategy policy CS1.B states that 'all development shall respond positively to

the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design'. Draft London Plan policy D1 'London's form and characteristics' and D2 'Delivering Good Design', while they have not yet been adopted, are material considerations.

- 6.4.4 Policy DM1 of the DMP seeks to ensure that "proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted".
- 6.4.5 The proposal comprises of additional floors to the existing towers, three to the front and two to the rear, as well as re-cladding and addition of balconies and other alterations included proposed courtyard and new entrance for the office section.

Scale, Bulk and Massing

- 6.4.6 In terms of the immediate context, there are a number of taller buildings in the immediate context of the site. This includes the flatted development on Zodiac Close to the south which includes several buildings of up to 5 storeys in height. Grosvenor House, also to the south of the application site fronting on to High Street Edgware, which stands a maximum of 7 storeys, with a podium section at a height of 4 storeys (all including ground floor). On the opposite site of High Street Edgware to the south-east, at No. 18-14 High Street Edgware is Berkeley House, which stands 7 storeys above ground level, plus raised plant on the roof. Also on the opposite side of High Street Edgware to the north-east is No. 54-58 which stands 8 storeys in height.
- 6.4.7 The rear tower would be a total of 9 storeys above the raised ground floor, while at present it is 7 storeys above the ground floors. The front tower would be increased to 5 storeys above ground floors, while at present it is 2 storeys above ground floor. The front tower is adjacent to lower rise buildings and while these are not of special architectural merit, they do form the local context. The response from Council's Design Officer states that the massing has been generally well considered. And that the High Street has a varied character with a number of individual taller buildings, and no buildings of much architectural merit. The Design Officer response on the massing concludes that, while it will be one of the taller buildings in the surrounding area, it is considered that the increased height will not be detrimental to the immediate context.
- 6.4.8 The comments received from the Council's Conservation Officer do raise concerns over the height of the proposed building in the context of the setting of the adjacent public house to the west, the White Hart Hotel at No. 21 High Street which is a statutorily Grade II Listed Building and ask for additional justification. The applicant has submitted a Heritage Statement which acknowledges that there would be slight harm to the setting of this listed building. However, overall it is considered that the existing site context of taller buildings some of which are fairly recent developments is a material planning consideration. Another important material planning consideration is the fact that there would be significant overall benefits to the scheme, i.e., the improvement to the appearance of the building and new residential

affordable and market accommodation to ensure that the benefits of the scheme would outweigh the slight harm to the listed building and this would therefore not represent a reason or refusal. Overall, the increase in height is limited and is considered to be acceptable in the context of the local area as highlighted above.

Elevations/ Materials

6.4.9 The proposal involves over cladding the existing elevations. The existing elevations are set out in a regular grid in a style typical of this type of mid-20th century development. The response from the Council's Design Officer states that the proposed new cladding responds to the existing composition of the elevations and, subject to agreeing materials and details would be a simple design that sits comfortably in the existing context. The Design Officer response puts a particular emphasis on materials and detailing to be of a high quality, with a limited palette of colours and textures, in order that the proposal does not appear too dominant. The Design Officer has specified that everything relating to materials still needs to be agreed, including types of material, colour etc., rather than choosing a specific product from a limited range offered. The physical samples are required, which will comprise (including colour), windows, external doors, balcony treatment and details will be secured via planning condition to ensure that the finish is of a high quality.

Access

6.4.10 In terms of access, there would be a new entrance serving the retained office section in the front elevation. The existing access with steps at the front entrance which lead to Core A (front) would serve the residential accommodation. The existing entrance at the side/rear entrance to Core B (rear) at the southern side of the building would serve the rear tower. Existing lifts adjacent to both these stair cores respectively would be retained and extended to the existing floors and there is a second staircase 2 serving both Core A and Core B.

Landscaping/Communal Courtyard

6.4.11 Policy DM23 of the Harrow Development Management Policies Local Plan (2013) states that proposal should make appropriate provision for hard and soft landscaping of forecourts.

6.4.12 While there is no forecourt which could be landscaped, the communal courtyard, with the removal of the stair and lift to the car park from the ground floor communal courtyard is welcomed. More detail is needed to understand the landscape scheme for the courtyard, and how this would function in terms of defensible space to the units and communal amenity space for the residents. The Council's Design Officer and Landscape Architect have requested further information and that this should be addressed via planning condition.

6.4.13 Comments from the Council's Landscape Architect indicated that given the level of landscaping proposed and the uncertainty of species, a condition requiring further detail regarding both soft and hard landscaping, along with a long term maintenance plan, as well as details of levels, is attached to the application. Details

of boundary fencing will also be required, which could be secured via planning condition.

- 6.4.14 The landscape requirements would relate particularly to the courtyard area and winter gardens on the upper floors, also to demonstrate whether there are any further areas where soft landscape or green/brown roofs could be included to improve biodiversity in the area.
- 6.4.15 A landscape strategy is also required and this will be secured via planning conditions. A further comment indicated that with the density of the proposed development and the large number of people likely to occupy the building there would be additional pressure on local green space. There is limited space for soft landscape or any play provision and therefore a suitable Section 106 agreement should be secured, for play and green amenity space in the nearby vicinity, such as in Chandos Park. This point is recognised and was made when the scheme only applied to the 31 flats in the extended parts of the building. This sum will be calculated and included in the legal agreement Heads of Terms.
- 6.4.16 The Harrow Planning Obligation s.106 Supplementary Planning Document (SPD) Chapter 11 addresses Children's Play Space. Paragraph 11.4 states that all major residential development, including mixed-use development resulting in a child yield will be required to make provision for on-site children's play space. All major residential developments, including mixed-use development resulting in a child yield will be required to make provision for on-site children's play space.
- 6.4.17 On this basis, subject to the conditions requested above, the proposed courtyard/landscaping to the scheme is considered acceptable in accordance with policy DM23 as highlighted above.

Other Issues

- 6.4.18 Parking and other traffic related matters and waste management are to be assessed under the relevant section of this appraisal.

Conclusion

- 6.4.19 It is considered that the proposed layout, bulk, scale and height of the proposed development would not result in an unacceptable impact on the character and appearance of the existing site, streetscene, or wider area. Subject to planning conditions, the proposed materials are considered acceptable in principle subject to conditions highlighted above.
- 6.4.20 Subject to the conditions mentioned above, it is considered that the external appearance and design of the buildings together with the proposed landscaping scheme are consistent with the principles of good design as required by the National Planning Policy Framework (2012). The resultant development would be appropriate in its context and would comply with policies 7.4B and 7.6B of The London Plan (2016), Core Policy CS1(B) of the Harrow Core Strategy, policy DM1

of the Council's Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010), which require a high standard of design and layout in all development proposals.

6.5 **Amenity of Neighbouring Occupiers**

- 6.6 Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 Achieving a High Standard of Development sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers. Harrow has also produced a Residential Design Guide SPD.
- 6.7 There are no residential occupiers in close proximity to the application site along Edgware Road. The nearest residential occupiers who could be impacted are residential neighbours on Handel Way. A Daylight and Sunlight Report has been submitted with the planning application. The conclusions of this report are that the additional height of the building would still allow an acceptable level of light and outlook in to nearby residential properties in accordance with BRE Guidelines. The distance between the taller rear building and these houses on Handel Way would be a minimum of 38m. This distance in conjunction with the fact that the building would only add 2 additional floors to the building would not result in an unacceptable impact in terms of light and outlook impact.
- 6.8 In terms of overlooking and privacy, the degree of actual and perceived overlooking from the building windows would be greater than at present, due to the increased height and changed use from office to residential. But it should be noted that the 'fall-back position' of the prior approval to convert the existing building to residential accommodation is a material consideration. On this basis, the windows to the new floors would not result in significantly greater overlooking to houses on Handel Way than the existing floors and on this basis, the degree of overlooking/privacy impact would be acceptable in accordance with policy DM1 of the Harrow DM Policies.

