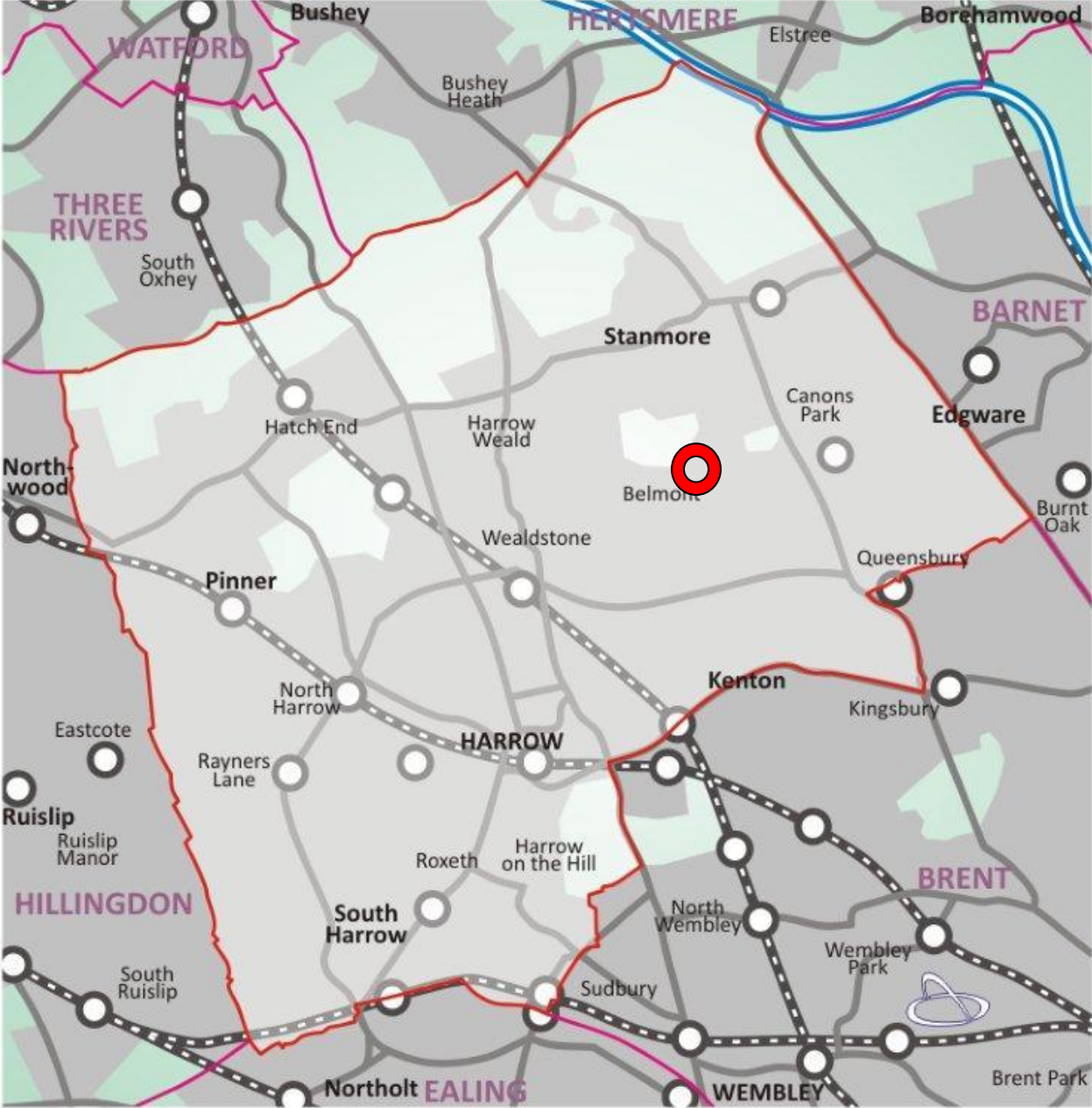
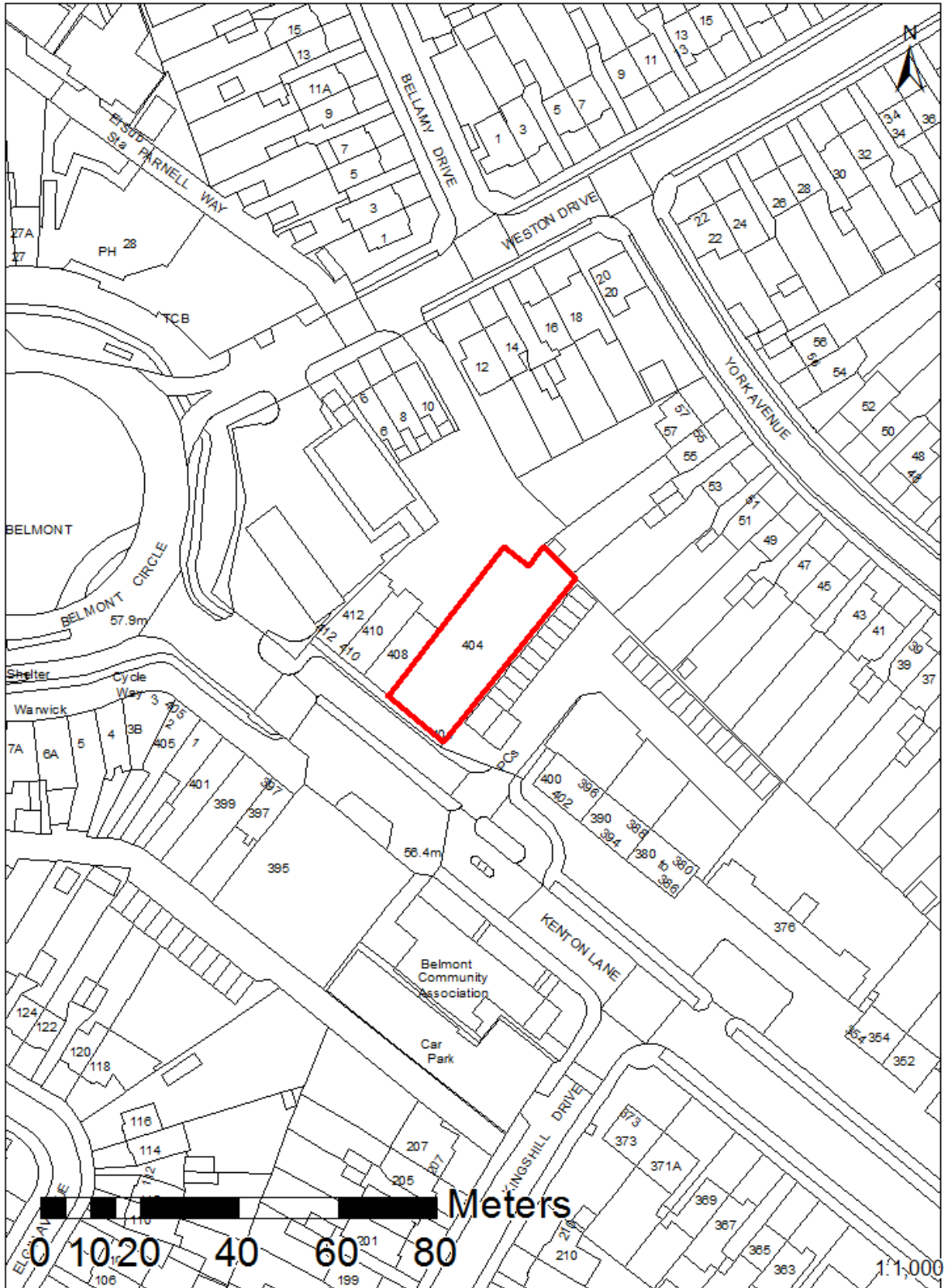


