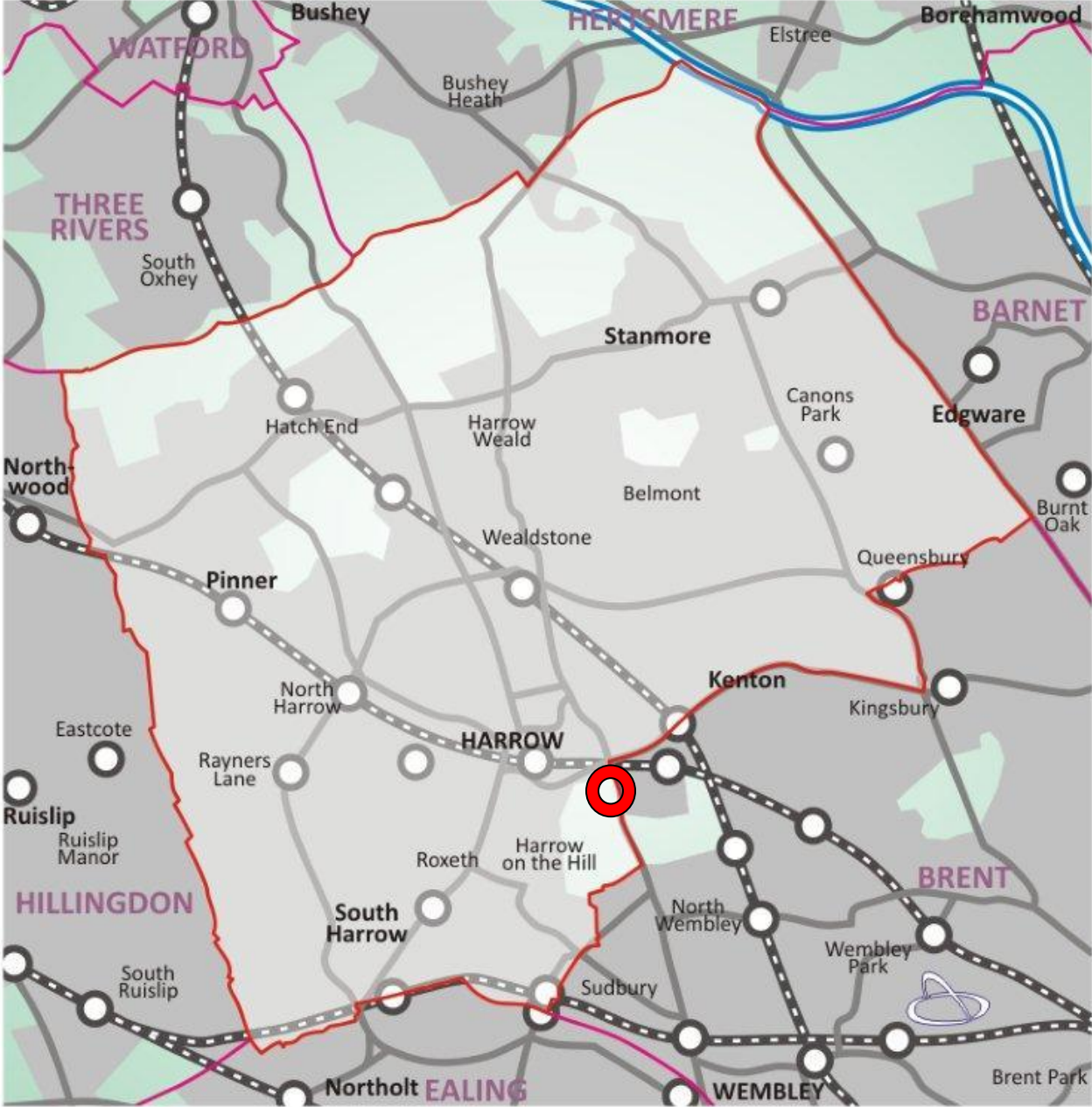
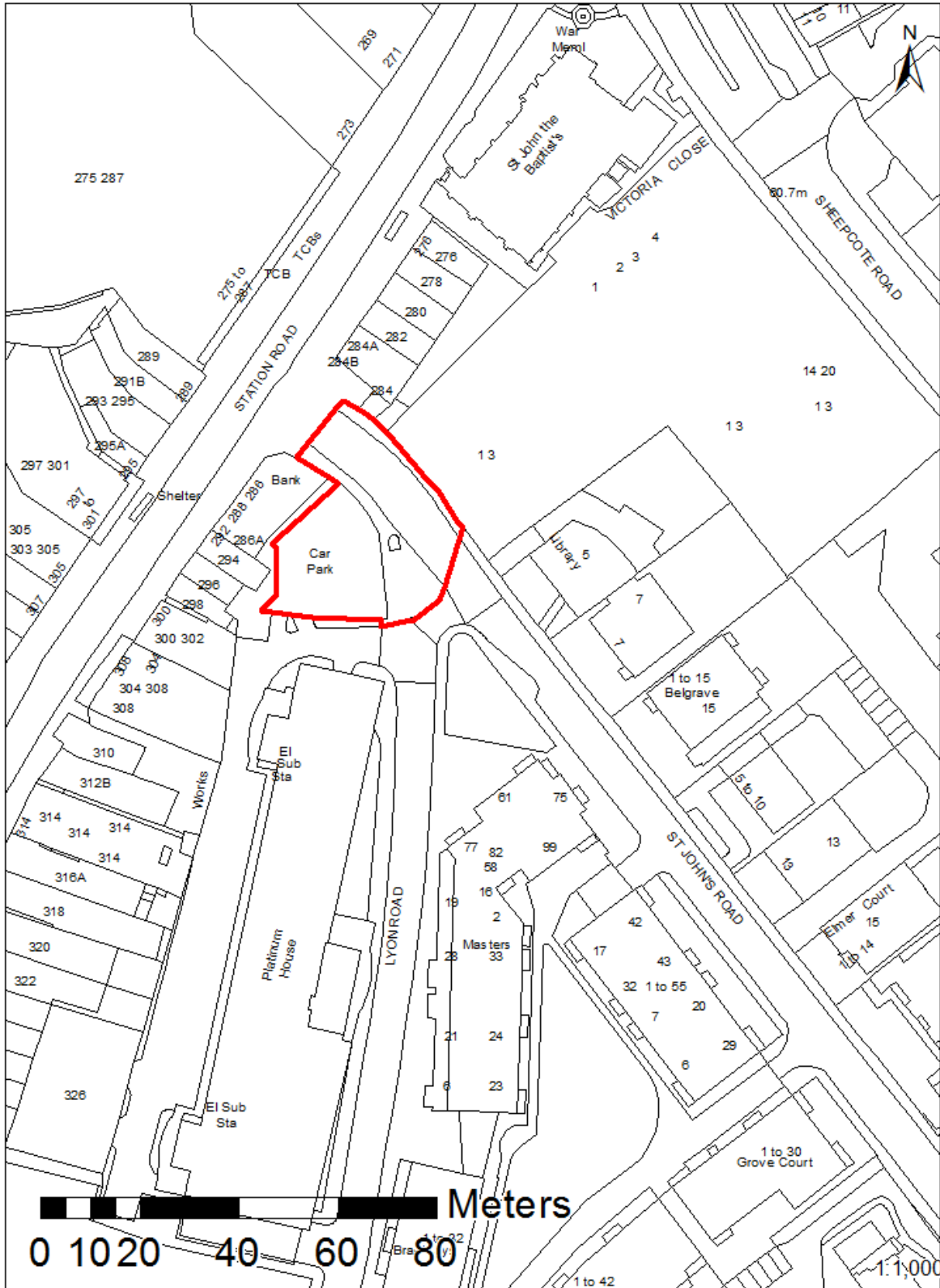