- 6.9 The building would have balconies to this rear elevation and it is noted that these would result in some degree of increase in actual and perceived overlooking. However, based on the distance between the buildings, the fact that the houses on Handel Way are at an oblique angle rather than directly behind the application site, with the building at Middlesex House facing the side of rear gardens on Handel Way, rather than facing directly towards rear windows. On this basis, the balconies would not result in an unacceptable degree of actual or perceived degree of overlooking in accordance with policy DM1.
- 6.10 The site to the south at No. 25-27 High Street is a community centre; with only a small caretaker flat. In terms of residential, it is considered that there would not be harm to this unit. The site at No. 47 to the north is in non-residential use. Buildings to the rear/west are within the Business Use Area and so are not in residential use. The front balconies would be facing towards Edgware Road and so would not be harmful to neighbouring amenity. The balconies facing in towards the site will be addressed in the future occupier amenity section immediately below.
- 6.11 Overall, acceptable the proposal is considered acceptable in terms of neighbouring occupier amenity in accordance with Development Management Policy DM1.
- 6.12 **Future Occupier Amenity**
- 6.13 London Plan Policy 3.5 Quality and Design of Housing Developments sets out a range of criteria for achieving good quality residential development. Part B of the policy deals with residential development at the neighbourhood scale; Part C addresses quality issues at the level of the individual dwelling.
- 6.14 Implementation of the policy is amplified by provisions within the Mayor's Housing SPG (2016). The amplification is extremely comprehensive and overlaps significantly with matters that are dealt with separately elsewhere in this report, particularly Lifetime Neighbourhoods. In response to a request for clarification about the detail internal arrangements of the proposed flats the applicant has advised that the development has been designed to accord with the London Housing Design Guide. Furthermore, the Housing Standards Minor Alterations to the London Plan have now been adopted as at March 2016. Where relevant these are addressed in the appraisal below.
- 6.15 Core Strategy Policy CS1 K requires a high standard of residential design and layout consistent with the London Plan and associated guidance. Policies DM1 Achieving a High Standard of Development and DM27 Amenity Space set out a number of privacy and amenity criteria for the assessment of proposals for residential development.

Internal space

- 6.16 The units within floors 8 and 9 of the rear building and 3, 4 and 5 of the front building, i.e., the new floors all meet the London Plan Space Standards, for 1b2p, 2b3p and 2b4p units respectively and would provide an acceptable level of light and outlook.
- 6.17 While the units in the existing building would still need to be assessed against London Plan Space Standards, the fact that they benefit from a 'fall back' position of prior approval, does form a material planning consideration.
- 6.18 The units on the raised ground floor all meet London Plan Space Standards. The proposed accommodation on existing floors would deliver 80 units within the existing building, with the breakdown consisting of 59 studios, 20 1b2p units and 1 x 2b3p unit (on the raised ground floor). The majority of these units would be London Plan compliant, with the majority of the studios at a GIA of 37 sq m and above, and a number at 36 sq m, which due to their regular shape, light and balcony provision is close enough to be considered acceptable. Five studio units, in the rear building, one each on floors 1 to 5 would measure only 33 sq m, which is markedly below the required 37 sq m. However, a layout has been shown on the proposed first floor which would be acceptable and there is also a 5 sq m balcony provided. While this would not usually be considered acceptable, it is taken in to the balance of site and planning considerations.

Privacy

- 6.19 The SPG seeks an adequate level of privacy to habitable rooms in relation to neighbouring property, the street and other public spaces. Policy DM1 Achieving a High Standard of Development in relation to privacy has regard to:
- the prevailing character of privacy in the area and the need to make effective use of land;
 - the overlooking relationship between windows and outdoor spaces;
 - the distances between facing windows to habitable rooms and kitchens; and;
 - the relationship between buildings and site boundaries.
- 6.20 There are privacy concerns particularly in relation to the ground floor units, as there is potential for these to be overlooked by passers-by using Spring Villa Road to access the business park at the rear and this particularly applies to the 3 units on the southern side of the site. It should also be noted that these are specified for affordable use. However, as these units significantly exceed the London Plans space standards and they are dual aspect with only the kitchen/living area facing towards Spring Villa Road, they are considered to be acceptable. Also, these are raised ground floor units and so measures could be taken by a future occupier to reduce overlooking from the street to the lower part of the windows. Also these serve kitchen/living rooms, with the bedrooms facing in to the courtyard. Furthermore, there is a fall-back position that these could be created under the prior approval which is a material planning consideration and so while the

shortcomings of this privacy relationship are acknowledged, this would not form a reason for refusal.

- 6.21 In the front building, there are no privacy concerns on those north facing units as they look on the street on Edgware Road which is relatively wide and so would not be overlooked by properties opposite. The rear flats on the front building and the front flats on the rear tower face towards each other and all have balconies. The minimum distance from balcony to balcony is 16m which is relatively close. However, these are relatively small units and as there is a fall back on prior approval, it is considered that in this urban context with other considerations taken into account this is acceptable.

Dual Aspect/ Daylight, Sunlight and Outlook

- 6.22 Policy DM1 Achieving a High Standard of Development, in seeking a high standard of amenity for future occupiers of a development, has regard to the adequacy of light and outlook within buildings (habitable rooms and kitchens). The Mayor of London SPG seeks to avoid single aspect dwellings where: the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful levels of external noise; or the dwelling would contain three or more bedrooms. The SPG establishes no baseline standard for daylight or sunlight. The weight to be attached to this consideration, within the context of the whole amenity that would be afforded to future occupiers of the development, is ultimately a question of judgement.
- 6.23 As mentioned previously, the units are either north-west facing or south-east facing. While single aspect north-west facing units would not allow the greatest degree of natural light, they would be considered acceptable in terms of policy and guidance. Moreover, the submitted Daylight and Sunlight report has stated that all of the units, including the north-west facing single aspect units, would have an acceptable degree of natural light and this has been confirmed by the independent assessment response. As such, it is considered that they would receive a satisfactory level of daylight and sunlight.
- 6.24 The orientation of the development results in north-west and south-east facing units. However, the north-westerly facing units are within 45 degrees of north (they are at 35 degrees). However, there are extenuating circumstances in this regard. Firstly, as mentioned, they are not true north facing units. Also, due to the shape of the units the level of natural light to the units is high in the front building; with all of the habitable rooms enjoy a long elevation containing fenestration and a recess winder garden balcony which would increase access to natural light. Additionally, none of these units contain more than 2 bedrooms, in accordance with the Mayors SPG cited above. The submitted Daylight/Sunlight report states that the degree of natural light to all of the units is at an acceptable level. Furthermore, the corridors will have an improved degree of lighting with windows installed at either end, which applies to both the new and existing floors.
- 6.25 On this basis, it is considered that the proposal would provide an adequate level of daylight, sunlight and outlook for future occupiers.

Internal Noise

- 6.26 The SPG seeks to limit the transmission of noise from lifts and communal spaces to sensitive rooms through careful attention to the layout of dwellings and the location of lifts. The SPG also recognises the importance of layout in achieving acoustic privacy. Both of these points are picked up by Policy DM1 Achieving a High Standard of Development which undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers and, at paragraph 2.15 of the reasoned justification, echoes the SPG position on noise and internal layout.
- 6.27 The accommodation in the new floors duplicates the units/room layout and so the vertical stacking would be acceptable. In the existing floors, the units are largely studios and so this would be less of a concern. Overall the vertical and horizontal stacking is considered to be acceptable.

Floor to Ceiling Heights

- 6.28 The London Plan Housing Standards (March 2016) calls for a minimum floor to ceiling height of 2.5 metres across 75% of the GIA of a dwelling. The proposed plans (Sections) indicate that the proposal would achieve a floor to ceiling height of over 2.5m throughout the building. The proposed layouts are functional and would continue to provide a satisfactory level of accommodation for future occupiers. As such, the floors to ceiling heights are considered acceptable in this instance.

Outdoor Amenity space

- 6.29 Policy DM27 Amenity Space of the Development Management Policies Local Plan document states that the appropriate form and amount of amenity space should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy.
- 6.30 For private amenity space, the SPG recommends a minimum of 5 sq m per 1-2 person dwelling and an extra 1m² for each additional occupant, and for balconies the SPG specifies minimum dimensions of 1.5m x 1.5m. The ground floor would provide balconies of 5 sq m for the units at the rear units, with a depth of 1.70m, which would meet the recommended standard. A shared amenity space of 168 sq m for the ground floor units. The ground floor therefore, is well served for both private and shared amenity space.
- 6.31 The majority of units within the development would have a balcony that meets the recommended dimensions above, either a projecting balcony for the rear units or a recessed winter garden for the front units. A number of the units in the existing building do not have a balcony. This only relates to the units located in the existing floors. Due to the fall-back position of prior approval for the change of use, where balconies would not be required, this is a material planning consideration. However, the majority of these units in the existing floors do have a balcony and so these provide a better standard of accommodation than would be the case

under prior approval. These balconies offer an acceptable degree of outlook and privacy, although they will be secured via planning condition in terms of details to ensure they reach an acceptable standard.

- 6.32 The communal areas would supplement the private balconies and would provide a welcome additional component to the amenity afforded to future occupiers of the development. The SPG calls for adequate natural surveillance, wheelchair access and management of such areas. The proposed communal amenity space would be overlooked by the units that they serve. It is normal for the management of residents' communal areas in new development to be taken on by a private management company or the relevant registered provider.

6.33 Traffic, Parking, Access, Servicing and Sustainable Transport

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

Car Parking

- 6.35 A Transport Statement has been submitted with the application. The application site is located in an area with a PTAL of 6a which is very high. Revised parking plans provide 70 parking spaces for the entire site, with 66 for residential, including 4 spaces for persons with disability. This would provide a parking ratio of 0.59, which meets London Plan requirement. Four spaces would be retained for the office units. 20% active and 20% passive electric parking spaces will be provided.