 = application site



Tesco Stores, 404 Kenton Lane	P/2087/19
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Tesco Store, 404 Kenton Lane



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

4th September 2019

APPLICATION NUMBER: P/2087/19
VALIDATE DATE: 04/06/2019
LOCATION: Tesco Stores Ltd
404 Kenton Lane
Harrow

WARD: BELMONT
POSTCODE: HA3 8RQ
APPLICANT: MR RAJ SHAH
AGENT: MR W DAVIES
CASE OFFICER: FAYE MCELWAIN
EXPIRY DATE: 06/08/2019 (EXTENDED)

PROPOSAL

Second and third floors to create part 3/part 4 storey building including side extension comprising of 26 flats (7 X 1 bed and 19 X 2 bed) and ground floor commercial floorspace (Use Classes A1/A2/D2); two storey building with habitable roof at rear comprising of 3 flats (2 X 3 bed and 1 X 2 bed); parking; landscaping; bin stores.

The Planning Committee is asked to:

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 Interim Chief Planning Officer 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:

- A carbon offset contribution (£43,588 / 726.46 tonnes) to be paid prior to commencement of the development. The obligation should also require that upon completion of the development, the developer is to submit final Building Regulations Part L calculations (as-built) confirming the carbon emissions reductions achieved and the emissions that need to be offset. This should be compared against the energy strategy and any requirement beyond that already offset (726.46 tonnes) addressed through an additional offset payment calculated at a rate of £60 / tonne to be offset, over 30 years (i.e. £1,800 per tonne).
- Affordable Housing to be provided. Details to be reported by way of addendum.
- Planning permission monitoring fee of £500;

Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if, by 4th December 2019 or such extended period as may be agreed in writing by the Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies 5.2 and 5.3 of The London Plan (2016), Core Strategy (2012) policy CS1 and policies DM1, DM13, DM14 and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

INFORMATION

This application is reported to Planning Committee as it is a major application. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type: E13 Small Scale Major Dwellings
Council Interest: The Council is a freeholder of part of the site.

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £157,320
Local CIL requirement: £403,202.05

(Based on net additional floor space of 2542 sqm in Class C3 and 80sqm in Classes A1/A2/D2)

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.

OFFICER REPORT

Housing		
	Proposed Density u/ph	69.33 u/ha
	PTAL	2
	London Plan Density Range	40–80 u/ha
Dwelling Mix	Studio (no. / %)	-
	1 bed (no. / %)	7
	2 bed (no. / %)	20
	3 bed (no. / %)	2
	4 bed (no. / %)	-
	Overall % of Affordable Housing	-To be determined
	Social Rent (no. / %)	-
	Intermediate (no. / %)	-
	Private (no. / %)	To be determined
	Commuted Sum	-
	Comply with London Housing SPG?	-
	Comply with London Housing SPG?	-
Comply with M4(2) of Building Regulations?	Condition attached.	

Uses		
Existing Use(s)	Existing Use / Operator	Retail with restaurant above
	Existing Use Class(es) s	Classes A1 and A3
Proposed Use(s)	Proposed Use / Operator	Commercial Unit (Classes A1/A2/D2) with Residential use (Class C3) on upper floors and in the new build at the rear of the site.
	Proposed Use Class(es) sqm	Commercial– 80 sqm GIA Residential – 2542sqm GIA
Employment	Existing number of jobs	0
	Proposed number of jobs	Unknown

Transportation		
Car parking	No. Existing Car Parking spaces	0
	No. Proposed Car Parking spaces	30
	Proposed Parking Ratio	30:29
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	56
	Cycle Parking Ratio	-
Public Transport	PTAL Rating	2
	Closest Rail Station / Distance (m)	Harrow and Wealdstone Station (1.3mi) Canons Park Station (1.3mi)
	Bus Routes	H18, H19 186
Parking Controls	Controlled Parking Zone?	YES
	CPZ Hours	Mon-Sat 8am – 6:30pm (max stay 2 hours)
	Previous CPZ Consultation (if not in a CPZ)	-
	Other on-street controls	Double yellow lines
Parking Stress	Area/streets of parking stress survey	
	Dates/times of parking stress survey	-
	Summary of results of survey	-
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Proposed refuse/waste storage in rear parking area.

Sustainability / Energy	
BREEAM Rating	N/A
Development complies with Part L 2013?	Yes
Renewable Energy Source / %	24.1% carbon reduction

Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site comprises of 3705 sqm of land containing a derelict Public convenience fronting Kenton Lane and previously contained disused lock-up garages and the space above the existing Tesco Express and adjacent retail units including the ground floor area to the rear access from Weston Drive.
- 1.2 The site is beside a designated shopping frontage to the north west which emanates from Belmont Circle, a highly commercial area which has a wide variety of mixed used buildings of three stories in height (maximum height of 12.6m).
- 1.3 Tesco Express and adjoining shops currently occupy the ground floor with disused storage space (associated with Tesco) and a vacant first floor restaurant on the first floor.
- 1.4 The site is adjacent the designated frontage on Kenton Lane which consists of two storey commercial units.
- 1.5 To the SW of the site is a three storey block of flats with a pitched roof (approximately 10m maximum height).
- 1.6 On the opposite side of Kenton Lane there is a single storey modular building with a pitched roof which houses Belmont community Association. This has a level surface hard standing forming part of a car park to the rear.
- 1.7 To the rear of the site are the rear gardens of houses on York Avenue.