 = application site



<b>St Johns Road Car Park</b>	<b>P/3512/19</b>
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# St Johns Road Car Park



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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

25<sup>th</sup> September 2019

**APPLICATION NUMBER:** P/3512/19  
**VALIDATE DATE:** 20/08/2019  
**LOCATION:** St John's Road Car Park  
St Johns Road  
Harrow  
HA1 2EF  
**WARD:** GREENHILL  
**POSTCODE:** HA1 2EF  
**APPLICANT:** ECONOMIC DEVELOPMENT AT HARROW  
COUNCIL  
**AGENT:** MR W HAGGARD  
**CASE OFFICER:** BEN SCHNELL  
**EXPIRY DATE:** 15/10/2019

#### PROPOSAL

Change of use from commercial car park (sui generis) to public square (sui generis) incorporating five food kiosks (use class A5); one art display window and covered seating area; ancillary storage and street furniture; hard and soft landscaping.

The Planning Committee is asked to:

#### RECOMMENDATION A

The Planning Committee is asked to:

- 1) Grant planning permission for the reasons set out below:

#### REASON FOR THE RECOMMENDATION

The proposed development of the site would provide a high quality designed public space for the community to utilise and provide well designed food kiosks to assist activating this public space, and generating jobs in the locality. There is no unreasonable amenity impact towards properties in the immediate locality, and there will be no loss of car parking spaces, as they have been re-distributed across the Harrow Town Centre.

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

## **INFORMATION**

This application is reported to Planning Committee as it is a minor application that exceeds 100 square metres of floorspace on the land/building owned by the Council. 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.

The application is made under Regulation 3 of the Town and Country Planning Regulations 1992 (as amended). Regulation 3 permits a local authority to make an application to itself for planning permission to develop land within its area and to then also determine the application.

Statutory Return Type: E16 Minor Retail Distribution & Services  
Council Interest: The Council is a freeholder of part of the site.

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £11,079.90  
Local CIL requirement: £18,327.40

(Based on net additional floor space of 127.10 sqm in use class A5 – including the covered storage and seated area and bin storage area)

## **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

Uses		
Existing Use(s)	Existing Use / Operator	Commercial Car Park
	Existing Use Class(es) s	Sui Generis
Proposed Use(s)	Proposed Use / Operator	Food Kiosk (Use Class A5)
	Proposed Use Class(es) sqm	Use Class A5 –127.1 sqm GIA
Employment	Existing number of jobs	0
	Proposed number of jobs	6 full time jobs

Transportation		
Car parking	No. Existing Car Parking spaces	17
	No. Proposed Car Parking spaces	0
Cycle Parking	No. Existing and Proposed Cycle Parking spaces	0
Public Transport	PTAL Rating	6a
	Closest Rail Station / Distance (m)	Harrow on the Hill / 350m
	Bus Routes	114, 140, 182, 183, 186, 223, 258, 340, 483, H9, H14, H17, H18, H19,
Parking Controls	Controlled Parking Zone?	YES
	CPZ Hours	No loading at any time
	Other on-street controls	Double yellow lines
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Proposed refuse/waste storage to the south of the food kiosks – pick up location to be agreed between operator and Council