Cycle Parking

- 6.36 The Transport Statement shows a total number of cycle parking spaces of 134 for the entire number of units, which would meet London Plan standards.
- 6.37 The Highways Authority has stated that the parking arrangements would meet London Plan standards and overall would be considered acceptable.
- 6.38 The Highways Authority has also responded to state that a parking management plan should be secured by pre-occupation condition setting out how parking spaces would be allocated and controlled.

Access and Highways

- 6.39 The existing site is accessed from High Street Edgware and this would be retained in the proposed development.

Refuse, Servicing and Emergency Services Access

- 6.40 Refuse storage would be provided within the building to be accessed from the car park to the rear of the building, following the existing arrangement for refuse storage. Drawing 001 in Appendix C shows a swept path of a 10m long refuse vehicle which is the largest vehicle that would be expected to access the site on a regular basis and is of sufficient size that an appropriate vehicle can access and exit in forward gear as required. Refuse will be collected as per the current arrangements and the refused vehicle will be able to stop within 10m of the proposed refuse store as required.

Construction Logistics Plan

- 6.41 The Highways Authority requires a construction logistics plan which has been addressed through a planning condition. An Air Quality Assessment has been submitted and air quality would be one of the requirements within the construction plan. A consultation response has not yet been received from the Council's Environmental Health Officers in relation to this. If a response is received prior to determination of the case, this will be taken in to consideration.

Flood Risk and Development

- 6.42 The Council's Strategic Flood Risk Assessment maps show that the site is located within Flood Zones 2 and 3. The initial Flood Risk Assessment proposed that surface water run-off be guided through a new piped network in to a cellular attenuation tank to the west of the site, beneath the external car parking area. While this was considered acceptable, the Council's Engineering Drainage Section requested information on accurate flood extent, depth and velocity maps. A revised Flood Risk Assessment was submitted subsequent to the submission of

the application, which was found to address all of the concerns of the Engineering Drainage Section. The soft landscaping to the ground floor would also reduce the level of hard surfacing and as a result the volume of surface water would also be reduced. Subject to a condition requiring the recommendations within the Flood Risk Assessment to be implemented, the proposal would be considered acceptable in terms of flood risk.

- 6.43 Subject to the conditions securing the above, it is considered that the proposed development would accord with policy 5.2 of The London Plan (2016) and policy DM10 of the Harrow Development Management Policies Local Plan (2013).

Sustainability and Climate Change

- 6.44 Paragraphs 96-98 of the NPPF relate to decentralised energy, renewable and low carbon energy. Chapter 5 of the London Plan contains a set of policies that require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. Specifically, policy 5.2 sets out an energy hierarchy for assessing applications, as set out below
- 1) Be lean: use less energy
 - 2) Be clean: supply energy efficiently
 - 3) Be green: use renewable energy
- 6.45 Table B of policy 5.2 of The London Plan states that residential buildings should reach a zero carbon level. Policy 5.2 E concludes by stating that: *“The carbon dioxide reduction targets should be met on-site. Where it is clearly demonstrated that the specific targets cannot be fully achieved on-site, any shortfall may be provided off-site or through cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere.”*
- 6.46 Policy 5.3 seeks to ensure that future developments meet the highest standards of sustainable design and construction, whilst policies 5.9-5.15 support climate change adaptation measures.

- 6.47 Policy DM13 of the Harrow DM Policies 'Decentralised Energy Systems' states that the proposal for decentralised energy networks will be supported. Policy DM14 'Renewable Energy Technology' states that proposals that incorporate renewable energy technology will be supported where feasible.
- 6.48 The applicant has submitted an Energy Statement, which details the likely energy demands of the proposed development and proposed a strategy to increase energy efficiency. The Energy Statement goes on to investigate measures to reduce the carbon emissions by 35%.
- 6.49 The energy strategy proposes a strategy that follows the energy hierarchy outlined in the London Plan, namely prioritising energy efficiency measures first, followed by 'clean' (low carbon) technologies and followed by 'green' technologies i.e. renewables.
- 6.50 An Energy Statement has been submitted, which outlines the proposed strategy to reduce the overall energy demand, by implementing energy efficient measures, low carbon and renewable energy technologies, with reference to the 'Be Lean, Be Clean and Be Green' energy hierarchy principles within the London Plan, Policy 5.2A. The specific measures would include a reduction of CO₂ of approximately 39.7% reduction compared to the baseline. The energy solution for the development submitted with the Energy Statement would comply with Part L 2013 Building Regulations and meets Target Fabric Energy Efficient (TFEE) requirements. Other elements include a decentralised energy system with CHP design to supply 80% of the thermal energy demand of the development, PV renewable technology. Furthermore, it meets the London Plan 35% regulated energy CO₂ emissions uniform reduction target and zero carbon minimum requirements.
- 6.51 The London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) requires all new residential development to be zero carbon from 1 October 2016 and a 35% reduction in carbon emissions from non-residential development (relative to the 2013 Building Regulations Part L). The energy hierarchy should be followed, prioritising energy efficiency / building fabric measures (Be Lean) first, followed by low carbon / clean energy (Be Clean), and finally renewable energy sources (Be Green). For residential development, at least 35% carbon reductions should be achieved on-site, with a monetary contribution paid to offset any remaining carbon emissions so that the development achieves zero carbon. Harrow uses the Mayor's rate of £60 / tonne / year for 30 years [equivalent to £1,800 tonnes per carbon (£60/tonne/year x 30 years)] to calculate any required offset contribution.
- 6.52 The Energy Strategy submitted with the application is dated January 2017. For the residential element of the development, the strategy identifies that energy efficiency measures will reduce carbon emissions from the 2013 baseline by 4.1%. The strategy correctly identifies that there are no district heating networks available for connection in the vicinity of the development. It however proposes a site-wide communal network [powered by a Combined Heat and Power (CHP) engine], which achieves a 35.8% reduction in carbon emissions through 'Be Clean' measures. The cumulative reductions are 39.9%, achieving the required 35% on-site reductions. No renewable energy (attributable to the residential element of the

scheme) is proposed. The remaining carbon emissions from the residential element are calculated to be 72.5 tonnes / year. To achieve zero carbon development, a monetary contribution for carbon offsetting should be secured by way of s106 agreement. The scale of potential carbon offset contribution has been discussed with the applicant in the context of the unique site and proposal specific characteristics.

- 6.53 The applicant has noted that the SILVER Energy Statement submitted in support of the planning application identified that there would be 164.6 tonnes of CO2 emissions per annum post PV technology. However, this figure includes both the new and existing building elements of the scheme, and also refers to both regulated and unregulated emissions. As a carbon offset contribution would not normally be sought for the existing building and significant on-site carbon reductions will be achieved as a result of the site wide CHP engine, it is proposed that any contribution is based upon the net increase / new build element of the scheme only, pro-rating the total requirement for the 31 flats would be 28% of the total scheme amounting to a total required carbon-offset contribution of £23,228.24. The carbon offset figure should be verified through submission of 'As-Built' Part L Building Regulations calculations prior to occupation and a further contribution made for any carbon emissions above the 20.3 tonnes (28% of 72.5 tonnes) already offset
- 6.54 For the non-residential element of the development, the development achieves a 10.2% reduction in carbon emissions through energy efficiency, 11.3% reduction from the proposed CHP and 16.0% from solar PV panels (i.e. electricity) attributable to the non-residential element of the scheme. The cumulative carbon reductions are therefore 37.5%, meaning the non-residential element of the development achieves the 35% reduction required under the London Plan.
- 6.55 Given the above, provided the development is implemented in accordance with the submitted energy strategy and the s106 attached to any planning permission secures a monetary contribution of £23,228.24 (payable upon commencement) to offset the remaining carbon emissions from the new build residential element of the scheme and includes a verification mechanism of the actual carbon emissions once the building is built (and payment of any required further carbon offset), the proposal is acceptable with respect to energy / carbon emissions.

Affordable Housing Provision

Affordable Housing Policy and the Proposal's Affordable Housing Offer

- 6.56 The NPPF defines affordable housing as: social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Intermediate housing is defined as homes for sale and rent provided at a cost above social rent but below market levels.
- 6.57 The strategic part of London Plan Policy (2016) 3.11 calls for 60% of affordable housing provision to be for social and affordable rent and for 40% to be for intermediate sale or rent, and gives priority to the provision of affordable family housing. However, London Plan Policy 3.12 – which is a planning decisions policy – requires the on-site provision of the maximum reasonable amount of affordable housing from private residential developments.
- 6.58 The London Plan's housing policies are supplemented by the Mayor's Housing SPG (2016). In relation to affordable housing policies, the tone of the SPG is to further emphasise the need for policies to be applied in a manner that maximises output and, having regard to viability, to encourage not restrain housing development.
- 6.59 Having regard to Harrow's local circumstances, Policy CS1 (J) of the Core Strategy sets a Borough-wide target for 40% of all homes delivered over the plan period (to 2026) to be affordable, and calls for the maximum reasonable amount to be provided on development sites having regard to the following considerations:
- the availability of public subsidy;
 - the housing mix;
 - the provision of family housing;
 - the size and type of affordable housing required;
 - site circumstances/scheme requirements;
 - development viability; and
 - the need to meet the 40% Borough-wide target.
- 6.60 Policy DM24 (Housing Mix) of the Development Management Policies Local Plan document supports proposals that secure an appropriate mix of housing on the site. The policy undertakes to have regard inter alia to the target mix for affordable housing set out in the Planning Obligations SPD and the priority to be afforded to the delivery of affordable family housing.

