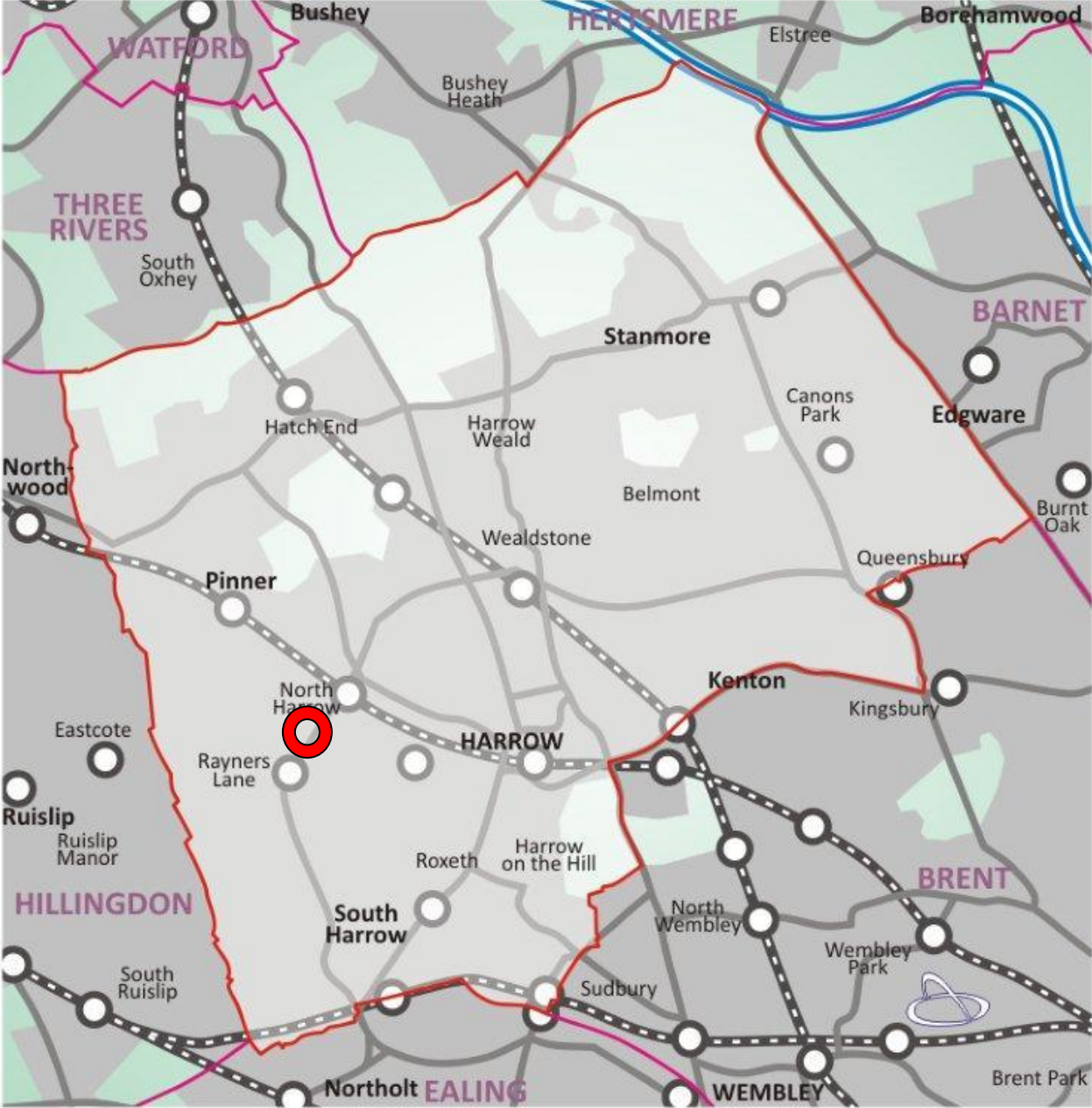
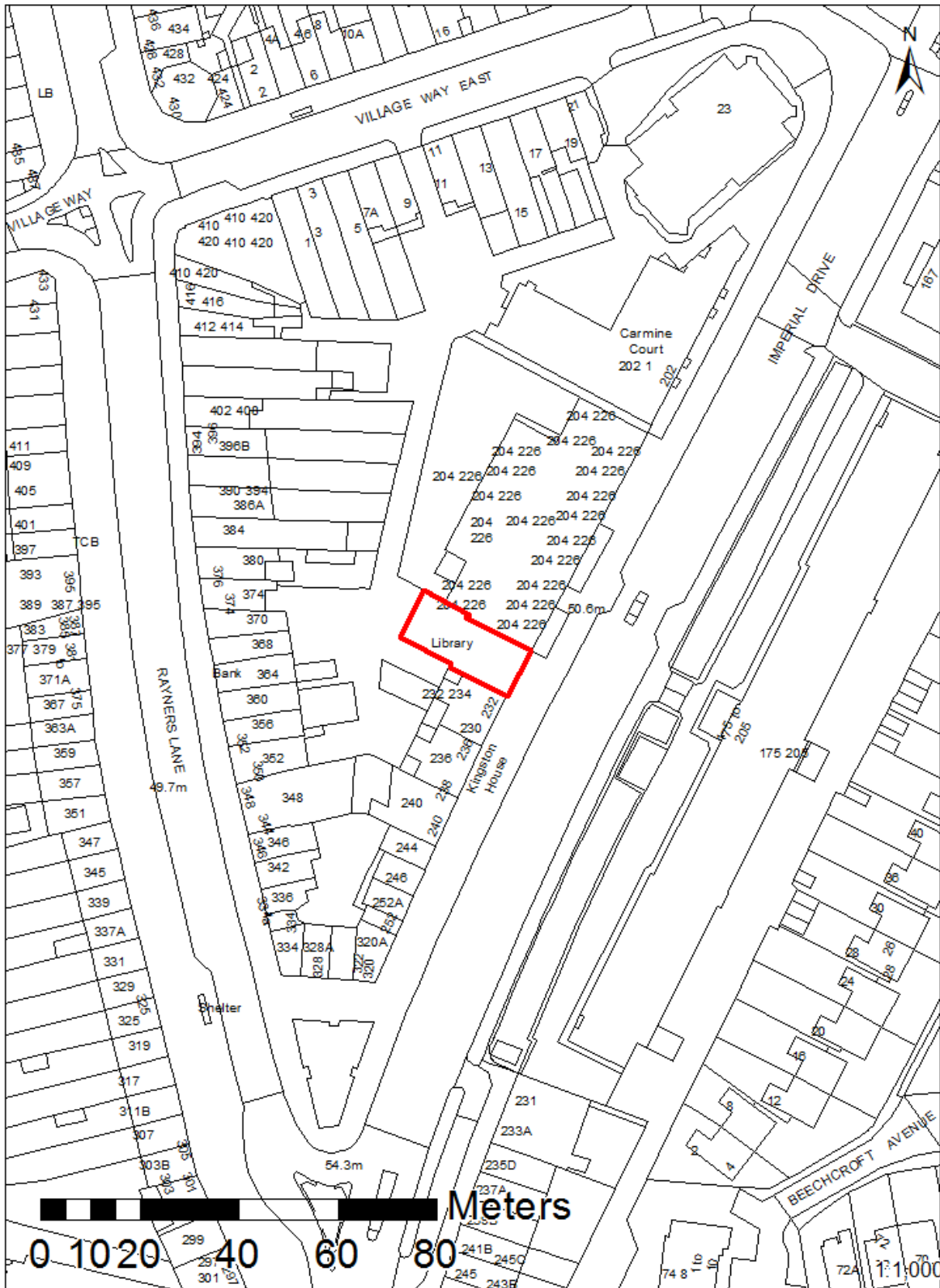