## **Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises of 1,186 sqm of land containing an existing commercial car parking (17 existing car parking spaces) that is owned and operated by the Council. The site is located on the corner of Lyon Road and St John's Road. The red line boundary of the site includes part of St John's Road and the footpath before the intersection to Station Road.
- 1.2 The site is within the Harrow Town Centre, Flood Zone 3a (1 in 100 year) and the Critical Drainage Area. The subject site backs onto properties (along Station Road) that form part of the Primary Shopping Area and Secondary Shopping Frontage, and is also in close proximity to the Primary Shopping Frontage on the other side of Station Road.
- 1.3 To the west of the site the adjoining properties are the rear elevations of retail and commercial properties that front Station Road, and include some residential units above ground level.
- 1.4 To the south of the site is Platinum House, medium density residential property, with a pay and display car park at ground level and the recently developed Lyon Road development.
- 1.5 To the eastern side of St John's Road are the former Cumberland Hotel site (which is currently being redeveloped) and Gayton Library.

### **2.0 PROPOSAL**

- 2.1 The proposal includes the change of use of the existing commercial car park (sui generis) to a public square (sui generis) and five food kiosks (use class A5). The food kiosks will be single storey, with a flat roof and maximum height of 3.9 metres. The food kiosks will be lined up as a terrace of five, with the covered seating area being located in between two of the kiosks. The flat roof will include green roofs as part of the design. The proposal includes an art display window will be included towards to the northern elevation of the kiosks facing towards St John's Road. The covered storage area is located at the rear, and will not be prominently visible. Street furniture, hard and soft landscaping will be included as part of the public square.
- 2.2 The proposed operating hours are Monday to Sunday & Bank Holidays between 08:00 to 22:00.

### 3.0 **RELEVANT PLANNING HISTORY**

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

<b>Ref no.</b>	<b>Description</b>	<b>Status and date of decision</b>
P/3440/19	Display of two externally illuminated fascia signs and four non illuminated hanging signs	Under Assessment – Expires 27/09/2019

### 4.0 **CONSULTATION**

4.1 A total of 171 consultation letters were sent to neighbouring properties regarding this application.

4.2 The overall public consultation period is due to expire on 20/09/2019 and no objections to date have been 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 –**

No objections subject to conditions are included addressing the following details surface water and foul water outlets and permeable paving and green roof details.

Conditions added

#### **LBH Highways –**

This is a high profile scheme located in the Town Centre and because of its strategic importance in improving the public realm the scheme was subject to several rounds of public and statutory consultation. The Economic development team also created a Project Team and Project Board which included local councillors, two Portfolio Holders and Senior Officers from within the council to oversee and agree the scheme design.

The consultants brief was quite specific in that the car park would be closed in order to deliver a new public square and that there should be no net loss of parking, this included disabled bays, as a result. The design therefore focused on redistributing the loss of car parking from the car park within the public highway so that the loss of the car park would not have detrimental impact on the surrounding area. There has been extensive communication to achieve this over the last eighteen months with the consultant Culver Haggard, local businesses and councillors.

The new parking and disabled bays have recently been subject to a statutory consultation process and no objections were received and therefore changes on street will happen shortly.

### LBH Policy –

The application seeks to implement Kiosks, as part of the public realm improvements as anticipated by the Lyon Square development. As part of this major application, an obligation was sought for either the public realm improvements to be undertaken by the developer (Redrow Homes), or a financial contribution to the Council to undertake the works. The current application seeks in part to implement the public realm improvements, with the proposed Kiosks requiring planning permission. The improvement of the public realm in this location is directly supported by Policy AAP7 of the Harrow & Wealdstone Area Action Plan (2013).

Planning Policy have no objection to this scheme.

### LBH Urban Design Officer -

*General comments* - The proposal is a well-designed new civic space, which will be an asset for Harrow. There have been a number of design reviews for the scheme and, on the whole, all concerns have been addressed. The approach to prioritising the functional and 'special' aspects of the scheme are supported as they are celebrating the more tactile things such as the kiosks, furniture, planting, play and wayfinding, while adopting a more restrained approach to surfacing.

*Siting* - The location of kiosks, shelter and seating elements to the rear of the shopping parade is acceptable. The abutting of service routes to the kiosk and existing alleyway provides a neat design solution to this otherwise unsightly, back-of-house area but clarity over security, access, and maintenance/cleaning is necessary. Flexibility of the design is good and the ability to install additional market stalls to compliment the permanent uses on site is welcome. The view of the metal frame signage from Station Road is critical so this is a concern as it might be hard to read in its current form: split around the corner.

*Height and massing* - The height and massing of the kiosks are acceptable; the addition of a green roof - encouraging biodiversity and providing an improved outlook for neighbouring residents - to be maintained by the occupier is also a very welcome addition.

*Materials* - The kiosks are generally simple but elegant in design and the materials proposed appropriate. The large, translucent canopy with integrated signage provides enough architectural interest to the kiosks. It would be good to see how this element meets the ground by way of structural columns – these could hit the established grid neatly at ground, or negotiate around the inset markers.

*Landscaping and public realm* - The 'welcome mat' and linked graphic identity to the whole scheme is enjoyable. As these elements are celebrated as distinctive and special, these should focus on a high quality, robust material palette. Similarly, all thresholds, gates, drainage details, edgings and ground inset markers must all remain of high quality and honour the design intent.