2.0 PROPOSAL

- 2.1 A flexible mixed use commercial unit is proposed on the ground floor adjacent to the existing Tesco Express, as an extension of the commercial frontage.
- 2.2 The upper floors will continue above and beside the existing Ground Floor retail units forming a continuous four storey building fronting Kenton Lane. This would provide a total of 26 residential units (Block A).
- 2.3 A smaller two storey building with habitable roof space would be constructed to the rear of the flats at 380-402 Kenton Lane providing a further three flats (Block B).
- 2.4 30 parking spaces are proposed. 13 would be within the existing service yard accessed from Weston Drive and 17 are proposed in the former garage area to the side of the Tesco unit.
- 2.5 Cycle and refuse storage for Block A are proposed to the side of Block A and to the front of Block B for Block B flats.

3.0 RELEVANT PLANNING HISTORY

3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
P/2854/18	Redevelopment to provide four storey building comprising of mixed use commercial unit on ground floor front area (Use classes A1/A2/D1) and 7 (1 and 2 bedroom) flats; parking; bin and cycle stores	Granted – 28/09/2018
EAST/27/97/LA3	Formation of access ramp in connection with provision of accessible unisex w.c.	GRANTED – 25/02/97
LBH/29451	Construction of a shopping trolley bay	REFUSED – 03/03/1986

3.0 CONSULTATION

4.1 A total of 130 consultation letters were sent to neighbouring properties regarding this application and site notices were put on lamp posts in the vicinity of the site.

4.2 The overall public consultation period expired on 25/06/2019 and no objections were received from adjoining neighbours.

4.3 Statutory and Non Statutory Consultation

4.4 The following consultations have been undertaken:

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

LBH Drainage Engineer –

The Flood Risk Assessment submitted by the applicant is satisfactory, however the following details are still required.

- Mitigation measures addressing 600mm depth of flooding should be provided.
- The proposed evacuation route should be marked on plan and submitted for our approval.
- Details of drainage design in line with our attached standard drainage requirements should be provided.

- The applicant should note that the surface water storage calculated is for the area of old garages only and NOT for the roof of the existing Tesco building/proposed green roof run-off.
- Green roof details should be provided
- Permeable paving full construction details and their maintenance plan should be provided.

Conditions attached

LBH Highways –

Unlikely that the proposal would result in a significant number or other trips that would constitute a severe impact for the surrounding highway network. No objection subject to conditions

- Car park management plan;
- A statement on delivery and servicing proposals to cover how access will be made/controlled if car parks are gated, frequency of Tesco deliveries and how conflict will be managed and access maintained
- a detailed construction logistics plan should be provided (see constructionlogistics.org for guidance);
- details of cycle storage facilities are required for both blocks and for long and short stay – dimensions, type of storage, type of stand, access to and from;
- locations of active EV charge points and type of chargers to be installed.

Conditions attached.

LBH Arboricultural Officer:-

No objection: - The third-party owned trees neighbouring the site are not subject to protection and the submitted tree report and draft protection measures appear acceptable

Noted

LBH Policy –

In order to achieve zero carbon for the residential element and a 35% reduction for the non-residential element, an offset contribution will be required to fund carbon reduction measures elsewhere in the borough. Over the standard 30 year period, a total of 706.8 tonnes of carbon need to be offset for the residential element and 19.66 tonnes for the non-residential element (the energy statement appears to include an error – suggesting 18.6 tonnes). This gives a total offset requirement of 726.46 tonnes. At £60 / tonne (the Mayor's offset rate in the absence of a specific figure for Harrow), this equates to a contribution of £43,588, which should be secured through a s106 obligation.

S106 Contribution sought and condition added.

LBH Housing –

This scheme is offering its 3x AH units as: 2x 3bed and 1x 2bed which will meet the Council's priority need in terms of size of units. There is no information available yet on person mix, so Housing is not able to comment on this, however would like to point the applicant to the council's preferred person occupancy mix for reference.

On the basis of the above information, Housing would support the application, however in line with the Mayor's requirements, Housing would request an Early and Late stage

Review Clause mechanism incorporated into the s106 to pick up any uplift in the scheme to fully maximize any potential to deliver additional Affordable Housing.

Noted and negotiations ongoing.

LBH Landscape Architect -

The space for proposed soft landscape is extremely limited and any new greenery is to be in left over spaces. The available left over space for greenery should be a realistic size, in order to ensure planting to successfully survive and thrive. On Block A at 1st floor, an extensive biodiverse green roof is proposed, to enhance the biodiversity of the local area, assist with urban drainage and improve the thermal performance of the building. This is welcomed, however no detail has been provided.

On Block A the flat roof with PV's could also accommodate a brown roof ,underneath and between the PV's and this should be a requirement to further enhance the biodiversity of the local area and could be incorporated into a planning condition.

Block B apartments are proposed to have communal gardens shared with flats at 356- 378 Kenton Lane. Details of how this shared arrangement would work and details of a Landscape Management Plan and details of the Landscape Maintenance for 5 years would be required, and this should be covered by conditions.

Noted and conditions added.

Thames Water –

No objection. The proposal is within 15m of underground waste water assets.

Informative added.

5.0 POLICIES

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

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

5.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied; it is a material consideration in the determination of this application. The current NPPF was published in July 2018 and updated in February 2019.

5.3 In this instance, the Development Plan comprises the London Plan (2016) and the Local Plan. The Local Plan comprises the Harrow Core Strategy (2012), Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and the accompanying policies map.

- 5.4 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.
- 5.5 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).
- 5.6 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
- Design and Character of the Area
- Residential Quality
- Refuse and Servicing
- Traffic Safety and Parking
- Trees and Landscaping
- Accessibility
- Energy and Sustainability
- Development and Flood Risk
- Secure By Design
- Conclusions

6.2 Principle of Development

6.2.1 It was determined in the previous approval on the site that, the principle of redevelopment was acceptable.

6.2.2 In light of this, the site is regarded as previously developed land for the purposes of the policies contained within the National Planning Policy Framework and the Harrow Core Strategy. Policy CS1.A of the Core Strategy notes that growth in Harrow should be managed and that new residential development should be directed towards the Harrow and Wealdstone Intensification Areas, town centres and, in suburban areas, to strategic previously developed sites. In this way, the growth of the borough would develop in a coherent, efficient and effective manner, ensuring that pooled resources secured through planning gain on development sites contributed more efficiently to infrastructural and economic growth and that the impact on the environment arising from development are minimised. On this

basis, the proposal to develop this previously developed site is considered to be acceptable in principle.