 = application site



<b>Rayners Lane Library, Imperial Drive,</b>	<b>P/5526/18</b>
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# Rayners Lane Library, Imperial Drive, HA2 7HJ



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

20 March 2019

**APPLICATION NUMBER:** P/5526/18  
**VALIDATE DATE:** 14<sup>TH</sup> DECEMBER 2018  
**LOCATION:** RAYNERS LANE LIBRARY, IMPERIAL DRIVE,  
NORTH HARROW  
**WARD:** RAYNERS LANE  
**POSTCODE:** HA2 7HJ  
**APPLICANT:** MR SARAJIT AHLUWALIA  
**AGENT:** MR FRANK STRATHERN  
**CASE OFFICER:** CATRIONA COOKE  
**EXPIRY DATE:** 25/03/2019

### PROPOSAL

Two storey extension to roof and change of use of former Library (Use Class D1) to Use Class C2 comprising six x one bed flats and twelve x studio flats and ancillary Offices and Employment Agency and ancillary Education centre for the training of residents; Use of ground floor as Café (Use Class A3) with outdoor seating (Class A3)

### RECOMMENDATION A

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report, and
- 2) 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:
  1. **USE:** To secure the use of the building, with the exception of the café/ bakery, for C2 purposes only and not for resale or rent as private market accommodation. To ensure that the referral/nominations are through Harrow Council. That the building including all non-residential uses with the exception of the café/ bakery are operated by a single operator.
  2. **Travel Plan:** To provide a Travel Plan for both the residential and non-residential uses. A Travel Plan monitoring fee of £5,000 and a Travel Plan

bond of £10,000 should the applicant fail to meet the objectives set out in the Travel Plan.

3. **Parking (Car Free):** to ensure that no residents other than those that have registered disabled badge to apply for a residents parking permit.
4. **Sustainability:** Upon completion of the development, submission of As Built carbon emissions calculations and payment of carbon off-set contribution to achieve zero carbon development for the residential element. Currently estimated as being £47,340. The actual payment amount should be calculated once the building has been completed and final Part L Building Regulations submitted to calculate the actual emissions that need to be offset, with the payment calculated at £1,800 tonnes per carbon.
5. **S.106 Monitoring Fee:** Payment of section 106 monitoring fee upon completion of section 106 agreement - **£2,400**
6. **Legal Fees:** Payment of all reasonable legal fees upon completion of section 106 agreement.

The development would provide care for 18 residents. The proposed internal layouts, specifications and management of the proposed change of use would provide an acceptable standard of accommodation in accordance with Policies 3.16 and 3.17 of The London Plan (2016), Policies DM1 and DM29 of the DMP (2013). The proposed café and offices would maintain an active frontage in the parade. Furthermore, the development would not unduly impact on the amenity of the neighbouring occupiers.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework (2018), 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 the Section 106 Agreement is not completed by 31st August 2019 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, then delegate the decision to the Interim Chief Planning Officer to **REFUSE** planning permission for the appropriate reason.

The proposed development, in the absence of a legal agreement to restrict the C2 use and provide parking permit restrictions that directly relates to the development, would fail to ensure that the development in this location prioritises access by sustainable modes and does not place additional transport stress on the public highway, and would fail to provide affordable housing in accordance with the National Planning Policy Framework (2018), Policies 3.11 and 6.13 of the London Plan (2016), Policy CS1J of the Harrow Core Strategy (2012) and Policies DM24 and DM43 of the Harrow Development Management Policies Local Plan (2013).

## **INFORMATION**

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

Statutory Return Type: Major Development  
Council Interest: None  
GLA Community **TBC**  
Infrastructure Levy (CIL)  
Contribution  
(provisional):  
Local CIL requirement: **TBC**

## **S17 Crime & Disorder Act**

Policies 7.3.B and 7.13.B of The London Plan (2016) 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.