### LBH Landscape Architect -



High quality detailed design will be required and the use of high quality natural hard surface materials on the site, since the design is a simple space relying on six new trees, one existing tree and four additional offsite trees to help to contain the space.

A green roof is proposed for the roof canopy, and this is welcomed and the detail of the proposed planting and build up layers and growing medium would be required and needs to be conditioned. I've added it to the hard and soft landscape condition.

No objections, subject to the recommended conditions with regard to a submitted landscape masterplan including hard and soft landscaping details and street furniture, site levels and landscaping management and maintenance schedule.

Conditions added.

#### LBH Environmental Health -

No objections subject to conditions are included addressing the following details control of noise and odour emanating from the site, delivery times, floodlights, opening times of commercial unit, proposal and management plan of the food kiosks.

Conditions added.

#### LBH Waste Management -

No comments received.

#### LBH Corporate Estates –

No comments received.

## **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
- Refuse and Servicing
- Amenity Impact
- Traffic Safety and Parking
- Trees and Landscaping
- Environmental Health
- Development and Flood Risk
- Secure By Design
- Conclusions

### 6.2 Principle of Development

The relevant policies are the NPPF (2019) and Policy AAP7 of the Harrow & Wealdstone Area Action Plan (2013).

6.2.1 The proposal includes the change of use from commercial car park (use class sui generis) to a public square (use class sui generis) incorporating five food kiosks (use class A5).

6.2.2 The proposed works are part of the public realm improvements as anticipated by the Lyon Square development. As part of this major application, an obligation was sought for either the public realm improvements to be undertaken by the developer (Redrow Homes), or a financial contribution to the Council to undertake the works. The current application seeks in part to implement the public realm improvements, with the proposed Kiosks requiring planning permission. The improvement of the public realm in this location is directly supported by Policy AAP7 of the Harrow & Wealdstone Area Action Plan (2013).

6.2.3 The proposed development is therefore supported by the relevant policy and Council's Planning Policy Team does not have any objections. The principle of the development is therefore 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 Policies AAP1 and AAP4 of the Harrow & Wealdstone Area Action Plan (2013).

- 6.3.1 The subject site is primarily hard surfaced and has limited landscaping at the moment and is used as a car park. The rear elevation of the properties fronting onto Station Road is primarily a brick façade. Council's Urban Design Officer has provided comments supporting the proposed development.
- 6.3.2 It's a well-designed new civic space, which will be an asset for Harrow. The location of kiosks, shelter and seating elements to the rear of the shopping parade is acceptable. The abutting of service routes to the kiosk and existing alleyway provides a neat design solution to this otherwise unsightly, back-of-house area but clarity over security, access, and maintenance/cleaning is necessary. Flexibility of the design is good and the ability to install additional market stalls to compliment the permanent uses on site is welcome.
- 6.3.3 The height and massing of the kiosks are acceptable; the addition of a green roof providing an improved outlook for neighbouring residents and additional landscaping to the site.
- 6.3.4 The kiosks are generally simple but elegant in design and the materials proposed appropriate. The large, translucent canopy with integrated signage provides enough architectural interest to the kiosks.
- 6.3.5 The 'welcome mat' and linked graphic identity to the whole scheme are positive elements that are celebrated as distinctive and special, these should focus on a high quality, robust material palette, resulting in a high quality design.
- 6.3.6 The design of the proposal is considered to be of high quality and will have a positive impact towards the character of the area, therefore considered to be acceptable and is in accordance with the aims of 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 and DM45 of the Development Managements Local Plan (2013).

- 6.4.1 No comments were received from Council's Waste Management Team. The plans demonstrate that the bins are to be located in front of the footpath along the road (existing bay) that is part of Lyon Road that goes behind Platinum House. This is considered to be acceptable and is subject to agreement between the operator and Council.
- 6.4.2 The site will utilise the existing loading bay along St Johns Road for deliveries, this is considered to be acceptable given that it is existing and is in accordance with the aims of the relevant policies.

## 6.5 Amenity Impact

The relevant policies are Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

- 6.5.1 At the rear of the site is an alleyway (minimum width of 1.6 metres) between the covered storage area and the rear elevations of the buildings fronting Station Road. The covered storage area has a maximum height of 3.1 metres and the food kiosks have a total height of 4.2 metres, set in at least 1.5 metres from the rear common boundary. There are windows at ground floor level that face towards the proposed development, however given the use of these windows serve commercial and retail properties the proposed development is not considered to cause any unreasonable impact towards these properties, particularly since the site is currently a commercial car park.
- 6.5.2 There are no other adjoining properties; the other properties in the immediate locality are separated by Lyon Road and St John's Road.
- 6.5.3 Therefore the proposed development is not considered to cause any unreasonable amenity impact with regards to overshadowing, visual impact or overlooking, given the existing use of the site and the location is within the Harrow Town Centre.
- 6.5.4 The operating hours are considered to be reasonable given that the location is in the Harrow Town Centre and there is sufficient distance from properties in the immediate locality. These operating hours have been conditioned to mitigate the noise impact towards properties in the immediate locality, therefore the proposed use of the food kiosks is not considered to unreasonably impact properties in the immediate locality.
- 6.5.5 The proposal is therefore considered to be acceptable with regards to amenity impact and is in accordance with the aims of the relevant policies.