- 6.61 The proposed development would provide for 111 residential units within the site. Policy 3.13A (Affordable Housing Thresholds) of the London Plan (2016) requires that any development which has the capacity to provide 10 or more homes should provide an affordable housing contribution.
- 6.62 The development proposed here would contribute towards the housing stock and increase the choice of housing in the Borough and would therefore find some support in policies 3.5 and 3.8 of The London Plan as detailed above. However, the Mayor has recently highlighted that Harrow Council performs very well in terms of securing consents for additional housing but, has performed poorly in terms of securing affordable homes. The Mayor notes that the “proportion of Harrow’s housing approvals during the last three years, the provision of net affordable housing units equates to just 10%”. As such, there is an emphasis to secure additional affordable housing within the Borough.
- 6.63 The Draft London Plan policy H7 which addresses affordable housing states that The Mayor is committed to delivering genuinely affordable housing and that the following split of affordable products should be applied to development:
1. a minimum of 30 per cent low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent/ London Affordable Rent)
 2. a minimum of 30 per cent intermediate products which meet the definition of affordable housing, including London Living Rent and London Shared ownership
 3. 40 per cent to be determined by the relevant borough based on identified need provided they are consistent with the definition of affordable housing.

This draft policy goes on to state that only schemes delivering the threshold level of affordable housing with a tenure split that meets the requirements set out in part A can follow the Fast Track Route for viability

- 6.64 The tenure split required by Harrow Council's latest Affordable Housing Guidance is for 60% social (affordable rent) and 40% intermediate (shared ownership) and this would normally be secured through a s106 Agreement. However, the offer in this instance while it meets the number of units (this is discussed further in the 'Principle' section of the report) would be provided as 100% Discount Market Rent tenure, and as such would not meet Harrow Council standards.
- 6.65 The proposed development which is the subject of this planning application would result in an uplift of 31 new dwellings, which are in the extended part of the building and would trigger a requirement for both affordable housing and wheelchair units. The level of affordable housing offered has been revised upwards to be provided on-site to 35% (11 units) which is an increase of two units on the scheme originally submitted. This level of affordable housing is now in accordance with the Mayoral Affordable Housing 'Homes for Londoners' SPG 2017. On this basis, it will not be necessary to provide a viability assessment in relation to affordable housing provision.
- 6.66 In terms of provision of the affordable housing units it is proposed to provide 1 x studio unit, 9 x 1 bedroom two-person units and 1 x 2 bedroom 3-person unit, all to be located on the upper ground floor.
- 6.67 The provision of all of the affordable units all on one floor means they can be independently accessed separately to the rest of the building for management purposes, which would facilitate management for a Registered Provider. Three of the affordable units on the ground floor will be provided as wheelchair accessible.
- 6.68 The Council's Housing Team have enquired as to whether the whole scheme will be by a Private Rental Scheme under single management and have also asked what the Affordable Housing Discount Market Rent levels would be and have highlighted that in the Mayor of London Housing for London Supplementary Planning Guidance, the Mayor has shown a preference for 'London Living Rent levels'). These issues will be determined as part of the legal agreement
- 6.69 The housing response has raised concerns about the provision of accommodation: Firstly stating that the scheme is offering 1x studio flat, 9x 1bed 2 p units and 1x 2 bed 3p unit which does not meet Harrow's priority need for 2 followed by 3 bed units, making the scheme non-compliant. They have objected to the provision of studio flats as they do not meet housing requirements. The housing response has also raised concerns that a concentration of 1 bed units in the same location may focus the number of vulnerable single people nominated onto the scheme into 1 location which may have an impact on management of the scheme. A final point made is that for the 2 bed unit, Harrow's preference is for 2 bed 4 person to make it compliant.
- 6.70 It is acknowledged that the units do not fully comply with affordable housing requirements. However, they provide an acceptable number of units and the units provided all meet and in most cases exceed London Plan Space Standards, which is a requirement for affordable housing provision. Furthermore, more broadly the scheme must be taken in the context of the prior approval fall-back position, which

is a material planning consideration in this instance. This is addressed in further detail in the 'Principle of Development' section of this report and also in the context of other improvements that would be made to the building, which may not be achieved if only the prior approval for change of use were undertaken. On this basis, on balance the affordable housing is considered acceptable in this instance.

- 6.71 In light of the compliance with the Mayor's Affordable Housing SPG 2017, with the associated expedited process, and the benefits of an increased on-site affordable housing provision; the recently approved revised ground floor layout to achieve a reduced number of larger compliant units with internal space standards; and the provision of 10% (3) wheelchair units with access to the central amenity area, it is the case that the proposed provision of affordable housing units now represent an enhanced and more easily managed provision on-site and should be considered as acceptable in this instance.
- 6.72 For these reasons, the proposed development would therefore meet the strategic housing aim for the borough and accord with policy 3.13 of the London Plan (2016), Policy CS1.J of the Harrow Core Strategy, policies DM24 and DM50 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

Housing Density and Overall Housing Mix

Housing Density

- 6.73 Paragraph 48 of the NPPF reminds local planning authorities that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 6.74 London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026. These are set out in the Principle of Development section of this report (above). The proposal's 111 home contribution to housing supply ensures that this site makes an appropriate contribution to the Borough's housing need over the plan period to 2026 and to fulfilling the Core Strategy's target for the borough.
- 6.75 London Plan Policy 3.4 seeks to optimise housing output from development by applying the sustainable residential quality density matrix at Table 3.2 of the Plan. Supporting text to the policy makes it clear that the density matrix is only the start of planning for housing development and that it should not be applied mechanistically. Further guidance on how the matrix should be applied to proposals is set out in the Mayor's Housing SPG (2016). This SPG states that the density matrix as only one part of a wider policy to optimise development on sites in different settings, with different levels of public transport and accommodating homes of different sizes.

- 6.76 The application site area is 0.28 hectares and it has a public transport accessibility level (PTAL) score of 6a indicating a very good level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have an Urban or Central setting. Based on the supporting text to Table 3.2, the fact that it has a large footprint, within an area of dense and mixed use development and a height of over four storeys, it would correspond to 'Central' setting. However, the nearest centre Edgware is a Town Centre rather than a Major/Metropolitan.
- 6.77 The proposal, taken as a whole, equates to a density of 286 units per hectare and of 589 habitable rooms per hectare. In this regard as a development within less than average 2.7 habitable rooms per units, it falls within the acceptable range of units per hectare which is 215-405 and is close to the middle part of this range. While it is noted that this is not the highest density possible, based on the other considerations of the site, i.e., existing building, is already on site, high risk flood zone in the undeveloped section of the site, as well as other issues such as neighbouring amenity and heritage concern which could restrict increasing the height of the building.
- 6.78 The London Plan states that it is not appropriate to apply the density matrix mechanistically without considering other factors. The GLA Housing SPG sets out exceptional circumstances where densities above the relevant density range may be appropriate, taking into account local context and character, infrastructure capacity.

Overall Housing Mix

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

Detailed Housing Mix- Current Proposal Entire Scheme		
Unit Size	No. of Units (Total)	% of All Units
Studio:	59	53%
1 Bed (2 Person):	41	37%
2 Bed (3 Person):	8	7%
2 Bed (4 Person):	3	3%
Total:	111	100%

Detailed Housing Mix- Proposed on Existing Floors		
Unit Size	No. of Units (Total)	% of All Units
Studio:	59	74%
1 Bed (2 Person):	20	25%
2 Bed (3 Person):	1	1%
2 Bed (4 Person):	0	0%
Total:	80	100%

Detailed Housing Mix- Proposed on New Floors		
Unit Size	No. of Units (Total)	% of All Units
Studio:	0	0%
1 Bed (2 Person):	21	68%
2 Bed (3 Person):	7	23%
2 Bed (4 Person):	3	10%
Total:	31	100%

6.80 Within Harrow or London policy there are no specific requirements for the unit size/mix for market properties and it is stated in Policy DM: 24 'Housing Mix' that the appropriate mix of housing will be determined having regard to 'the location of the site, the character of its surroundings and the need to optimise housing output on previously-developed land'.