## **OFFICER REPORT**

### **PART 1: Planning Application Fact Sheet**

<b>The Site</b>	
Address	RAYNERS LANE LIBRARY, IMPERIAL DRIVE, NORTH HARROW, HA2 7HJ
Applicant	MR SRABJIT AHLUWALIA
Ward	RAYNERS LANE
Local Plan allocation	Critical Drainage Area;
Conservation Area	N/A
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	N/A
Other	N/A

<b>Housing</b>		
Density	Proposed Density hr/ha	n/a
	Proposed Density u/ph	n/a
	PTAL	4
	London Plan Density	n/a

	Range	
Dwelling Mix	Studio (no. / %)	-
	1 bed ( no. / %)	-
	2 bed ( no. / %)	-
	3 bed ( no. / %)	-
	4 bed ( no. / %)	-
	Overall % of Affordable Housing	-
	Social Rent (no. / %)	-
	Intermediate (no. / %)	-
	Private (no. / %)	-
	Commuted Sum	-
	Comply with London Housing SPG?	YES
	Comply with London Housing SPG?	YES
	Comply with M4(2) of Building Regulations?	YES

Non-residential Uses		
Existing Use(s)	Previous / Existing Use / Operator	Library
	Existing Use Class(es) sqm	Class D1 (Library)
Proposed Use(s)	Proposed Use / Operator	Office (B1) Café (A3) Education Centre (D1) Care Home (C2)
	Proposed Use Class(es) sqm	B1 (220 sqm) A3 (25 sqm) B1(a) (105 sqm) C2 ( 874 sqm)
Employment	Existing number of jobs	Nil (vacant)
	Proposed number of jobs	12 (FTE)

Transportation		
Car parking	No. Existing Car Parking spaces	3
	No. Proposed Car Parking spaces	3
	Proposed Parking Ratio	

Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	
	Cycle Parking Ratio	
Public Transport	PTAL Rating	4/5
	Closest Rail Station / Distance (m)	174 (Rayners Lane Station)
	Bus Routes	H9, H10, H12, 398
Parking Controls	Controlled Parking Zone?	Yes
	CPZ Hours	n/a
	Previous CPZ Consultation (if not in a CPZ)	n/a
	Other on-street controls	Pay and display on Imperial Drive.

Parking Stress	Area/streets of parking stress survey	No
	Dates/times of parking stress survey	Survey Not Undertaken nor requested.
Highways		Highways Officer Support for the Application. Subject to conditions
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	

## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The site is a three storey, mid-terraced former library building on the western side of Imperial Drive which is a London Distributor Road.
- 1.2 The application site is located in a non designated parade in Rayners Lane Town Centre. To the north is located Talbot House which is a four storey building with commercial premises at street level with flats on the upper floors. To the south is located Kingston House which is a four storey building with commercial premises at street level and offices on the upper floors.
- 1.3 There are designated pay and display parking spaces and a cycle parking lane located to the front of the premises.

### **2.0 PROPOSAL**

- 2.1 The proposal is to extend the property by a two storey extension to the roof. Change of use of the building to use class C2 (supported housing) with ancillary offices in the basement and ancillary education use for the residents on the ground floor. The proposal would also include the use of part of the frontage of the ground floor as a café (use class A3) with and external seating area. ..
- 2.2 Provision of 1 bed, 2 person flat on the Ground floor and mezzanine floor and one, 1 bed, 2 person flat and three studios on the each of the upper floors. Providing a total of twelve studio flat, and six one bedroom, two person flats. The residential element will provide supported housing for adults with complex needs and mixed abilities.
- 2.3 The proposed training centre would provide life skills to residents with a view to living independently in the community. The Bakery and café would provide training, work and social interaction for the residents.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 There is no planning history for the site.

### **4.0 CONSULTATION**

- 4.1 Five Site Notices were erected on 18<sup>th</sup> January 2019.
- 4.2 Press Notice was advertised in the Harrow Times on the 10<sup>th</sup> January 2019 expiring on 31<sup>st</sup> January 2019.



4.3 The application was advertised for the following reasons:

- Major application.

4.4 A total of 197 consultation letters were sent to neighbouring properties regarding this application.

4.5 The overall public consultation period expired on 25<sup>th</sup> January 2019.

4.6 Adjoining Properties

Number of letters Sent	197
Number of Responses Received	1
Number in Support	0
Number of Objections	1
Number of other Representations (neither objecting or supporting)	0

4.7 A summary of the responses received along with the Officer comments are set out below:

Summary of Comments	Officer Comments
Concern lack of parking	this has been addressed under the traffic and parking section of the Officer's report below.

4.8 Consultation

4.9 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
LBH Highways	No objection subject to further details to be submitted	Noted.
LBH Drainage	No objection subject to conditions	Noted.
Conservation Officer	No objection	Noted
Biodiversity Officer	No comments received	
Waste Officer	For the flats only, as all else will have to arrange	Noted

	<p>their own paid for collections, you will require 2 x 1100ltr general waste bins and 1 x 1280ltr dry recycling bins. I attached our Code of Practice which should be of some help. You will still have to resolve the bin access store issue prior to me agreeing to collect waste from here.</p>	
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## 5.0 **POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 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.
- 5.4 In this instance, the Development Plan comprises The London Plan 2016 [LP], the Draft London Plan (2017) and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].
- 5.5 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.
- 5.6 The document was published in draft form in December 2017 and is currently in the Examination in Public (EiP) stage, with the Panel's report expected in Autumn 2019. Given that the draft Plan is in the EiP stage of the formal process it holds some weight in the determination of planning applications, although lesser weight will be given to those areas of the plan that are being challenged through the EiP process (including any potential inconsistencies with the NPPF).
- 5.7 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
- 5.8 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.
- 5.9 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

## 6.0 ASSESSMENT

- Principle of the Development
- Affordable Housing and Housing Mix
- Character and Appearance
- Residential Amenity and Accessibility
- Traffic, Parking and Drainage
- Biodiversity
- Energy and Sustainability
- Air Quality
- Accessibility
- Environmental Impact Assessment

### 6.1 Planning Obligations Principle of Development

#### Change of use of Basement to Office and ground floor to Café, Bakery and Education Centre

- 6.1.1 Policy DM32 of the Development management Local Plans Policies supports new office use within town centres, including proposals in mixed use. Therefore it is considered that the office use in the basement and ground floors, albeit ancillary to the principle use as an extra care accommodation (use class C2) would be acceptable.
- 6.1.2 Policy DM 38 of the Development Management Local Plans Policies supports uses at ground floor of premises within non-designated parades of town centres, providing that a window display would be provided and the use would not be detrimental to neighbouring occupiers or highway safety. The proposal would retain an active frontage with the café use. To the rear would be an Employment Agency, bakery and training space. These uses are proposed for the use of the residents which is considered acceptable.