- 6.2.3 As regards the commercial element of the proposal, an active frontage would be provided and would be a continuation of a parade of commercial units on Kenton Lane which is in the designated local frontage of Belmont. This proposal provides 88sqm of mixed use Class (A1/A2/D1) which will allow flexibility in end user thereby improving the saleability of the unit. It is considered this development will help to secure employment for those working in the commercial unit, generating development and diversification of Harrow's economy.
- 6.2.4 The Council's Supplementary Planning Document Planning Obligations and Affordable Housing sets out the need for affordable housing and Core Strategy Policy SC1J identifies that the Council will seek the maximum reasonable amount of affordable housing on all development sites with a capacity to provided ten or more units whilst having regard to the availability of public subsidy, the need to promote housing mix and choice, the priority afforded to family affordable housing, the size and type of affordable housing needed in particular locations, the site circumstances, development viability and the borough wide affordable housing target of 40%.
- 6.2.5 In order to be fully compliant with the Council's policies, ten affordable units would need to be provided. However, the applicant has submitted a viability assessment which has been independently reviewed. The results indicate that the maximum reasonable amount deliverable would be a less than ten. The Council is currently in negotiations relating to this and the final agreement will be reported by way of an addendum to the report included the Heads of Terms of a s106 to secure the affordable housing. It is likely an early and late stage Review Clause mechanism would be incorporated into the s106 to pick up any uplift in the scheme to fully maximise any potential to deliver additional Affordable Housing.
- 6.2.6 For the above reasons, provided that an agreement can be reached regarding the affordable housing provision, the principle of providing the 29 residential units and one commercial unit is considered acceptable.

6.3 Design and Character of the Area

The relevant policies are the NPPF (2019) Policy 7.4B of the London Plan (2016); Core Policy CS1B of the Core Strategy (2012) and Policy DM1 of the Development Managements Local Plan (2013).

- 6.3.1 The principle of a four storey building on part of the site has previously been accepted. Belmont Circle consists of a number of three storey buildings. Block A consists of a part three, part four storey building including a side extension containing 26 flats. Although a four storey building would be higher than the immediate neighbouring residential property, as there is no predominant building type or scale and given the location, this is considered not to have a negative or unbalancing impact on the streetscene. It is noted that a four storey building was granted permission on the opposite side of Kenton Lane, and this has set a precedent for this scale of building in this location/area. Therefore the scale of the proposed four storey element of the proposal is considered suitable given the size and context of the site.
- 6.3.2 The prominent location demands a striking building with a consistent frontage. The frontage of Block A is regular in appearance with consistent sized openings in dark grey aluminium which are interspersed with balconies with dark grey balustrades. Two types of brick are proposed to be used on the frontage and the flank elevation with vertical brick band detail which contributes to this regular appearance, creates visual interest and also coincides with the vernacular building material for buildings in the immediate area. The fourth floor is set back which serves to break up the elevation and to reduce the dominating impact. This is deemed appropriate to creating a modern development which integrates well with its surroundings and succeeds in providing a bold appearance which is suitable to the site.
- 6.3.3 It is considered that the proposed commercial unit relates well to the existing and proposed buildings and would appear as a continuation of the commercial units on this section of Kenton Lane. The entrance door is positioned below the balconies on the front elevation creating a coherent a legible design. The fascia and glazing of the commercial unit is sufficiently proportioned and prominent and this would help to clarify its commercial nature without being over-dominant in comparison with the residential part of the building.
- 6.3.4 Block B is a two and a half storey building consisting of three flats. The building has a more traditional appearance with a hipped roof and pitched dormer windows providing accommodation in the roof. This building is located to the rear of the existing block of flats and is of a smaller scale to this building. Although not visible from the street scene the frontage will be discernible from the parking area serving the development. The use of two types of brick will create a similar appearance to Block A so that the two proposed blocks would relate well together. Given the size of the plot, the 2.5 storey block is considered to be an appropriate scale to avoid a cramped or overdeveloped appearance. The design and form for this element of the scheme is considered suitable for this back-land location.

- 6.3.5 The final palette of materials for all parts of the development will be subject to a condition requiring samples and further information on specific detailing of the materials.
- 6.3.6 Accordingly, when considering the character and massing of surrounding development, the height and proportions of the proposed development is considered acceptable. Therefore in respect of character and design the scheme complies with the relevant policies.
- 6.4 Refuse and servicing
The relevant policies are Policy 7.4B of the London Plan (2016); Core Policy CS1B of the Core Strategy (2014) and Policies DM1, DM26 and DM45 of the Development Managements Local Plan (2013).
- 6.4.1 The proposal demonstrates that waste and recycling facilities for the residential units within Block A would be located within a secure location near the access. The refuse storage for Block B is proposed in front of the dwelling.
- 6.4.2 The proposed plans indicate a satisfactory level of refuse facilities for the flats and commercial unit. These have been separated and as such it is considered that the proposed location is considered acceptable.
- 6.4.3 In conclusion, the proposed development would provide a good quality development on the site. The design of the building would add positively to the built form, setting out a high quality design and would be in keeping with the character of the area. It is considered that the development would accord with policies 7.4.B and 7.6.B of the London Plan 2016, policy CS1.B of The Harrow Core Strategy 2012 and policy DM1, DM26 and DM45 of the Development Management Policies Local Plan 2013.
- 6.5 Residential Quality
Residential Amenity Space of Future Occupiers
Relevant policies are Policies 3.5 and 7.6B of the London Plan (2016); Core Policy CS1B of the Core Strategy (2014) and Policy DM1 of the Development Managements Local Plan (2013).
- 6.5.1 The proposed development would comply with the recommended minimum room sizes of the London Housing Supplementary Planning Guidance (2016).
- 6.5.2 In addition, the proposed flats would meet the gross internal floor area requirements for flats of their respective occupancy levels. Each of the rooms provided would have a functional layout and would have an adequate outlook and receive a satisfactory level of natural light. It is noted that a number of the flats in block A will have their primary outlook to the rear parking/servicing area. However, this is not uncommon for flatted development within shopping parades in designated local centres and within the context of the proposal, this is considered to be acceptable. It is considered that the proposed living accommodation provided would therefore be considered acceptable and would accord with the relevant policies.