6.81 The supporting text goes on to state that to policy DM 24 'Housing Mix' the Council does not consider it justified to prioritize dwelling sizes for market housing and advocates a more balanced and flexible approach that, whilst having regard to identified needs, seeks to match housing mix to the location and nature of allocated sites, or sites likely to become available.

6.82 All of the proposed residential units would be flats and as the table shows, there is a very high proportion of studio flats within the development. There are obvious drawbacks to studio flats, as they generally are only appropriate for a single occupier, while most of the remainder of the flats are 1 bedroom. However, these studios are wholly within the part of the building with a prior approval fall back, in which most of the units would not have complied with The London Plan space standards, while in the current proposal most of the units do meet the space standards. In the new floors where there is no fall-back, there are no studios and a

number of the units are 2 bedrooms. In the context of the area, i.e. within a mixed use urban area, with a very high PTAL, these sizes of units are considered appropriate. In this context, while this would not be the unit mix sought in a new development, even in this urban area, it is considered acceptable on balance in the context of considerations highlighted above.

Accessibility

- 6.83 London Plan policy 3.8 which addresses housing choice, requires 90% of new housing to meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and 10% of new housing to meet Building Regulation requirement M4 (3) 'wheelchair user dwellings, i.e., is design to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. Applied to the current proposal, it would be considered appropriate to apply this to the new build section of the development.
- 6.84 The wheelchair accessible units would be located on the raised ground floor, and at 3 units this would represent approximately 10% of the units in the new floors of the building, i.e., the units which would not benefit from a fall-back position related to prior approval for change of use. The entrance to these units would be via the lower ground floor. This would not be entirely convenient as it would require access along Spring Villa Road and under the parking undercroft for wheelchair users who were not travelling by car. However, this is due to constraints of retrofitting an existing building and it would still allow level access to the units. This will be secured via planning condition that these units must meet M4 (3) and this will be secured via building regulations as well.
- 6.85 The remainder of the new building section of the building would be required to meet M4 (2) requirements. In terms of the existing parts of the building, it is recognised that the prior approval fall-back position is in place and is a material planning consideration. However, it would still be beneficial and in keeping with the aspirations of the London Plan policy that the building as a howl is as accessible as possible and so the units within the existing building would be expected to be as accessible as possible in the context of the practicalities of retrofitting an offices building. This applies to issues such as level access, ramps, door widths and services and controls. Detailed information related to this requirement has not been submitted, but in a new development on this scale, this is an important requirement. This should be shown on submitted plans due to the fact that wheelchair user accommodation is typically larger in terms of the floor plan.

Conclusion

- 6.86 The principle of providing a residential development on the application site is acceptable. The proposed housing development would bring forward housing provision of a satisfactory mix to provide housing choice to the borough and of an adequate level to ensure suitable accommodation for future occupiers. It is considered that the proposed 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. The proposal would provide appropriate living conditions for the future occupiers of the development. In addition to this, the details submitted in relation to landscaping, boundary treatment, levels, the environmental enhancement scheme and cycle parking are considered to be acceptable.

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

APPENDIX 1: Conditions and Informatives

Conditions

Conditions

1. Timing

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. Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 2360_GA_P_LG P12; 2360_GA_P_L00 P8; 2360_GA_P_L01 P10; 2360_GA_P_L02 P6; 2360_GA_P_L03 P4; 2360_GA_P_L04 P4; 2360_GA_P_L05 P4; 2360_GA_P_L06 P4; 2360_GA_P_L07 P4; 2360_GA_P_L08 P4 ; 2360_GA_P_L09 P4; 2360_GA_BP P2; 2360_GA_RP P1; 2360_GA_AX0-01 P1; 2360_GA_E01 P4; 2360_GA_E02 P2; 2360_GA_E03 P2; 2360_GA_E04 P2 ; 2360_GA_S_A-A P2; 2360_EX_P_SP B; 2360_EX_P_Lg ; 2360_EX_P_L00 B ;2360_EX_P_L01 B; 2360_EX_P_L02 B; 2360_EX_P_L03-7 B; 2360_EX_P_RP ; 2360_EX_E01 P1 ; 2360_EX_S_A-A P1; 2360_EX_E02 P1; 2360_EX_E04 P1; 2360_EX_E03 P1; Air Quality Assessment dated January 2018; Daylight and Sunlight Report dated January 2018; Design and Access Statement dated January 2018; Flood Risk Assessment dated January 2018; Flood Model Report Appendix E; Flood Risk Basement Appendix D- Environment Agency Data; Heritage Statement Reference R13139; Noise Impact Assessment 175650-01 dated January 2018; Planning Statement dated January 2018; Sustainability Statement dated 11/01/2018; Transport Statement dated January 2018.

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

3. Materials

Notwithstanding the submitted details and approved plans, the development hereby permitted shall not commence until samples of the materials to be used in the construction of all of the external surfaces, including, but not restricted to those listed below have been submitted to, and approved in writing by, the local planning authority:

- a) Facing materials and roof,
- b) Windows and doors;
- c) Rainwater goods
- d) Boundary treatment
- e) Hardsurfacing

f) Balconies

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

REASON: To ensure that good quality and acceptable materials would be used for the development in order to safeguard the appearance of the locality. To ensure that the proposed works can be incorporated in to the design, this is PRE-COMMENCEMENT Condition.

4. Construction Logistics Statement

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

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

REASON: To ensure that the construction of the development does not unduly impact on highway safety and the amenities of the existing occupiers of the properties adjacent to the site. These works would form part of the construction process and for this reason, this is a PRE-COMMENCEMENT Condition.

5 Flood Risk and Development

The development hereby approved shall be undertaken in accordance with the measures described and recommended within the approved Flood Risk Assessment and appendices and shall be retained in that form thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development.

6 Refuse Storage

The refuse and waste bins shall be stored at all times within the designated refuse storage areas as shown on the approved plans.

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

7 Landscape

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

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

8 Landscape Management

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

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

9 Further Landscape Details

The development hereby approved shall not be occupied until the following details have been submitted to and approved in writing by the local authority:

Tree planting and fixing details; minor artefacts and structures (such as furniture, courtyard garden, winter gardens, bin stores, bike stores, green walls, permeable surfacing, gates, details for landscaped podium deck courtyard garden, together with any proposed irrigation systems and venting - platforms incorporating vents, vent grilles, screens to vents. The development shall be completed in accordance with the approved details.

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

10 Secure by Design

Evidence of certification of Secure by Design Accreditation for the development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

REASON: In the interest of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

11 Communal Facilities

Prior to the occupation of the development hereby permitted, additional details of a strategy for the provision of communal facilities for television reception (e.g. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority.

Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.

12 Flues and Pipework

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the front elevations of the buildings hereby approved, unless agreed in writing by the Council.

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

13 Cycle Storage

Notwithstanding the approved plans, prior to occupation of the development hereby approved details shall be provided of safe and secure cycle storage for 134 x bicycles and 4 x motorcycles. The approved details shall be implemented and shall thereafter be retained.

REASON: To provide sufficient bicycle and motorcycle parking space for the use of future occupiers.

14 Car Park Management Plan

Notwithstanding the approved plans, prior to occupation of the development hereby approved, details shall be provided of a car parking management plan to clarify how parking would be allocated shall be submitted to the local planning authority to be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To provide an acceptable car parking situation for the use of future occupiers and to avoid congestion in surrounding streets.

15 Part M Dwellings

A minimum of 3 of the units on the raised ground floor shall be built in accordance with Building Regulation standard M4 (3) 'Wheelchair User Dwellings' as indicated on the approved plans.

All residential units within floors 8 and 9 of the rear tower and floors 3, 4 and 5 of the front tower, i.e. the new floors shall be constructed to the specifications of: "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 and thereafter retained in that form.

All residential units within raised ground floor, floors 1-7 inclusive of the rear tower and floors 1-2 of the front tower, i.e., the existing floors shall be be constructed to the specifications of: "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 as far as possible and shall thereafter be retained in that form

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards.

16 Restriction of HMO

The proposed residential accommodation within the development hereby permitted shall be used for Use Class C3 only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity.

17 Sustainability and Energy

The development hereby permitted shall be built in accordance with approved documents Sustainability Statement dated 11th January 2017. The details approved within these documents shall be implemented and retained thereafter. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development.