## 6.6 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 AAP19 of the Harrow & Wealdstone Area Action Plan (2013).

- 6.6.1 Council's Highways Officer confirmed that through the consultation one of the main concerns was loss of car parking. The objective was therefore if the the car park was to be closed in order to deliver a new public square, that there should be no net loss of parking, this included disabled bays, as a result. The design was therefore focused on redistributing the loss of car parking from the car park within the public highway so that the loss of the car park would not have detrimental impact on the surrounding area. There has been extensive communication to achieve this over the last eighteen months with the consultant Culver Haggard, local businesses and councillors.
- 6.6.2 The new parking and disabled bays have recently been subject to a statutory consultation process and no objections were received and therefore changes on street will happen shortly.

- 6.6.3 The loss of the existing commercial car park is therefore considered to be acceptable and will not detrimentally impact the locality, given the redistribution.
- 6.6.4 No cycle parking is considered to be required for the Use Class A5, given that there was no cycle parking storage facilities in the existing commercial car park and that there are multiple existing facilities in the Harrow Town Centre. Council's Highways Department have confirmed this.
- 6.6.5 The proposal is therefore considered to be acceptable with regards to traffic, safety and parking and is in accordance with the aims of the relevant policies.
- 6.7 Trees and Landscaping  
The relevant policy is Policy DM 22 of the Harrow Development Management Policies Local Plan (2013) and Policies AAP4 and AAP11 of the Harrow & Wealdstone Area Action Plan (2013)
- 6.7.1 A significant amount of the site will be left as public square use and therefore include primarily hard landscaping and some soft landscaping and trees. Council's Landscape Architect and Urban Design Officer support the proposal provided it has a high quality detailed design with the use of high quality natural hard surface materials on the site, as there will only be six new trees, one existing tree and four additional offsite trees to help to contain the space. Conditions have therefore been included to ensure that the proposal will result into a high quality design given its prominent location.
- 6.7.2 The roof canopy of the kiosks includes a green roof, and this is considered to be a positive design element. The details of the proposed planting and build up layers and growing medium are required and have been included as a condition to ensure it will result in a high quality design.
- 6.7.3 The proposal is therefore considered to be acceptable subject to the relevant conditions and is in accordance with the aims of the relevant policies.
- 6.8 Environmental Health  
The relevant policy is 5.3 of the London Plan 2016 and DM12 of the Development Management Policies Local Plan 2013.
- 6.8.1 Council's Environmental Health Department have confirmed that they do not have objections to the proposal, provided that their recommended conditions are included. Their conditions include the following details and restrictions: control of noise and odour emanating from the site, delivery times, floodlights, opening times of commercial unit, proposal and management plan of the food kiosks.
- 6.8.2 The proposal is therefore considered to be acceptable with regard to Environmental Health, with the above being included as pre-commencement and restriction conditions, and is in accordance with the aims of the relevant policies.

## 6.9 Development and Flood Risk

The relevant policy is AAP9 of the Harrow & Wealdstone Area Action Plan 2013 and policies 5.12 and 5.13 of the London Plan 2016.

6.9.1 Council's Drainage Department have confirmed that there are no objections from reviewing the submitted Flood Risk Assessment, subject to conditions being included that cover surface and foul water outlets and details about the permeable paving and green roof.

6.9.2 The proposal is therefore considered to be acceptable subject to the relevant conditions and is in accordance with the aims of the relevant policies

## 7.0 Secure by Design Issues

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

7.0.2 It is considered that the development does not adversely affect crime risk, as it will be providing passive surveillance to the subject site and immediate locality during the opening hours.

7.0.3 The proposal is therefore considered to be acceptable subject to the relevant conditions and is in accordance with the aims of the relevant policies.

## 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 takeaway food use, and generating jobs in the locality.

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, Harrow & Wealdstone Area Action Plan 2013 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:

180-00-001 Rev A; 180-00-002 Rev A; 180-00-003 Rev A; 180-00-004 Rev A;  
180-00-005 Rev A; 180-00-006 Rev A; 180-00-007 Rev A; 180-00-010 Rev A;  
180-00-011 Rev A; 180-00-012 Rev A; 180-00-013 Rev A; 180-00-014 Rev A;  
180-00-015 Rev A; 180-00-016 Rev A; 180-00-017 Rev A; 180-00-021 Rev A

Documents:

Design & Access Statement (180-00-DAS); Flood Risk Assessment and Drainage Strategy

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

#### 3. Landscape Masterplan

Notwithstanding the details shown on the approved plans hereby permitted no works shall commence other than works of demolition until there has been submitted to, and approved in writing, by the local planning authority the following plans and details:

- a) A scheme including a landscape masterplan for detailed hard and soft landscaping of the development, to include details of the planting, high quality hard surfacing and hard landscape materials, edgings, and including the bespoke seating and furniture, tree pits and tree planting details, green roof make up of all the layers, including drainage, growing medium and planting details and all landscape as set out in the landscape section of the design and access statement.

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, including the green roof and a landscape implementation programme.

The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.

- b) Details of minor artefacts and structures of all furniture, boundary treatment, specification for the proposed furniture (including proposed material and source) and detailed drawings of such; details in the external space including, stepped seating, furniture, bespoke furniture and any other artefacts.

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 communal external space and to ensure a high standard of design, layout and amenity.

#### 4. Green Roof

The construction of the kiosks hereby permitted shall not commence until full details of the green roof, with cross section of the construction and details relating to the long term maintenance and management of the on-site drainage, 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.