6.5.3 The proposed floor plans for both blocks demonstrate that there would be an acceptable vertical stacking between the proposed units with bedrooms and living rooms broadly stacked above one another. It is therefore considered that there would not be an unreasonable level of noise transfer between the flats. Any conversion would also be subject to building regulations which would ensure adequate noise insulation to meet the statutory levels. An informative will be attached to the permission to direct the applicants to the relevant building control services. Subject to this, the overall stacking relationship would be acceptable in accordance with paragraph 5.12 of the adopted SPD.

6.5.4 It is therefore considered that the proposed accommodation would create a satisfactory standard of amenity and would comply with the relevant policies.

6.5.5 Impact of Commercial units of New Flats

The relevant policies are Policy DM1 of the Harrow DMP (2013), and the Residential Design Guide SPD (2010).

The proposed commercial unit on the ground floor will be below the flats on the first floor which could have an impact on the amenity of the future occupiers of these flats. It is considered that as this is a new build, any noise from the new commercial use can be overcome by noise insulation through Part E of the building control regulations. An informative will be attached to the permission to direct the applicants to the relevant building control services. In addition a condition has been attached to limit the opening hours of the commercial unit which is consistent to the recent approval on the site which will ensure that the unit will not be in use outside of sociable hours. The proposal therefore complies with the relevant policies.

6.6 Outdoor Amenity Space

The relevant policies are policy 3.5 of The London Plan 2016, and Policies DM1 and DM27 of the Harrow DMP (2013), and the Residential Design Guide SPD (2010).

6.6.1 The proposal would provide external amenity space for Block A in the form of balconies for the flats. The amount of space provided for each of the flats complies with the minimum requirements of the London Plan and is considered suitable for development of this kind. Block B will have access to an area of land behind Block B and the communal garden currently used by the flats at 356 – 378 Kenton Lane which is considered to be an acceptable arrangement in accordance with the aims of the relevant policies.

6.7 Impact on neighbouring properties

The relevant policies are Policy DM1 of the Harrow DMP (2013), and the Residential Design Guide SPD (2010).

- 6.7.1 The closest flank elevation of Block A would be approximately 6.5m away from the flank elevation of the three storey block of flats to the South East of the site (396-402 Kenton Lane) with the access road running in between the existing and proposed flats. There are windows serving habitable rooms and balconies on the side elevation of the proposed building. The neighbouring building has two windows in the top floor which do not appear to serve habitable rooms. There are not considered to be significant opportunities for overlooking. The proposed building is taller than the existing block of flats and is set further back from Kenton Lane which could lead to some loss of light to the rear garden serving the flats. However, given the separation distances the impact in terms of loss of light and/or an overbearing impact is considered to be acceptable.
- 6.7.2 There is in excess of 20m from the proposed rear wall of the four storey element of Block A to the rear boundary of the site which bounds the rear gardens of properties on York Avenue. The dwellings on York Avenue have gardens of a length of approximately 28-30m making the separation distance between habitable rooms approximately 50m. There are extensions on the rear of some of the properties on York Avenue which would make this distance less. However, it is considered that rear windows and balconies on the extended parts of dwellings would still be sufficiently far away from the proposed units. Terraces serving the upper floor flats and bedroom windows are proposed on the rear elevation of the building. It is considered the separation distance of approximately 45-50m is sufficient to prevent any unacceptable overlooking and is also a sufficient distance to mitigate any loss of light or overbearing impact of a four storey building on the occupiers of the neighbouring dwellings on York Avenue.
- 6.7.3 Block B is located closer to the boundary with properties on York Garden. The elevation of the building beside the shared balcony is blank and therefore there is not considered to be a significant threat of overlooking on the occupiers of these dwellings. The long gardens of the properties on York Garden are considered sufficient to prevent significant loss of light to the occupiers of these dwellings.
- 6.7.4 Block B is also located beside the shared garden of flats 386 to 394 Kenton Lane. This garden is relatively shallow (12m) and therefore the side elevation of the proposed building is approximately 14m from the living accommodation of these flats. This is considered a sufficient distance to prevent significant loss of light or an overbearing impact. There are windows serving the stairwell on the side elevation of the building. It is considered necessary that a condition to ensure that these windows are obscurely glazed and non-opening would be required to ensure that overlooking is minimised to preserve the privacy of the occupiers of these flats.
- 6.7.5 It is considered that the proposal would adequately safeguard neighbouring amenity, in accordance with the relevant policies.

6.8 Traffic, Safety and Parking

The relevant policies are policies 6.3, 6.9 and 6.13 of The London Plan (2016), policy CS1 R of the Harrow CS (2012) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

6.8.1 This proposal is within a low PTAL 2 location which is considered to have poor access to public transport. There are local convenience stores, salons, restaurants, pharmacies etc on Belmont circle in close proximity and schools and surgeries near by. Car ownership is high in the area therefore suitable parking provision would be expected.

6.8.2 The proposal seeks to provide 28 residential car parking spaces which includes 3 bays for persons with disability and 20% active electric vehicle charge point provision and 80% passive. A further two commercial parking spaces and two motorcycle parking spaces are also proposed. 56 cycle parking spaces are proposed.

6.8.3 The parking level is acceptable and meets the London Plan standards for the residential units. The Highway Officers points out that it is uncommon in the Borough to have a commercial servicing yard used for residential car parking. However, the frequency of HGV activity is fairly low, therefore there is likely to be only a minimal risk to highway safety. Nonetheless, it would be necessary to ensure that clear access for HGVs is maintained at the rear of the building to avoid on-street activity. In order to ensure that there are not unacceptable conflicts a condition to request a car management plan in addition to a statement on delivery and servicing proposals to cover how access will be made and controlled in the car parks to fully assess the frequency of deliveries to the commercial units and how conflict will be managed and maintained has been added.

6.8.4 Based on the predicted trip generation, it is unlikely that this proposal would result in a significant number of vehicular or other trips that would constitute a severe impact for the surrounding highway network. The proposed level of parking would appear to cater for the likely parking demand based on Census data and this complies with London Plan standards. There are good facilities in place to allow people to travel by walking or cycling.