#### Provision of Care Facilities including Extra Care Accommodation

- 6.1.1 Paragraph 61 of the National Planning Policy Framework (2018) outlines that “... the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”
- 6.1.2 London Plan policy (2016) 3.16 outlines the need for additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population. It states that “development proposals which provide high quality social infrastructure will be supported in light of local and strategic needs assessments...Facilities should be accessible to all sections of the community and be located within easy reach by walking, cycling and public transport”. Further to this, 3.17 ‘Health and Social Care Facilities states that “proposals that provide high quality health and social care facilities will be supported in areas of identified

need, particularly in places easily accessible by public transport , cycling and walking”.

- 6.1.3 Local plan policy DM 29 states that “the Council will support proposals on previously developed land for sheltered housing, care homes and extra care housing (across all tenures) for older people and those who may be vulnerable, provided that the proposal is accessible by public transport with good access to local amenities including shops and local facilities”.
- 6.1.4 The policies outlined above provide support in principle for the provision of a care home, of any typology, at this location and within the borough. The proposal would provide for a meaningful contribution both towards the housing target and also a type of sheltered housing, and therefore the proposal is considered to be acceptable in principle.

## 6.2 Affordable Housing

- 6.2.1 Core Policy CS1J of the Harrow Core Strategy (2012) seeks the maximum reasonable amount of affordable housing on all development sites, with a Borough-wide target of 40%. DM policy DM 24 states that proposals that secure an appropriate mix of housing on site and which contribute to the creation of mixed and inclusive communities will be supported.
- 6.2.2 Paragraph 6.30 outlines that policy CS1 J applies to schemes for sheltered housing and extra care homes that fall within the thresholds. It goes on to say at paragraph 6.31 that “*Residential care homes and nursing homes, where the accommodation is non-self-contained, fall within use Class C2 (Residential Institutions) and are not subject to the affordable housing policy*”.
- 6.2.3 While the 18 bedrooms for the residents contain a bathroom and Kitchen, the units are for assisted living with full time staff. The units are not considered to be self-contained units in the conventional C3 use class, given the level of care provision required to support the residents and therefore fall wholly within a C2 use Class. The proposal would provide supported living for adults with complex needs and mixed abilities, while the units are self-contained there will be two support staff on site at all times. The proposal would therefore comply with Policy CS1 J and is not subject to affordable housing. However, in order to ensure that the flats are not sold off or rented on the open market as use class C3, which in turn would prejudice the delivery of affordable housing on this site, it is considered that the overall use of the site as an extra care accommodation (use class C2) should be secured by way of a legal agreement to ensure that the building is kept in this use and for no other purposes, which will include the use of the ancillary office and non-residential uses located within the basement and ground floor of the building. It is also further considered that the referral and nominations rights to the units are through Harrow Council to ensure that the borough is able to meet its specialist adult accommodation needs.

### 6.3 Character and Appearance

- 6.3.1 As outlined in paragraphs 124 to 131 of the NPPF (2018), The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.3.2 Policy 7.4 (B) of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6 of the London Plan (2016) outlines that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the widest quality materials and design it appropriate to its context. Buildings should have complimentary building materials, be of a proportion, composition, scale and orientation which enhances and defines the public realm.
- 6.3.3 The proposed two storey roof extension would be set in 2.2m from the main frontage and would not exceed the height of the adjoining properties. Given the lightweight design it is considered that this element of the proposal would be proportionate to the host property and would be in keeping with the area.
- 6.3.4 An enclosed refuse store is provided to the rear of the basement containing two 1280L bins for the C2 element and two 360L bins for the B1, A3 and D1 elements. The Council's Waste Officer has stated that the proposed number of bins shown for the residential element of the scheme is insufficient as a total of 3 bins would be required, in addition for adequate storage for commercial waste (which is not collected by the Council). In addition to this, the Waste Officer has stated that the access to the bin store would be impeded by the car parking space shown directly in front of the doors to the bin store. The collection crew will therefore be unable to collect the bins. In view of this, it is considered necessary to attach a condition requiring amended plans to show the correct provision of refuse bins for the residential element and the non-residential uses and what arrangements shall be put in place to bring the bins out to a suitable collection point on the day of collection.
- 6.3.5 In conclusion, subject to the imposition of appropriate conditions, the proposed development would not unduly impact on the character and appearance of the area.

## 6.4 Residential Amenity and Accessibility

### Impact on Neighbouring Occupiers

- 6.4.1 The NPPF requires sustainable development, and as part of this developments should aim to minimise adverse effects on the local environment, which includes neighbouring properties.
- 6.4.2 London Plan Policy 3.5 Quality of Design and Housing Developments sets out several criteria for achieving good quality residential development. The policy aims to ensure that developments enhance the quality of local places and create homes that reflect the minimum space standards and are fit for purposes in other respects. The policy also provides a commitment that the Mayor will issue guidance on implementation of the policy, and this commitment is fulfilled by the publication of the Mayor's Housing SPG (2016). The SPG sets out detailed guidance on a range of matters relating to residential quality, incorporating the Secured by Design principles, and these form the basis for the assessment below
- 6.4.3 Policy DM1 of the Development Management Policies Local Plan (2013), which seeks to ensure that "proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted". The Council's Residential Design Guide supplementary planning document is also relevant.
- 6.4.4 The applicant has submitted a External Daylight Study in support of their application. The report assesses the impact of the proposed development on a number of windows directly facing the site (in the case of Talbot House sited to the north) and windows located within the rear elevations of both neighbouring buildings Talbot House and Kingston House.
- 6.4.5 Talbot House is located to the north and has been extended at roof level and provides residential accommodation at this top floor level. It appears that the lower floors of this building are in non-residential use. The site does benefit from prior approval for the conversion of the ground and first floors from offices to residential, but this does not appear to have been implemented. For the purposes of this application, it is only necessary to assess the impact on the residential units located on the top floor. The flank elevation closest to the subject site has secondary windows that serve Flat 4. These windows would not be protected for the purposes of the Council's guidelines. In the rear elevation, there are two bedroom windows serving Bedrooms 1 and 2. When assessed against BRE guidelines, in terms of vertical sky component (VSC) the rear facing windows to Flat 4 of Talbot House would continue to receive good levels of daylight and therefore the proposed development will have negligible impact in terms of loss of daylight.