#### 5. Site Levels

No site works, other than demolition, shall commence until details of the levels of the building(s), public square, road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the Local Planning Authority. The development shall be carried out in accordance with the details as so agreed.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of these adjoining properties and to understand the proposal in relation to the existing levels of the surrounding external wider site, outside the development site.

#### 6. Foul Water

No site works, other than demolition, shall commence until details for the disposal of sewage has been submitted to, and agreed in writing by the Local Planning Authority. The development shall not be occupied until the agreed drainage strategy has been implemented.

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



7. Surface Water

No site works, other than demolition, shall commence until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

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

8. Permeable Paving

No site works, other than demolition, shall commence until full details of the permeable paving relating to the long term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

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

9. Landscape Management Plan and Maintenance Schedule

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 including the green roof 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 first occupation of kiosk or the public square being brought into use, whichever is the sooner. The Landscape Management Plan shall be carried out in a timely manner as approved.

REASON: Landscape Maintenance refers to the routine physical tasks (eg pruning, weeding, watering, litter clearance, maintenance of furniture, etc) required to satisfy appropriate standards of aftercare and to enable the design and implementation objectives in respect of planting to be satisfactorily achieved.

10. Control of Noise and Odour Emanating From the Site

No air extraction system or ventilation system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures, prior to the first occupation of the relevant kiosk.

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.

11. Condition Use Class A5

The proposed food kiosks shall only used for use Class A5 and for no other purpose, unless the Local Planning Authority agrees any variation in writing.

REASON: To safeguard the vitality of the public square.

12. Delivery Times

There shall be no delivery and the loading or unloading of goods outside the hours of 20:00 and 08:00, Monday to Saturday, and at no time at all on Sundays or 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.

13. Floodlights

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have been first submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

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.

14. Opening Times of Commercial Unit

The kiosks hereby permitted for Use Class A5 shall not open to customers or used for the preparation of food outside of the following times:-

08:00 to 23:00 Mondays – Fridays,

08:00 to 23:00 Saturdays,

10:00 to 18:00 Sundays, Public or 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.

15. 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.

16. 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.

## **INFORMATIVES**

1. The following policies are relevant to this decision:

**National Planning Policy Framework (2019)**

**The London Plan (2016):**

5.3, 5.12, 5.13, 6.3, 6.9, 6.13, 7.3, 7.4, 7.13

**Harrow Core Strategy (2012):**

CS1.B, CS1.L, CS1.W

**Harrow & Wealdstone Area Action Plan (2013)**

AAP1, AAP4, AAP7, AAP11

**Harrow Development Management Policies Local Plan (2013):**

DM1, DM12, DM45

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 £11,079.90.

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](https://ecab.planningportal.co.uk) 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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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 £100/sqm is £18,327.40

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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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](mailto: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](mailto: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 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.

#### 10 Landscape Management Plan

A Landscape Management Plan would be expected to set out, graphically and / or in writing, the overall functional and aesthetic objectives of the landscape scheme and the steps (eg legal arrangements including ownership and management responsibilities, planned maintenance tasks, any phased works, management programme of works, monitoring procedures etc) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity.

Interim Chief Planning Officer	13 September 2019
Corporate Director	Paul Walker

# Existing Site Plan



**GENERAL NOTES**

- Drawings show design intent and the proposed relationship between finished elements
- All work to be in accordance with current Building Regulations
- All structural works to meet Structural Engineer's specification
- All work to existing structures subject to site investigation and opening-up works

**KEY**

— Site Boundary

**CarverHaggard**  
 Unit 215, 215-217 Perivale Road, London, SN8 8BJ  
 Tel: 0208 5774 2177  
 info@carverhaggard.com  
 www.carverhaggard.com

**NOTES**  
 - These drawings are not for construction purposes.  
 Do not scale off drawings.

**ISSUES**  
 Rev A 02.08.19 Planning Issue



Project: Greenhill Place  
 Title: Site Location Plan  
 Dwg No: 180-00-001  
 Rev: A  
 Scale: 1:500 @ A3





Photographs



# Proposed Site Plan



## GENERAL NOTES

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- All work to be in accordance with current Building Regulations.
- All structural works to meet Structural Engineer's specification.
- All work to existing structures subject to site investigation and opening-up works.

## KEY

- - - Site Boundary

**CarverHaggard**

Level 2/10, 288-294 Perimeter Road, London, SW9 8BZ  
 +44 (0)20 7274 2117  
 info@carverhaggard.com  
 www.carverhaggard.com

### NOTES

- These drawings are not for construction purposes.
- Do not scale off drawings.