6.8.5 Given the scale of the development, it is deemed necessary to recommend a condition to ensure that prior to commencement of work, a construction method statement and logistics plans are submitted and approved to ensure that there is no impact on the adjacent highway.

6.8.6 Overall, subject to conditions it is considered that the proposal would not have an adverse impact on the free flow of traffic or highway and pedestrian safety. In view of the above, it is considered that the proposal is acceptable in relation to the relevant policies.

6.9 Trees and Landscaping

The relevant policy is Policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

- 6.9.1 Given the significant site coverage and areas of hard standing associated with the development, the proposal would leave minimal space for meaningful soft landscaping. A biodiverse green roof has been proposed above the rear of the existing Tesco store which is welcomed and some landscaping is proposed to the front of Block B which would contribute to the green credentials of the site. Given the minimal areas for landscaping, the Council will be seeking a high standard of soft landscaping and planting to soften the appearance within the streetscene and from surrounding properties. The areas of hardstanding must also be finished to a high standard, consisting of a palette of materials that complements the building. Therefore it is considered that detailed information is submitted to the Local Planning Authority for approval, relating to landscaping (hard and soft), planting and levels. A pre-occupation condition has been added accordingly.
- 6.9.2 The Council's Tree Officer has reviewed the arboricultural report submitted with the application. There are no trees on the site. The third party trees on the neighbouring site are not subject to protection and the measures identified for their protection are considered to be acceptable in accordance with policy.
- 7.0 Accessibility
The relevant policies are policies 3.5 and 3.8 of the London Plan (2016), Policy DM2 of the Harrow Development Management Local Plan (2013) and Policy CS1 K of the Core Strategy (2012).
- 7.1.1 The Design and Access Statement has confirmed all of the proposed flats would comply with Part M and 10% of them would be wheelchair adaptable. In addition three disabled parking bays are proposed.
- 7.1.2 While the above compliance with Part M of the Building Regulations is acknowledged, a condition of approval will ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.
- 7.1.3 Accordingly, subject to compliance with this condition, it is considered that the proposed accommodation would be satisfactory and as such would comply with the relevant policies.
- 7.2 Energy and Sustainability
The relevant policies are Policy 5.2 of the London Plan (2016) and DM12 of the Harrow Development Management Policies Local Plan (2013).
- 7.2.1 The application is accompanied by an Energy & Sustainability Statement which outlines a number of sustainability and carbon reduction proposals and is broadly considered to follow GLA guidance for such statements. In reducing carbon emissions, the energy statement follows the energy hierarchy by seeking to use less energy in the first instance (be lean), supplying energy efficiently (be clean) and finally using renewable energy (be green).
- 7.2.6 The total carbon reductions achieved on-site through the above measures are 37.0% (residential) and 16.5% (non-residential), with overall reductions of 35.3%.

7.2.7 In order to achieve zero carbon for the residential element and a 35% reduction for the non-residential element, an offset contribution will be required to fund carbon reduction measures elsewhere in the borough. This equates to a contribution of £43,588. Provided this contribution is secured through a section 106 contribution, the energy strategy is considered to meet relevant London Plan policies. In addition a condition requiring that the development is constructed and operated generally in accordance with the energy strategy submitted with the application has been added.

7.3 Development and Flood Risk

The relevant policy is CS1W of the Development Management Policies Local Plan.

7.3.1 Kenton Lane is in surface water flood zones 3a and 3b. A Flood Risk Assessment was submitted by the applicant which was deemed to be acceptable by the Council's Drainage Engineer subject to conditions relating to flood mitigation and emergency planning and the disposal and attenuation of flood and surface and sewage disposal. These conditions have been added accordingly.

7.3.2 The development would result in some additional hardsurfacing on the site and would therefore have an impact in terms of surface water flood risk. A green roof is proposed which will assist with surface water attenuation. The details of the green roof has been conditioned to ensure an effective and sustainable outcome. As the site is located within a Critical Drainage Area, further sustainable urban drainage [SuDs] is encouraged by way of informative.

7.3.3 The drainage engineer also states that permeable materials should be used for all paving and hardstanding. A suitable condition has been attached to this effect.

7.4 Secure by Design Issues

7.4.1 The relevant policies 7.3.B and 7.13.B of The London Plan and policy DM1 of the Development Management Policies Local Plan.

7.4.2 It is considered that the development does not adversely affect crime risk. A condition has been attached to ensure that the scheme complies with Secure By Design requirements.

7.5 CONCLUSION AND REASONS FOR APPROVAL

7.5.1 The proposed redevelopment of the site would provide a high quality development comprising of a commercial use on ground floor and residential accommodation at upper levels in addition to a separate residential block. The proposed internal layouts, specifications and services offered by the proposed development would provide an acceptable standard of accommodation.

7.5.2 The proposal would enhance the urban environment in terms of material presence, attractive streetscape and would make a positive contribution to the local area, in terms of quality and character.

- 7.5.3 The layout and orientation of the buildings and separation distances to neighbouring properties are considered to be satisfactory to protect the amenities of the neighbouring occupiers.
- 7.5.4 The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2019, 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.

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 Drawing and Documents

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

Plans:

Site Location Plan; 1020 – 001; 1020 – 100 Rev B; 1020 – 100A; 1020 – 101 Rev B; 1020 – 102 Rev B; 1020 – 103 Rev B; 1020 – 104 Rev B; 1020 – 105; 1020 Rev B – 106; 1020 – 200 Rev B; 1020 – 201 Rev B; 1020 – 500; 022 1/A Rev A; 022 E/A Rev A; 022 G/A Rev A; 022 LS1/B Rev B; 022/LS2/B Rev B; 022 R1/A Rev A; 022 R2/A Rev A; Tree Protection Plan;

Documents:

Flood Risk Assessment; Planning and Economic Statement; Transport Statement; Energy and Sustainability Statement; Residential Schedule; Arboricultural Impact Assessment; Design and Access Statement; Viability Report

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

3. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above 150mm above ground level until details and samples of the materials to be used in the construction of the external surfaces noted (but not limited) below have been submitted, provided on-site and approved in writing by, the local planning authority:

- a) window threshold details, including deep reveals and set backs
- b) balustrade details
- c) balcony decks (As well as finish underneath)
- d) brickwork, to both ground floor and higher levels
- e) roofing materials
- f) boundary treatment
- f) all external paving materials

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The

London Plan 2016 and policy DM1 of The Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure that satisfactory materials are utilised to preserve the character of the surrounding area.