- 6.4.6 The south facing flank elevation to the roof extension of Talbot House contains non habitable window and therefore there would be no impact on these windows.
- 6.4.7 In terms of sunlight assessment, the proposed extension would impede a 25 degree horizontal spay taken from the centre points of the bedrooms windows serving Flat 4 and would also breach the Council's 45 degree horizontal splay taken from the nearest first floor rear corner of Talbot House. Whilst it is noted that this is not an ideal situation, given that these windows serve bedrooms and as such would not necessarily need access to direct sunlight that would be required for say living rooms or external amenity area, it is considered that on balance it would be unreasonable to refuse planning permission on this basis alone. Furthermore, policy DM1 (E) of the DMP clearly states that development proposal should not frustrate future development of neighbouring sites. In addition to this, in urban environments, it is expected that there would be some degree of impacts which need to be balanced against maximising site potential and protecting existing amenity. In terms of the external roof terrace to this flat, the proposed upward extension would have impact in terms of overshadowing to the southern and western sides of this roof terrace, however, this neighbouring flat would still continue to enjoy good levels of sunlight to the eastern section of the roof terrace which is directly linked to the main living space. Overall, whilst Flat 4 would experience some loss of outlook and sunlight, the flat would still continue to enjoy good levels of daylight and as such there is insufficient weight to refuse on overshadowing alone.
- 6.4.8 In respect of Kingston House located to the south of the subject site, the first to third floors of this neighbouring building is in residential use. The proposed extension would be sited to the north of the windows located in the western elevation of Kingston House and would breach a 45 degree horizontal splay taken from the nearest rear corner of this building and would also intercept a 25 degree horizontal spay taken from the central points of these windows. However, in terms of daylighting there would be no impact in terms of the VSC taken from the centre point of these windows taken at a 25 degree vertical angle. Furthermore, as the extension would be sited to the north there would only be impact in the late summer evenings in terms of sun lighting to these windows. Whilst the extension would have an impact upon the outlook to the rear facing windows of Kingston House, as noted above, such levels of impact is expected in urban environments and the development potential of neighbouring sites should not be frustrated in town centre locations. However, as noted above the rear facing would still enjoy good levels of daylight and sunlight.
- 6.4.9 With regard to noise and disturbance the proposal would have an occupancy of 24 additional people. Given that the upper floors of the properties in the vicinity of the application site are all residential at a density similar to that proposed in this scheme it is considered that the additional comings and goings from the proposed use would not have an unacceptable impact on the neighbouring occupiers.

## Future occupiers

- 6.4.10 There are no set standards for C2 use. However the Mayors SPG, Policy 3.5C of the London Plan and the Technical Housing Standards provide a benchmark on assessing quality of internal space across all tenures for resident development. All units would either adhere to or exceed the minimum space standards and the corridors and circulation space would be fully accessible for wheelchair users.
- 6.4.11 The proposal relates to offices for the provider Reliant Care in the basement, a bakery, café and training facilities for residents on the ground floor and accommodation on the upper floors. The accommodation is for a limited period for each tenant to achieve training and life skill with the aim to living independently in the community. Overall officer consider that the level of accommodation is satisfactory for future occupiers.

## 6.5 Traffic, Parking and Drainage

- 6.5.1 The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use.
- 6.5.2 The London Plan Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan sets out maximum parking standards for new development dependent upon their use and level of public transport accessibility. It is noted that at supporting paragraph 6A.3A to the Parking Addendum sets out that there is scope for greater flexibility to the parking standards in different parts of London having regard to patterns of car ownership and use, levels of public transport accessibility, the need for integrated approaches to on-site and off-street parking, efficiency in land use and overall impact upon environment and the transport network.
- 6.5.3 The proposal is within a 4/5 ptal, town centre location. Access to public transport is good with bus an underground services both nearby and on-street cycle facilities of also nearby.
- 6.5.4 Servicing
- 6.5.5 As noted above, the bins shown on the proposed basement plan are insufficient for the proposed development and cannot be serviced from the designated store room, given the location of a car parking space directly in front of the refuse store. As such, provision needs to be made to show an adequate refuse bin holding area to allow bins to be brought out on the day of collection. Therefore a condition is recommended for amended details of refuse provision and servicing to be submitted and approved prior to occupation.



6.5.6 In terms of deliveries to the proposed non-residential uses, including the proposed café (use Class A3), this can be achieved through Imperial Drive, which has parking bays directly opposite which can be used for loading and deliveries.

#### 6.5.7 Cycle Parking

6.5.8 The applicant has shown 10 secure cycle spaces within the basement. The Highways Authority has raised no objection to this allocation subject to clarification on the type of cycle stands to be provided. A condition is recommended for details to be submitted and approved prior to occupation.

### 6.6 Drainage

6.6.1 The NPPF (2018) outlines the need to manage flood risk from all sources. Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban drainage (SUDS) hierarchy. Policy DM 9 states that “proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to flooding and the design and layout of proposals must contribute to flood risk management and reduction” Further to this, policy DM 10 of the Harrow Development Management Policies Local Plan (2013) requires that “proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off. Substantial weight will be afforded to the achievement of greenfield run off rates”.

6.6.2 The site is not within any floodzone. The Council’s drainage engineers have reviewed the submitted drainage detail and have confirmed them to be satisfactory. Therefore the development is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and would satisfy London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policy

### 6.7 Energy Assessment

6.7.1 The London Plan sets an overall target for carbon reductions on-site for residential and non-residential development at 35% relative to the 2013 Building Regulations, Part L, with residential development expected to achieve zero carbon (either through further on-site improvements or a carbon offset payment). Carbon reductions should be achieved by following the energy hierarchy, prioritising energy efficiency (‘Be Lean’) first, followed by efficient energy supply [i.e. connection to a communal heating system (if available)] (‘Be Lean’) and then finally, through on-site renewables (‘Be Green’). Any required carbon emissions reductions that cannot be achieved on-site can be offset through a monetary contribution to undertake carbon reduction projects elsewhere in the borough; this should however be the exception rather than the norm, with the developer demonstrating that have maximised the on-site reductions first.