### ISSUES

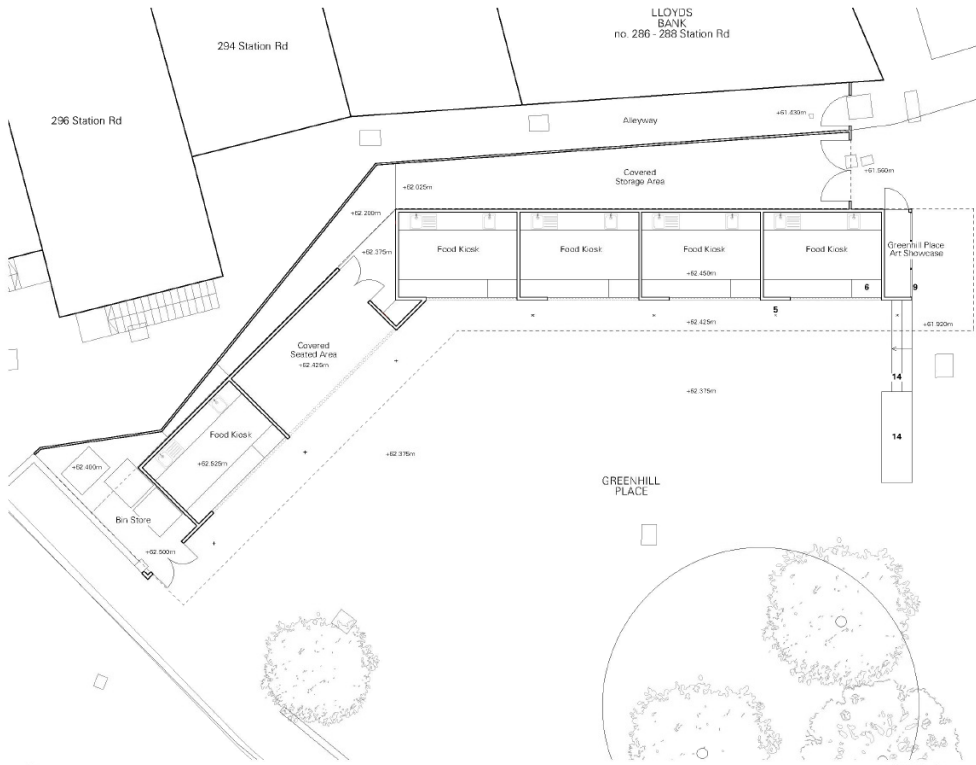
Rev A 02.08.19 Planning Issue

SCALE  
 Meas2: 10.01 m

Project: Greenhill Place  
 Title: Proposed Site Plan  
 Dwg No: 1801-00-010  
 Rev: A  
 Scale: 1:200 @ A3



# Ground Floor and Roof Plans



**GENERAL NOTES**

- Drawings show design intent and the proposed relationship between finished elements.
- All work to be in accordance with current Building Regulations
- All structural works to meet Structural Engineer's specification.
- All work to existing structures subject to site investigation and opening-up works.

- KEY**
- 1 Powder coated metal fascia
  - 2 Powder coated metal frame
  - 3 Fascia with access to roller shutters
  - 4 Roller shutter
  - 5 Cross shaped metal columns
  - 6 Service counter with access into kiosks
  - 7 Powder coated metal wall panel
  - 8 Metal frame signage
  - 9 Display window
  - 10 Powder coated metal door
  - 11 Fence
  - 12 Translucent roof
  - 13 Powder coated metal gates
  - 14 Concrete

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 Unit 210, 281-291 Ferndale Road, London, SW9 8BJ  
 +44 (0)20 7216 2107  
 info@carverhaggard.com  
 www.carverhaggard.com

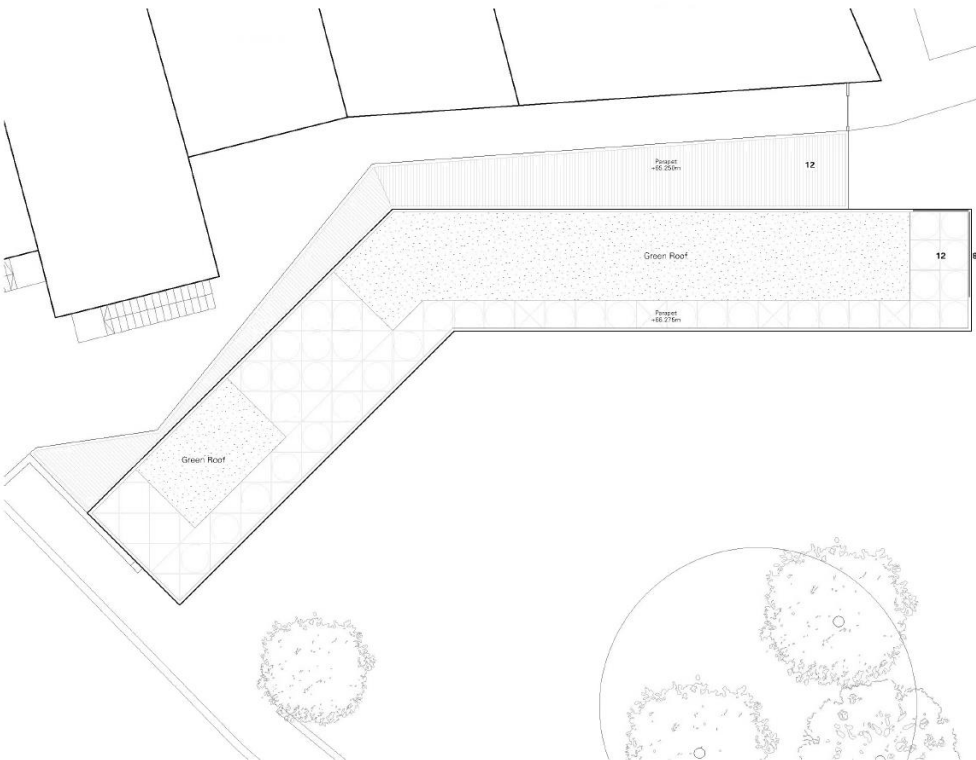
**NOTES**

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**ISSUES**  
 Rev A 02.08.19 Planning Issue



Project: Greenhill Place  
 Title: Proposed Ground Floor Plan  
 Dwg No: 180 00 011  
 Rev: A  
 Scale: 1:100 @ A3