4. Construction Method Statement

Notwithstanding the information submitted, no development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The Method Statement shall provide for:

- a) detailed timeline for the phases and implementation of the development
- b) demolition method statement
- c) the parking of vehicles of site operatives and visitors;
- d) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development;
- f) measures to control the emission of dust and dirt during construction; and
- g) scheme for recycling/disposing of waste resulting from demolition and construction works.
- h) details showing the frontage/the boundary of the site enclosed by a close boarded fence to a minimum height of 2 metres.

The development shall be carried out in accordance with the approved Method Statement & Logistics Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority throughout the construction period.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers, in accordance with Policy DM1 of The Development Management Policies Local Plan 2013, and to ensure that development does not adversely affect safety on the transport network in accordance with Policy 6.3 of the London Plan and Policy DM43 of The Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory method of construction is agreed prior to any works on site commencing.

5. Levels

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement, in accordance with policies DM1 of the

Councils Development Management Policies Local Plan 2013. This is a PRE-COMMENCEMENT CONDITION to ensure adequate levels before the development commences on site.

6. Disposal of Surface Water

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

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

7. Surface Water Attenuation

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

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

8. Disposal of Sewage

The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

9. Emergency Planning

The development of any extension and building hereby permitted shall not be commenced until Emergency Planning Information have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To build in resistance and resilience in managing, reducing and mitigating the effects of flood risk following guidance in the National Planning Policy Framework.

10. Flood Mitigation Measures

The development of any building hereby permitted shall not be commenced until Flood Mitigation Measures have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To build in resistance and resilience in managing, reducing and mitigating the effects of flood risk following guidance in the National Planning Policy Framework.

11. Landscaping

The development hereby approved shall not progress beyond 150mm above ground level until a scheme for the hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, raised planters and details of the biodiverse green roof on Block A, has been submitted to, and agreed in writing by, the Local Planning Authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme.

The hard surfacing details shall include details of all furniture, boundary treatment, samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy 7.4B of The London Plan (2016), policy CS.1B of the Harrow Core Strategy (2012) and policy DM22 of The Development Management Policies Local Plan 2013.

12. Landscaping Implementation

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

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

13. Landscape Management

The development hereby approved shall not be occupied until a scheme for the on-going management, management programme of works and maintenance of all the hard and soft landscaping within the development, to include a Landscape Management Plan, including long term design objectives, management responsibilities and landscape maintenance schedules for all landscape areas, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

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

14. Green Roof

The construction of the extensions and building hereby permitted shall not commence until full details of the Green Roof, with cross section of the construction and maintenance plan, has been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

15. Car Park Management Plan

The development hereby approved shall not be occupied until a car park management plan has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: In the interests of highway safety in accordance with policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

16. Delivery and Servicing Statement

The development hereby approved shall not be occupied until a delivery and servicing statement to cover how access will be made/controlled if car parks are gated, the frequency of deliveries and how conflict will be managed and access maintained has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: In the interests of highway safety in accordance with policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

17. Communal Facilities for Television Reception

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 the Local Planning Authority in writing to be agreed. 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 development and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

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

18. Electric Vehicle Charging Points

Prior to occupation of each of the units hereby approved, details of locations of electric vehicle charging points will be submitted to, and approved in writing by, the local planning authority. The electric vehicle charging points shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the locality and to ensure the satisfactory provision of electric vehicle charging points, to serve the development

19. Cycle Storage

Prior to occupation of each of the units hereby approved, details of the secure cycle parking to serve the seven flats and the one commercial unit (5% to be accessible - can be used by non-standard cycles) will be submitted to, and approved in writing by, the local planning authority. The plans must show dimensions, type of storage and type of stand. The cycle parking shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy 6.9B of The London Plan

(2016) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

20. 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 interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

21. Commercial Window Display

The use of the commercial unit shall not commence until details of the window display, including lighting thereof, have been submitted to, and approved by, the local planning authority, and thereafter such a display shall be installed and retained in that form.

REASON: To ensure that the unit does not detract from the vitality of the shopping parade by its appearance in the street scene.

22. Opening Times of Commercial Unit

- a) The commercial use hereby permitted for Use Class A1 shall not open to customers outside of the following times: -
07:00 to 23:00 hours.
The commercial use hereby permitted for Use Classes A2 and D1 shall not open to customers outside of the following times: -
- b) 07:00 to 19:00 hours Monday to Friday and 8:00 to 16:00 and at no time on Sundays and Bank Holidays.

REASON: To safeguard the amenities of neighbouring properties and ensure the proper functioning of the commercial properties within the locality, in accordance with policy DM1 of the Harrow Development Management Local Policies Plan 2013.

23. Deliveries (Commercial Unit)

Deliveries for the commercial unit shall take place between the following times for each of the permitted uses:-
09:00 – 17:00 Monday to Saturday and at no time on Sundays and Bank Holidays.

REASON: To safeguard the amenities of neighbouring properties and ensure the proper functioning of the commercial properties within the locality, in accordance with policy DM1 of the Harrow Development Management Local Policies Plan 2013.

24. Obscure Glazing

The windows in the flank wall of Block B serving the lobbied entrances and stairwell shall:

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

REASON: To safeguard the amenity of neighbouring residents.

25. Refuse storage

Other than on collection days, the refuse/waste bins shall at all times be stored in the approved refuse/waste storage area.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2016 and policy DM1 of The Development Management Policies Local Plan 2013.

26. Accessibility

The development hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2) and (3), evidence demonstrating compliance should be submitted to and approved in writing by the Local Planning Authority prior to occupation. The proposal shall be carried out in accordance with the approved drawings and retained thereafter.

REASON: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time.

27. Permeable Paving

Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

Please note: guidance on permeable paving has now been published by the Environment Agency on <http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>.

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

28. Change of Use

The flats hereby permitted shall be used for Class C3 dwellinghouse(s) 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 in accordance with Policy DM1 of the Harrow Development Management Policies 2013, Policy CS1(B) of the Harrow Core Strategy 2012, Policy 7.4 of the London Plan 2016 and the Core Planning Principles of the National Planning Policy Framework 2012.

29. Fencing During Construction

No demolition or site works in connection with the development hereby permitted shall commence before:

a: the frontage

b: the boundary

of the site is enclosed by a close boarded fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety and to manage the impact of the development upon the local area during its demolition of the existing structures and the construction of the new building in the interests of public amenity and the local natural environment in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013) throughout the construction period.