- 6.7.2 The applicant has submitted an Energy Assessment, prepared by Energytest and dated 6 October 2018. The statement indicates that the total carbon emissions reductions across the site will be 54.4%, exceeding the on-site target of 35%. For the residential element that needs to be zero carbon, a payment of £47,340 is proposed to offset 26.3 tonnes of carbon per year.
- 6.7.3 The residential element of the development achieves a 37.9% reduction through energy efficiency measures ('Be Lean') which is welcomed, a significant element of this is from improvements to the existing building fabric to bring it up to current building regulations. Similarly, the non-residential element achieves a 66.1% reduction in carbon emissions through energy efficiency measures.
- 6.7.4 In terms of the 'Be Clean' element of the energy hierarchy, the energy strategy has reviewed the London Heat Map which indicates there are no existing nor proposed heat networks in the vicinity of the development; this is correct. The statement also reasonably concludes that a Combined Heat and Power (CHP) engine would not be economic given the small scale of the development. Consequently no carbon emissions reductions can be achieved through the 'Be Lean' element of the energy hierarchy.
- 6.7.5 Whilst not required to achieve the 35% reduction in carbon emissions on-site, the statement proposes a 10 kWp Solar PV system on the roof; this results in an 8.2% reduction through 'Be Green' measures.
- 6.7.6 As noted above, to achieve zero carbon development for the residential element, a payment of £47,340 is proposed to offset 26.3 tonnes of carbon per year attributable to the residential element. The actual payment amount should be calculated once the building has been completed and final Part L Building Regulations submitted to calculate the actual emissions that need to be offset, with the payment calculated at £1,800 tonnes per carbon.
- 6.7.7 A requirement through a s106 agreement for payment of any required offset contribution, currently calculated at £47,340 (26.3 tonnes x £1,800 per tonne). Payment should be calculated once the building has been completed and final Part L Building Regulations submitted to calculate the actual emissions that need to be offset, with the payment calculated at £1,800 tonnes per carbon.
- 6.8 Air Quality Assessment
- 6.8.1 Policy 7.14B of the London Plan seeks to minimise exposure to existing poor air quality and make provision to address local problem of air quality. It goes on to state *inter alia* measures to reduce emissions during demolition and construction; proposals to be 'air quality neutral' and not to lead to further deterioration in air quality; ensure on-site provision of measures to reduce emissions; and assessment of the air quality implications of biomass boilers. Policy DM1 (D.h) of the DMP also reinforces the view of assessing the impact of proposal on *inter alia* vibration, duct and air quality.

6.8.2 All the assessments indicate there will be no significant impacts, except the construction assessment shows that, without suitable mitigation, the risk will be significant. However, with mitigation the risk will be reduced to an acceptable level.

6.9 Accessibility

6.9.1 The Design and Access Statement confirms that the building will be fully compliant with part M of the Building Regulations. There will be an internal lift to all the upper floors. On this basis, the proposed development would comply with policy.

6.10 Planning Obligations

The heads of terms of the section 106 agreement have been set out above. These are considered necessary to make the application acceptable in accordance with policies with Policy 3.11 of the London Plan (2016), policy CS1J of the Harrow Core Strategy (2012) and Policy DM24 of the Harrow Development Management Policies Local Plan (2013).

6.11 Environmental Impact

6.11.1 The proposals would not exceed the applicable thresholds set out under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017 (as amended) and would not constitute an environment impact assessment development. Therefore there is no need for a formal screening opinion to be provided in respect of this development.

## **7 CONCLUSION AND REASONS FOR APPROVAL**

7.1 The principle of providing a mixed use development is considered to be acceptable. The proposed development would result in an efficient use of the existing site and would provide care housing for people within the borough for which there is policy need. It is considered that the proposed extension 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.

7.2 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**

#### 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 Plans and documents

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out, retained and completed in accordance with the following approved drawings and documents: Air Quality Assessment; Ecology Report dated 3.10.2018); Community Statement; Design and Access Statement; Economic Statement; BRUKL Output Document (existing dated 05.10.2018) BRUKL Output Document (Proposed – dated 28.10.2018); Energy Assessment (dated 09.10.2018); Daylight and Sunlight Study (dated 04.10.2018); Planning Statement; AL-01; AL-10; AL-11; AL-12; AL-13; AL-14; AL-15; AL-16; AL-17; AL-18; AL-19; AL-21 Rev B; AL-22 Rev B; AL-23 Rev B; AL-24 Rev B; AL-25 Rev B; AL-26 Rev B; AL-30 Rev B; AL-31 Rev B; AL-35 Rev B; AL36 Rev B; P181001-PH-00; P181001-PH-01; P181001-PH-02; P181001-PH-03; P181001-PH-04; P181001-PH-05

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

#### 3. Telecommunications Equipment

Prior to the first occupation of the development, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces in accordance with Policy 7.4 of the London Plan (2016), and DM 49 of the Development Management Policies Local Plan (2013), and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

4. Materials to match

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the appearance of the locality.

5. The café (A3) use hereby permitted shall not be open to customers outside the following times:-

08:00 hours to 19.00 hours, Monday to Sunday inclusive, without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

6. No development shall take place, until a construction logistics plan has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall detail the arrangements for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in construction the development;
- d) the erection and maintenance of security hoardings;
- e) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- f) measures for the control and reduction of dust
- g) measures for the control and reduction of noise and vibration.

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

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during construction and to safeguard the amenity of neighbouring occupiers, in accordance with Policies 7.14 and 7.15 of the London Plan (2016) and Policy DM1 of the Local Plan (2013) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy 6.3 of the London Plan (2016). To ensure that measures are agreed and in place to manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts during the demolition and construction phases of the development. This condition is a PRE-COMMENCEMENT condition.

7. Notwithstanding the details shown on the submitted plans detailed drawings showing the following modification to the scheme shall be submitted to the Local Planning Authority before the commencement of the use, for approval by the Local Planning Authority in writing:

- i. revised refuse storage to accommodate 2 x 1100ltr general waste bins and 1 x 1280ltr dry recycling bins
- ii. refuse holding area on day on collection

The development shall therefore be implemented in accordance with the approved plans and details, and shall be retained as such thereafter.