1 **INFORMATIVES**

Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2012)

The London Plan (2016):

- 3.1 Ensuring Equal Life Chances for All
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young People's Play and Informal Recreation Facilities
- 3.7 Large Residential Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13 Affordable Housing Thresholds
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture

Draft London Plan 2017

D1

D2 Design

H7 Affordable Housing

Local Development Framework

Harrow Core Strategy 2012

CS1 Overarching Policy

Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

DM2 Achieving Lifetime Neighbourhoods

DM10 On Site Water Management and Surface Water Attenuation

DM12 Sustainable Design and Layout

DM22 Trees and Landscaping

DM23 Streetside Greenness and Forecourt Greenery

DM24 Housing Mix

DM27 Amenity Space

DM42 Parking Standards

DM43 Transport Assessments and Travel Plans

DM45 Waste Management

Supplementary Planning Documents

Mayors Supplementary Planning Guidance: Housing (2016)

Harrow Supplementary Planning Document: Residential Design Guide 2010

Harrow Supplementary Planning Document: Planning Obligations 2013

2 Grant with pre-application advice

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

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

3 Mayor CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £99,552.40 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 £99,552.40 for the application, based on the levy rate for Harrow of £35/sq m and the stated increase in floorspace of 2,449 sq m.

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

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

4 Harrow CIL

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

Harrow's Charges are: £311,482.10

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

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

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

All other uses - Nil.

The Harrow CIL Liability for this development is: £311,482.10

5 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

6 PARTY WALL ACT:

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

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

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

"The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7 COMPLIANCE WITH PLANNING CONDITIONS

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

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

8 Notwithstanding the details set out in condition 16 above, the Construction Management Plan should also be produced in accordance with Transport for London guidance. Further information can be found at: <https://tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guide/guidance-by-transport-type/freight>

9 INFORMATIVE

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense. Failure to report any damage could result in a charge being levied against the property.

10 STREET NAMING AND NUMBERING INFORMATIVE

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939. All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following [link](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering).
http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

Plan Numbers:

2360_GA_P_LG P12; 2360_GA_P_L00 P8 ; 2360_GA_P_L01 P10;
2360_GA_P_L02 P6; 2360_GA_P_L03 P4; 2360_GA_P_L04 P4;
2360_GA_P_L05 P4; 2360_GA_P_L06 P4;
2360_GA_P_L07 P4; 2360_GA_P_L08 P4 ; 2360_GA_P_L09 P4; 2360_GA_BP
P2; 2360_GA_RP P1; 2360_GA_AX0-01 P1; 2360_GA_E01 P4; 2360_GA_E02
P2; 2360_GA_E03 P2; 2360_GA_E04 P2 ; 2360_GA_S_A-A P2; 2360_EX_P_SP
B; 2360_EX_P_Lg ; 2360_EX_P_L00 B ;2360_EX_P_L01 B; 2360_EX_P_L02 B;
2360_EX_P_L03-7 B; 2360_EX_P_RP ; 2360_EX_E01 P1 ; 2360_EX_S_A-A P1;
2360_EX_E02 P1; 2360_EX_E04 P1; 2360_EX_E03 P1; Air Quality Assessment
dated January 2018; Daylight and Sunlight Report dated January 2018; Design
and Access Statement dated January 2018; Flood Risk Assessment dated
January 2018; Flood Model Report Appendix E; Flood Risk Basement Appendix
D- Environment Agency Data; Heritage Statement Reference R13139; Noise
Impact Assessment 175650-01 dated January 2018; Planning Statement dated
January 2018; Sustainability Statement dated 11/01/2018; Transport Statement
dated January 2018.

APPENDIX 2: SITE PLAN



APPENDIX 3: PHOTOGRAPHS



Raised ground floor and front elevation of the rear tower, viewed from south on Spring Villa Road



As above



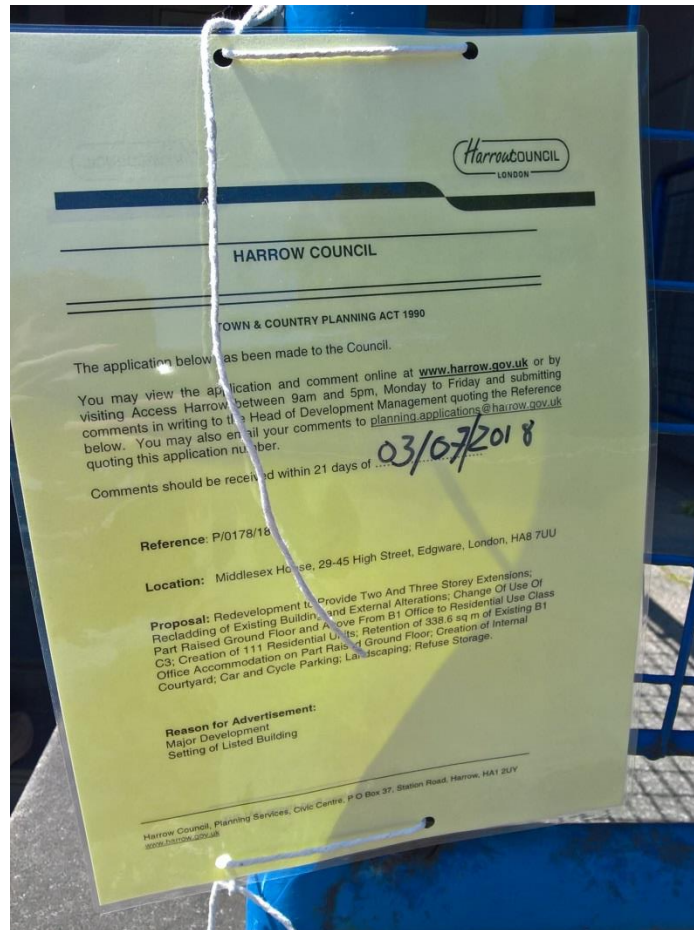
Rear of existing front tower and raised ground floor