30. Energy and Sustainability Statement

The development shall be undertaken in accordance with the approved Energy and Sustainability Statement. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Energy and Sustainability Statement (dated May 2019) which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework 2019, policies 5.2.B/C/D/E of The London Plan (2015) and policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013).

INFORMATIVES

1. The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2016):

3.5C: Quality and design of housing developments

5.2 Minimising Carbon Dioxide Emissions

5.3 Sustainable Design and Construction

5.11 Green roofs and development site environs

6.3 Assessing effects of development on transport capacity

6.9 Cycling

6.13 Parking

7.3B Designing out crime

7.4B Local character

7.6B Architecture

The Draft London Plan (2017):

D1 London's form and characteristics

D2 Delivering good design

D3 Inclusive Design

Harrow Core Strategy (2012):

Core policy CS1.B

Core policy CS1.D

Core Policy CS1 K

Core policy CS1.W

Harrow Development Management Policies Local Plan (2013):

DM1: Achieving a High Standard of Development

DM2: Achieving Lifetime Neighbourhoods

DM10: On Site Water Management and Surface Water Attenuation

DM12: Sustainable Design and Layout

DM26: Conversion of Houses and other Residential Premises

DM27: Amenity space

DM38: Other Town Centre Frontages and Neighbourhood Parades

DM 42: Parking Standards

DM45: Waste Management

DM46: New Community and Educational Facilities

Supplementary Planning Documents:

Supplementary Planning Document Residential Design Guide (2010)

Technical housing standards - nationally described space standard (2015).

2. Pre-application engagement

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.

3 Mayoral CIL

INFORMATIVE: Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £157,320.

The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

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

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

4 Harrow CIL

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £403,202.05

This amount includes indexation which is 323/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional

Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges.

5 Considerate Contractor Code of Practice

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

6 Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7 Compliance with Planning Conditions

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

satisfy the requirement to commence the development within the time permitted.-
Beginning development in breach of a planning condition will invalidate your planning permission.

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

8 Liability For Damage to Highway

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

9 Street Numbering

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

10 Thames Water Assets

The proposed development is located within 15m of Thames Water underground assets and 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 structures <https://developers/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

11 Ground Water

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. It is expected for the developer to demonstrate what measures will be undertaken to minimise ground water discharges not the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk.

12 Surface Water Drainage

Thames Water would advise that if the developer follows a sequential approach to the disposal of water. Prior approval will be required for the discharge to a public sewer. For further information please visit Thames Water website.

13 Sustainable Drainage Systems

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

14. Designing Out Crime

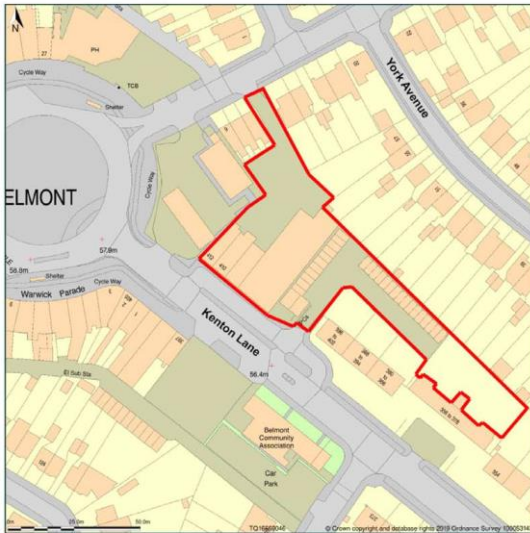
For further information regarding Secure By Design, the applicant can contact the North West London Designing Out Crime Group on the following:
DOCOMailbox.NW@met.police.uk

Interim Chief Planning Officer	22 August 2019
Corporate Director	PP Mark Billington

Site Plan



404-406, Kenton Lane, Harrow, HA3 8RQ



Site Plan shown area bounded by: 516566.8, 190366.02 616765.6, 190566.02 (at a scale of 1:1250), OSGridRef: TQ16669046. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.
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Photographs



Front elevation of existing Tesco Express

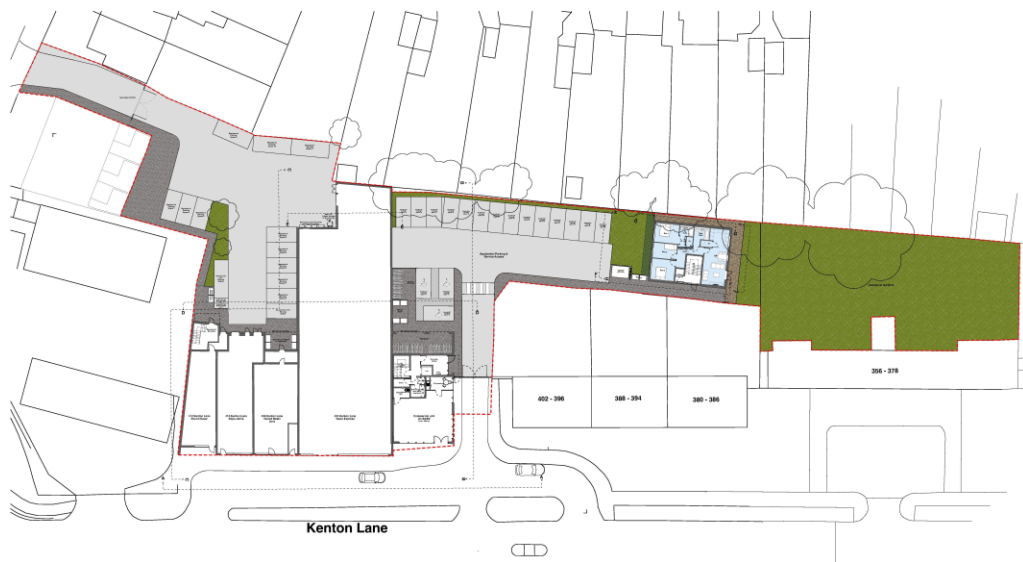


Side elevation of Tesco Express



Rear elevation of 386 – 402 Kenton Lane

Plans and Elevations



Proposed Site Plan



Kenton Lane, Harrow, HA3 8RQ
1020 - 500
CGI View from Kenton Lane

Coleflax
design

Address: 25 Lifford Road
Waltham
London W14 8PL
Email: info@coleflaxdesign.co.uk
Tel: 0208 2092000

3D Visuals



Proposed Ground Floor Plan



- Material Key Plan**
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Proposed Elevations



Proposed Plans and Elevations

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