REASON: To preserve the character and appearance of the property and the local area, thereby according with policies 7.4.B of The London Plan (2016), and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

8. Notwithstanding the details shown on the submitted plans detailed drawings showing the following modification to the scheme shall be submitted to the Local Planning Authority before the commencement of the use, for approval by the Local Planning Authority in writing:

i) Full details of cycle storage

The development shall therefore be implemented in accordance with the approved plans and details, and shall be retained as such thereafter.

REASON: To ensure the delivery of a sustainable development which seeks to minimise travel by private car in accordance with National Planning Policy Framework, policy 6.9 of the London Plan (2016) and Policies DM1 and DM43 of the Harrow Development Management Policies Local Plan 2013.

## **Informatives**

### INFORMATIVE: SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

1. The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and-or the Harrow Local Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

**2016 London Plan** 3.1; 3.2; 3.16; 4.12; 5.1; 5.2; 5.3; 5.5; 5.6; 5.7; 5.9; 5.10; 5.11; 5.12; 5.13; 5.14; 5.15; 5.17; 6.1; 6.2; 6.9; 6.10; 6.13; 7.1; 7.2; 7.3; 7.4; 7.5; 7.6; 7.14; 7.15; 7.19; 8.1; 8.2; 8.3

#### **Draft London Plan December 2017:**

D1; D2; D3; S1; S2; H15; G5; G6; SI2; SI3; SI5; SI7; S812; SI13; T1; T3; T4; T5; T6

#### **Harrow Core Strategy (February 2012)**

CS1:

#### **Harrow Development Management Policies (July 2013)**

DM1; DM2; DM10; DM12; DM13; DM14; DM20; DM21; DM29; DM42; DM43; DM44; DM45; DM50

#### Other Guidance

##### **Mayor of London Guidance**

Social Infrastructure (May 2015)

Mayor Of London, Housing Supplementary Planning Guidance (March 2016)

##### **LB Harrow Guidance**

Planning Obligations & Affordable Housing SPD (October 2013)

Access for All SPD (April 2006)

Supplementary Planning Document – Planning Obligations (2013)

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

2. INFORMATIVE: CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract a liability payment of £636, 475 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of

development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £TBC for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 3857sqm (C3 use)

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

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

3. **INFORMATIVE: CIL**

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

Harrow's Charges are:

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

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

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

All other uses - Nil.

The Harrow CIL contribution for this development is £TBC

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

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

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building, and that work falls within the scope of the Act. Procedures under this Act are quite separate from the need for planning permission or building regulations approval. "The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from:

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

Please quote Product code: 02 BR 00862 when ordering. Also available for download

from the CLG website:

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



0870 1226 236, Fax: 0870 1226 237, Textphone: 0870 1207 405, E-mail:  
[communities@twoten.com](mailto:communities@twoten.com)

6. **INFORMATIVE:**

**IMPORTANT:** Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences  
You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

Beginning development in breach of a planning condition will invalidate your planning permission. If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

7. **INFORMATIVE: PRE APPLICATION ADVICE**

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

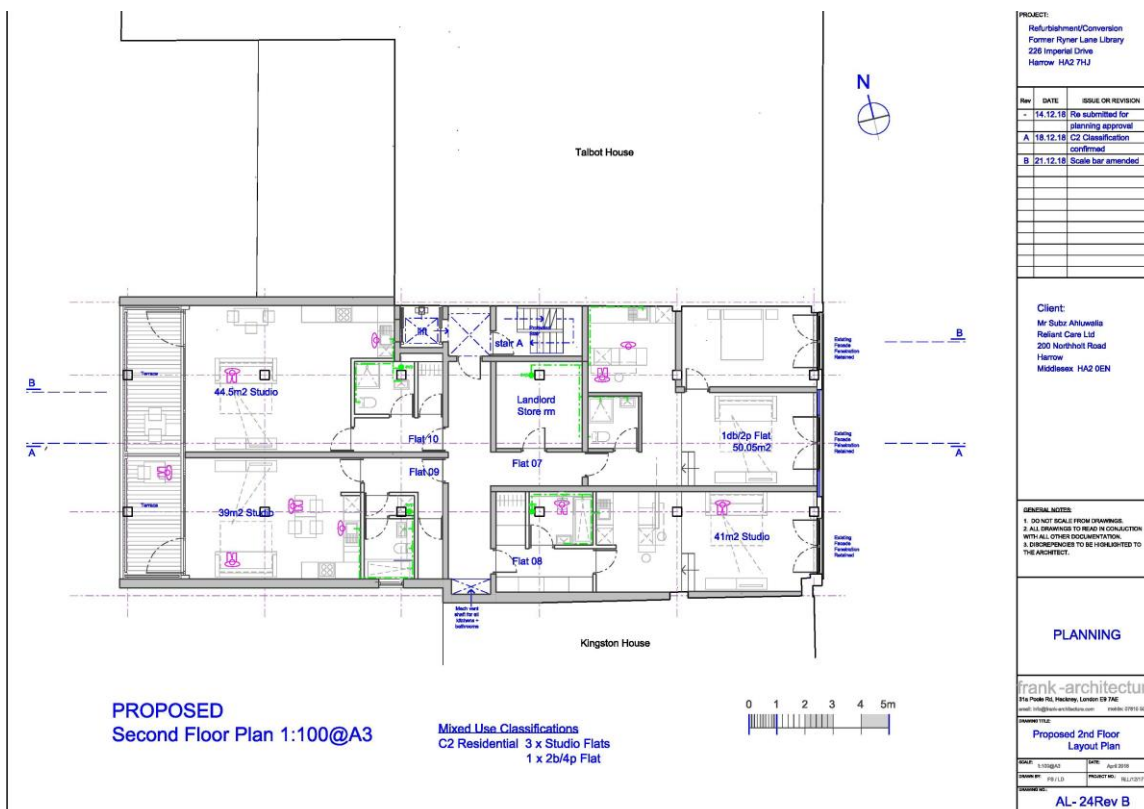
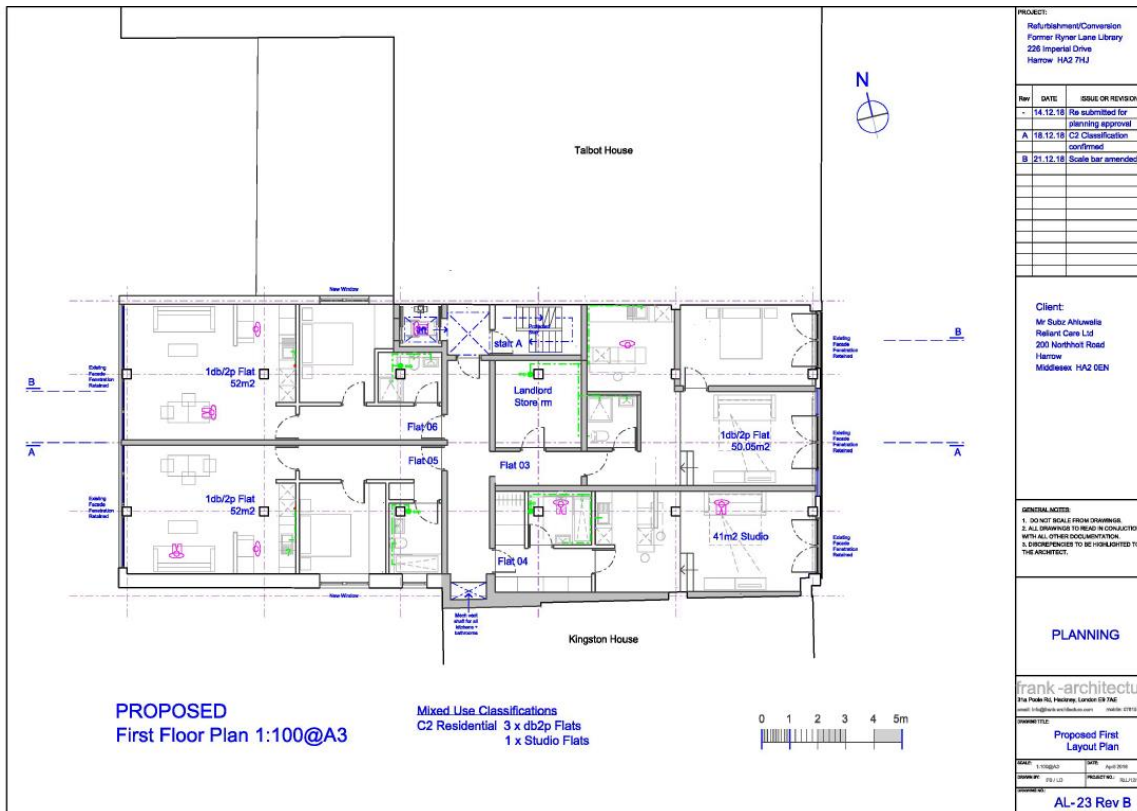
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