Rear car park facing Business Park and Handel Way



Rear elevation, rear tower building



View from High Street Edgware, facing north

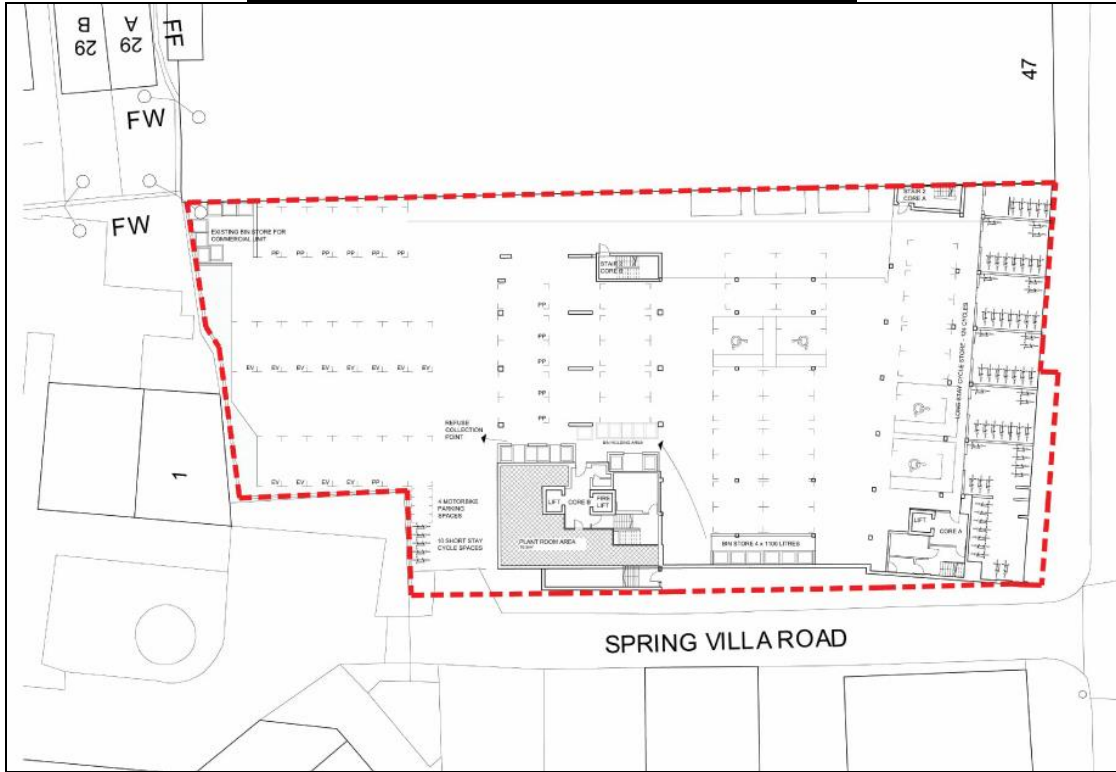


View from High Street Edgware, facing south

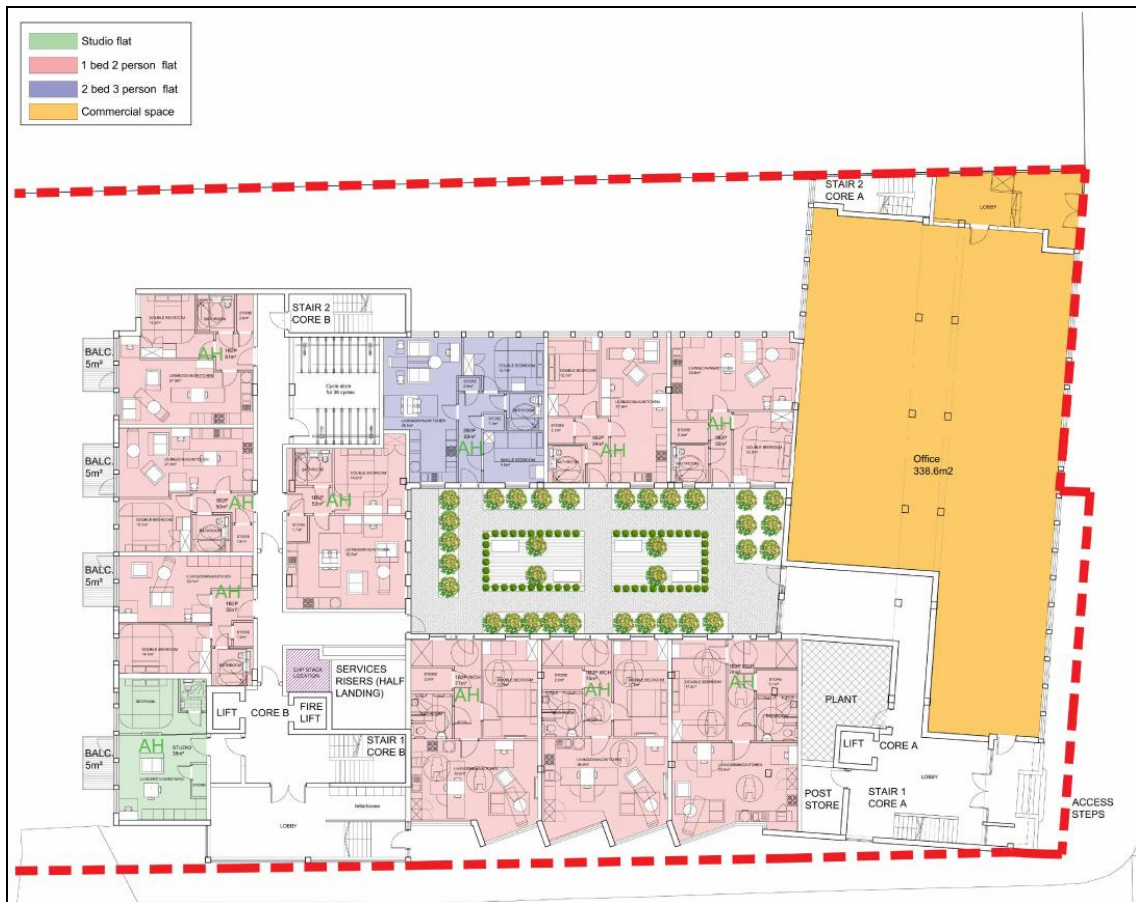


Aerial View

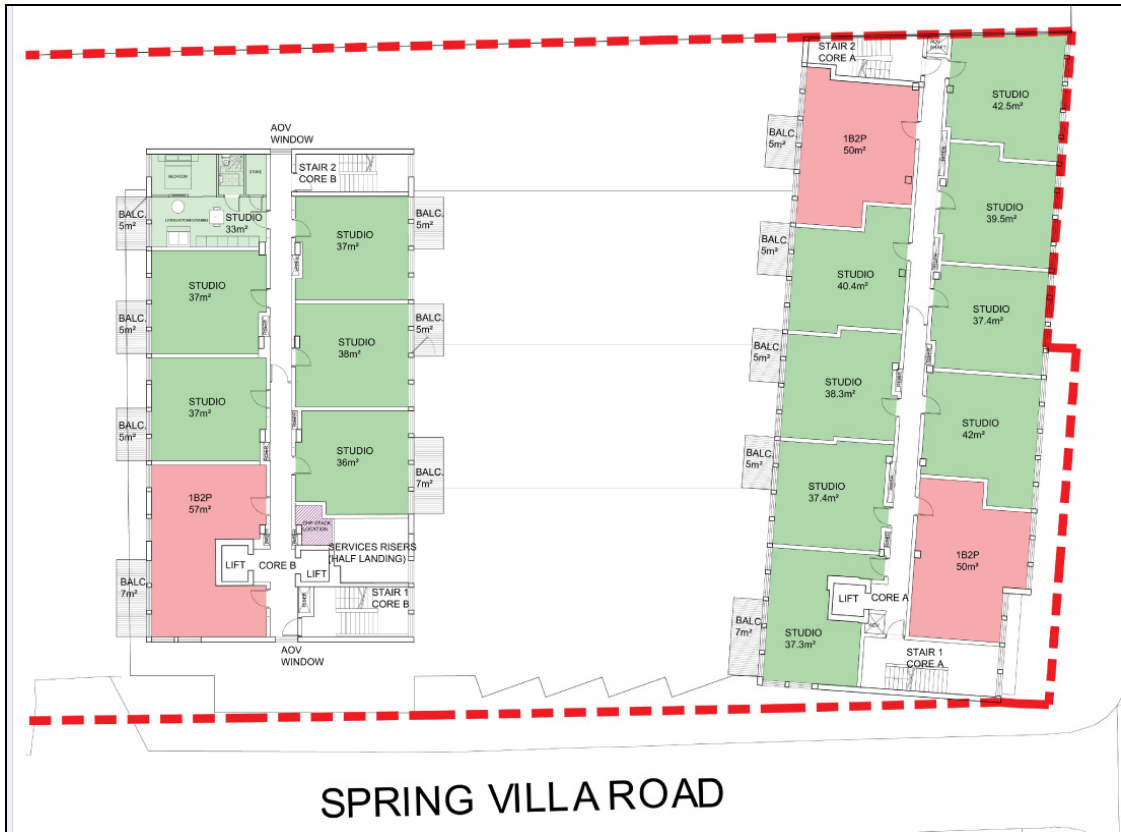
APPENDIX 4: PLANS AND ELEVATIONS



Proposed Lower Ground Floor



Proposed Ground Floor



Proposed First Floor

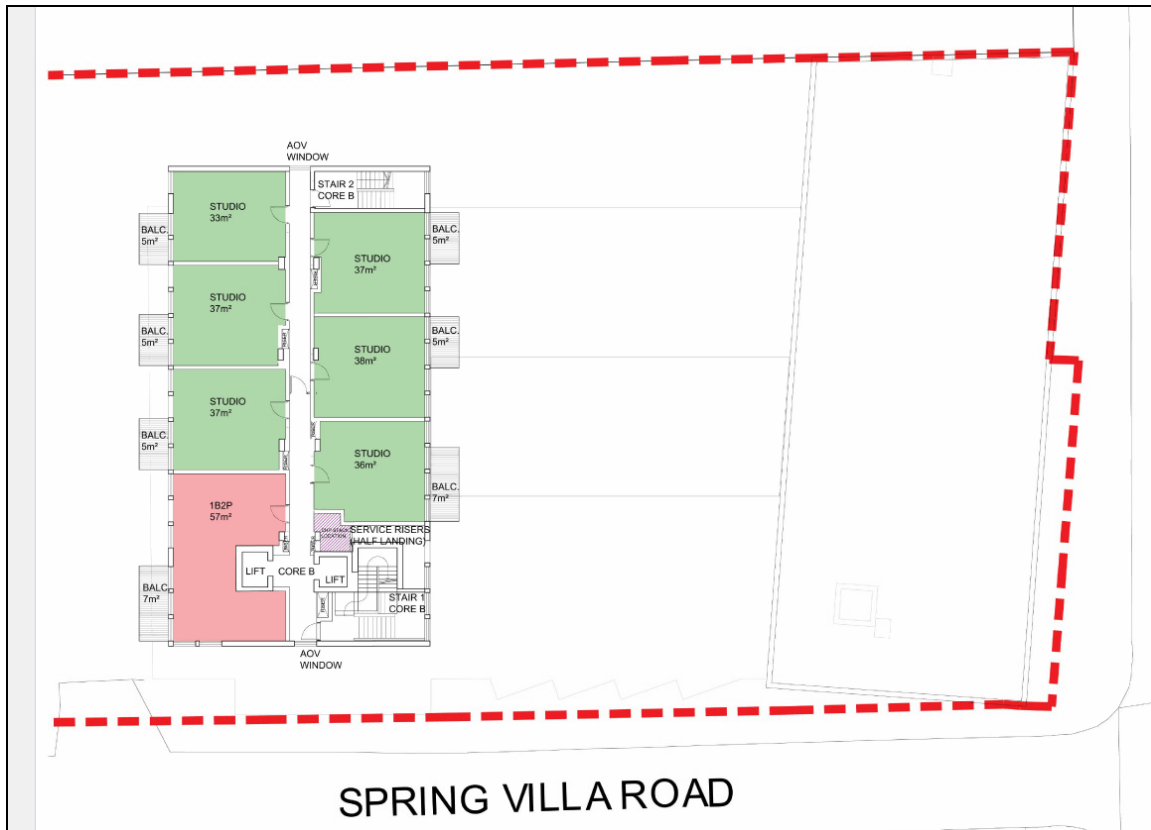