**GENERAL NOTES**

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**ISSUES**  
 Rev A 02.08.19 Planning Issue

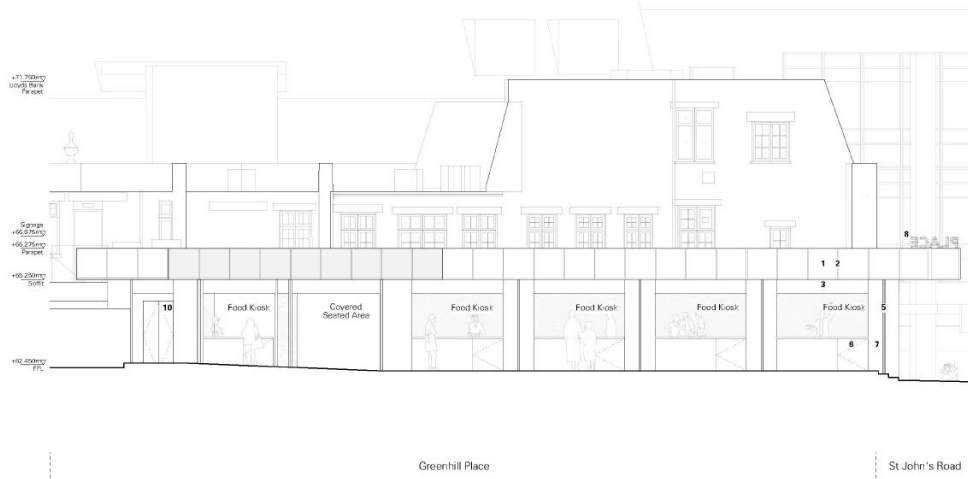


Project: Greenhill Place  
 Title: Proposed Roof Plan  
 Dwg No: 180 00 012  
 Rev: A  
 Scale: 1:100 @ A3





# Proposed Elevations

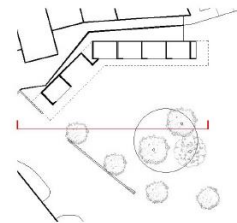


## GENERAL NOTES

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146@carverhaggard.com  
www.carverhaggard.com

## NOTES

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- Do not scale off drawings.

## ISSUES

Rev A 02.06.19 Planning Issue

## SCALE



Project: Greenhill Place  
Title: Proposed South East Elevation  
Dwg No: 180-00-016  
Rev: A  
Scale: 1:100 @ A3

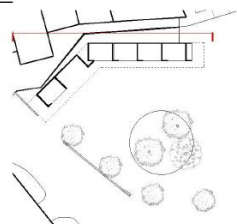
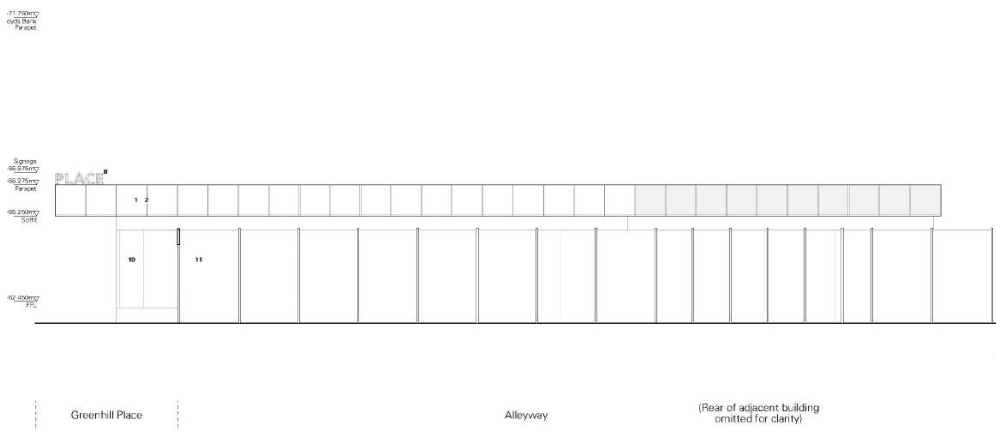


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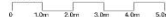
## NOTES

- These drawings are not for construction purposes.
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## ISSUES

Rev A 02.06.19 Planning Issue

## SCALE



Project: Greenhill Place  
Title: Proposed North West Elev.  
Dwg No: 180-00-017  
Rev: A  
Scale: 1:100 @ A3



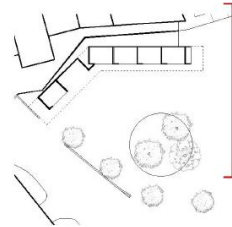
# Proposed Elevation and Section

## GENERAL NOTES

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- All work to be in accordance with current Building Regulations
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- All work to existing structures subject to site investigation and opening-up works

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**ISSUES**  
 Rev A 02.08.19 Planning Issue



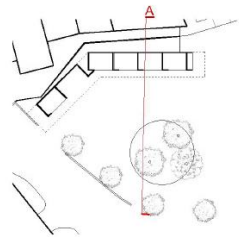
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**Title:** Proposed North East Elevation  
**Dwg No:** 180-00-015  
**Rev:** A  
**Scale:** 1:100 @ A3

## GENERAL NOTES

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**ISSUES**  
 Rev A 02.08.19 Planning Issue



**Project:** Greenhill Place  
**Title:** Proposed Section AA  
**Dwg No:** 180-00-015  
**Rev:** A  
**Scale:** 1:100 @ A3

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