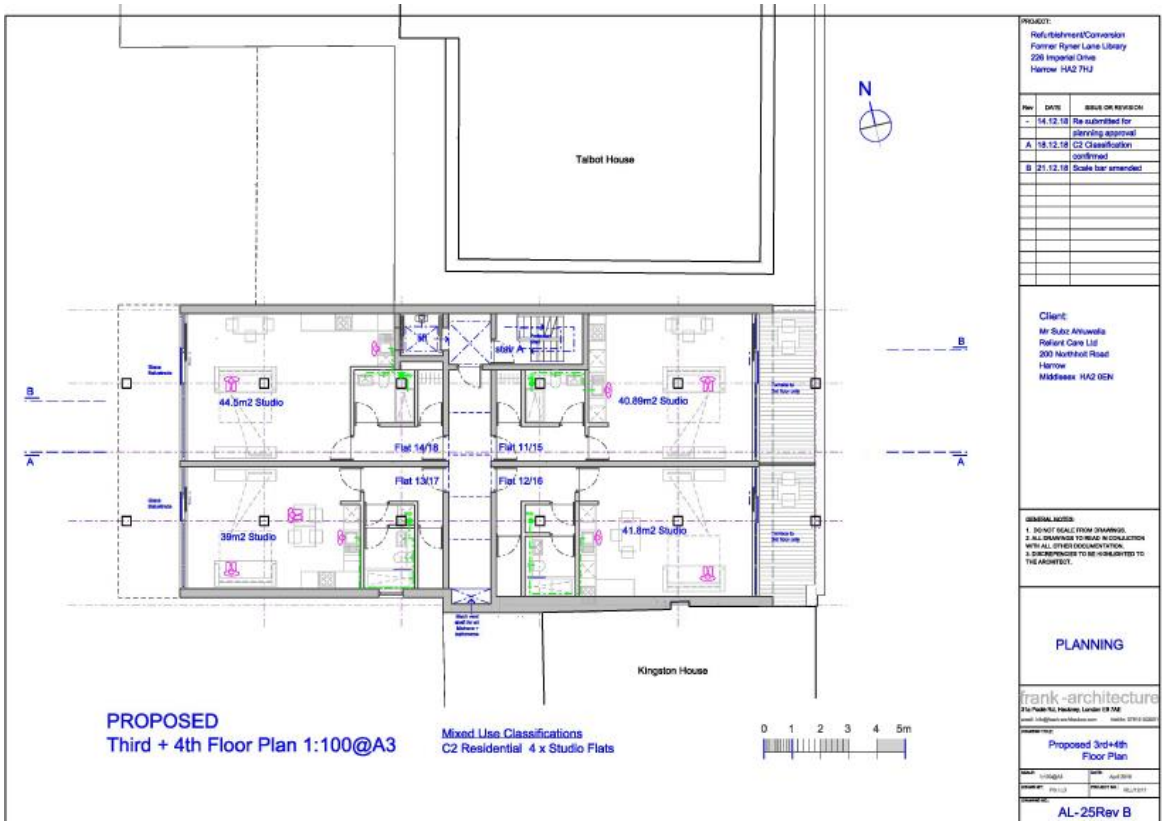
Checked:

Interim Chief Planning Officer	Beverley Kuchar	Yes
Corporate Director	Paul Walker	Yes









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