Proposed Second Floor



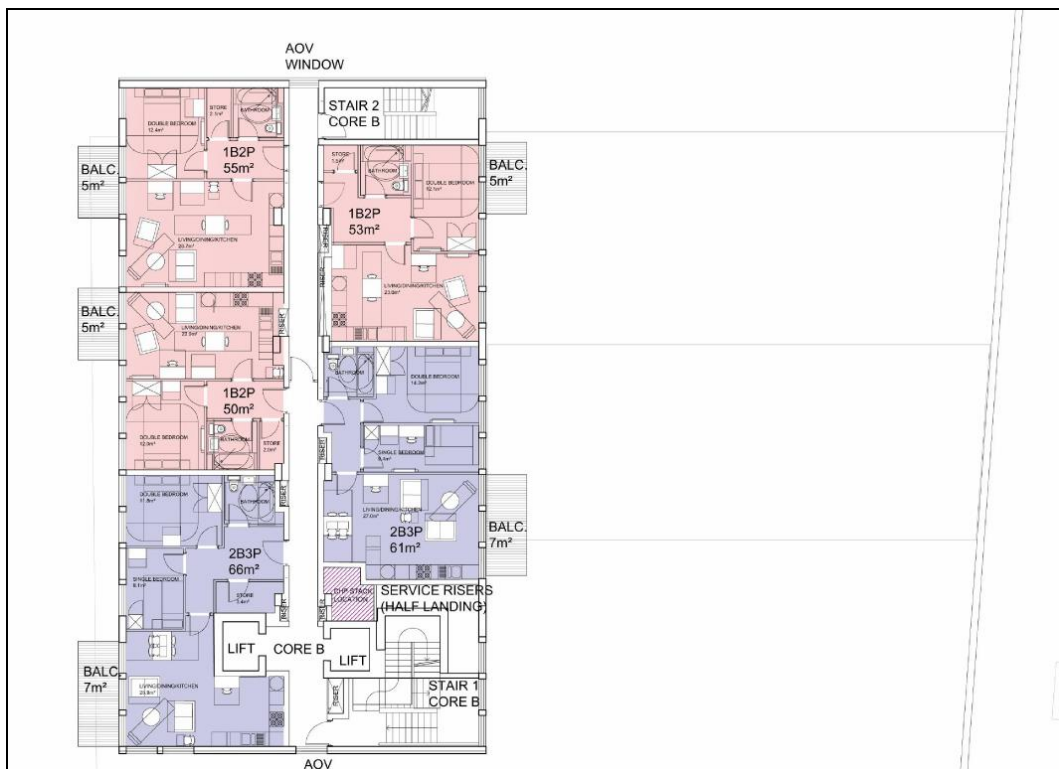
SPRING VILLA ROAD

Proposed Third/Fourth/Fifth Floor



SPRING VILLA ROAD

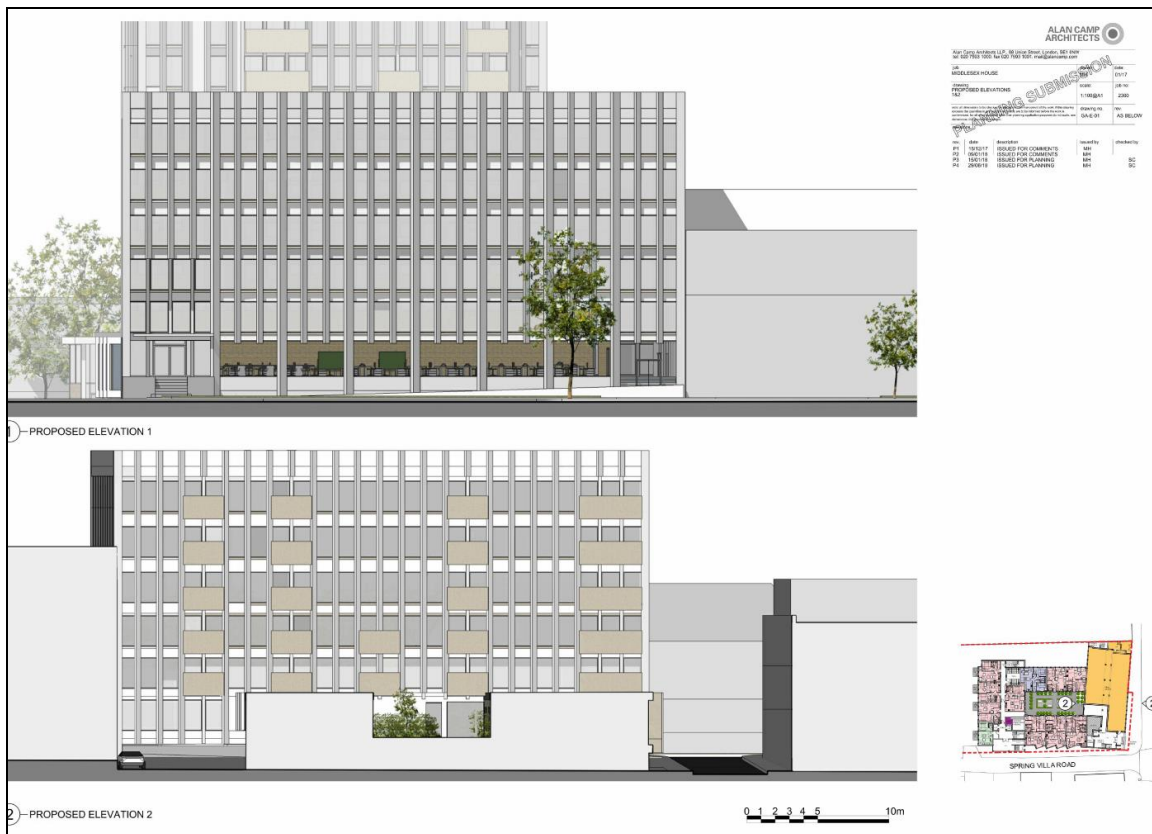
Proposed Sixth/Seventh Floors



Proposed Eighth/Ninth Floors



Proposed Roof Plan



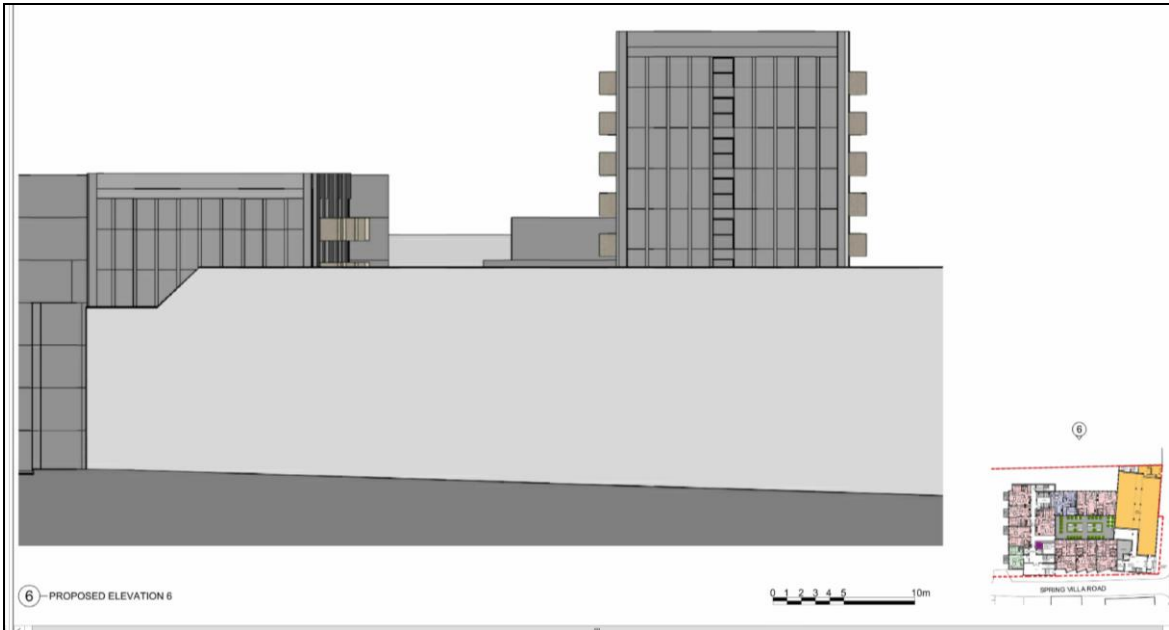
Proposed Elevations



Proposed Rear Elevation



Proposed Side Elevation (South)



Proposed Side Elevation (North)

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