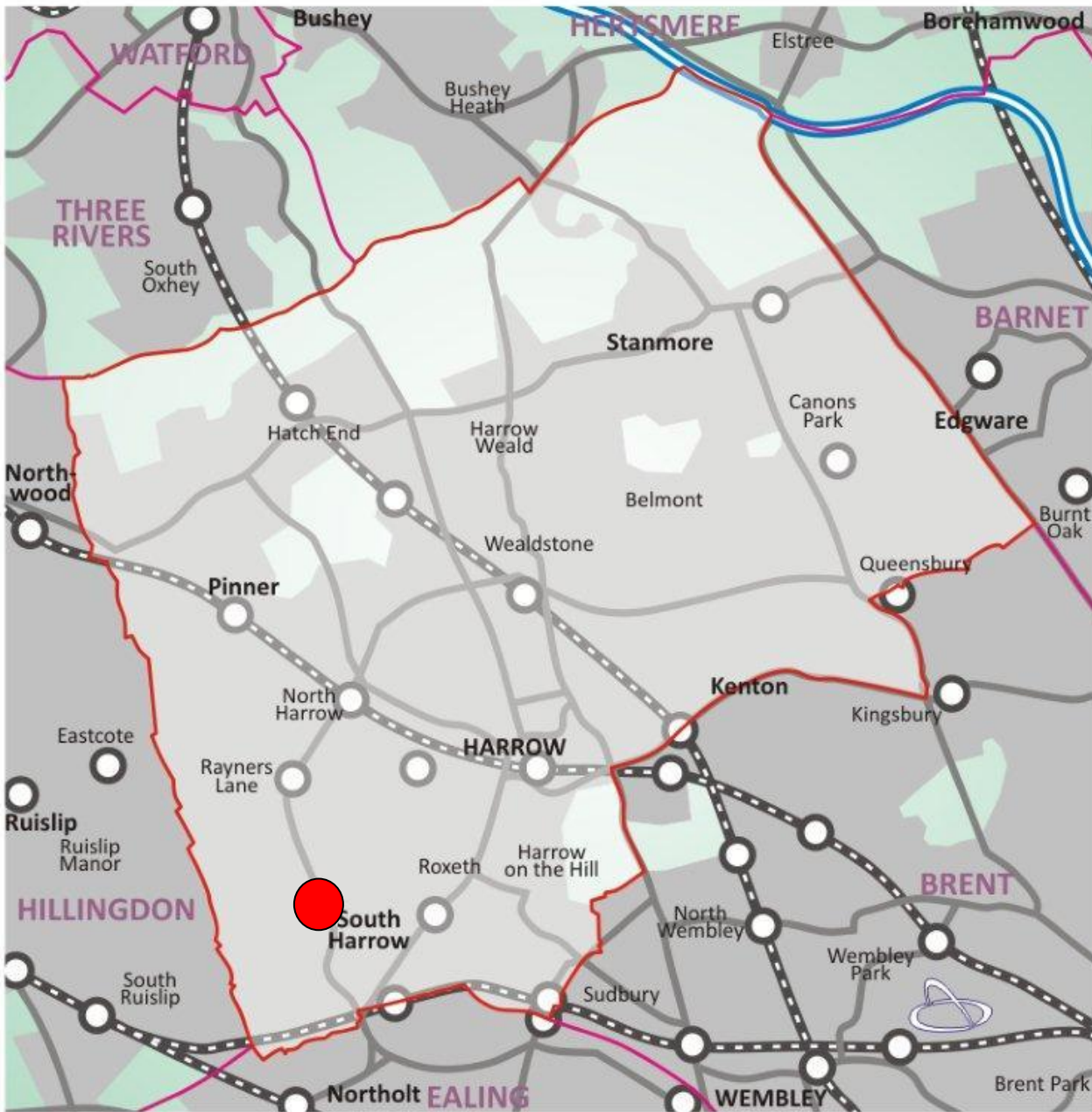


 = application site



<b>143/145 Eastcote Lane &amp; 172A Alexandra Ave</b>	<b>P/2156/19</b>
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# 143/145 Eastcote Lane & 172A Alexandra Ave



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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

16<sup>th</sup> October 2019

**APPLICATION NUMBER:** P/2156/19  
**VALIDATE DATE:** 10/05/2019  
**LOCATION:** 143/145 Eastcote Lane & 172A Alexandra Ave  
**WARD:** ROXETH  
**POSTCODE:** HA2 8RW  
**APPLICANT:** MR RAKESH RAITHATHA  
**AGENT:** MADDOX AND ASSOCIATES LTD  
**CASE OFFICER:** SELINA HOTWANI  
**EXPIRY DATE:** 09/08/2019

### PROPOSAL

Redevelopment to provide four storey building to create 26 Flats (7 X 1 bed, 17 X 2 bed and 2 x 3 bed); Landscaping and amenity space; Parking; Refuse and cycle storage

### RECOMMENDATION A

- 1) Agree the reasons for removal of and change to the heads of terms as set out 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) Early and Late Stage Review Mechanism
  - b) Construction Employment Opportunities through (a) a training and employment plan that will be agreed between the Council and the developer prior to start on site; and (b) (ii) a financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This is usually calculated using the formula: £2,500 per £1,000,000 build cost.

- c) Design Review and Design Code: The retention of the existing architect (or one of equivalent standard) until the development is completed; or, the submission of a Design Code for approval by the Council that details the quality of the development.
- d) A carbon-offset contribution of £42,066.00 shall be paid to the relevant department of the Council within one month of approval of the Revised Energy Strategy to offset 23.37 tonnes of carbon at a rate of £1,800 tonnes (£60 / tonne / year over 30 years).
- e) Requirement for final “as-built” Part L calculations of the Building Regulations through energy efficiency measures to ensure at least a 10% reduction is achieved. This is to be submitted within one month of practical completion of the development, confirming the actual carbon emissions to be offset, with any shortfall to be paid through a further offset.
- f) Legal Fees: Payment of Harrow Council’s reasonable costs in the preparation of the legal agreement; and
- g) Planning Administration Fee: Payment of £2,853.30 the agreement administration fee for the monitoring of and compliance with this agreement.

## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 16 December 2019 or as such extended period as may be agreed by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer and Planning on the grounds that:

The proposed development, in the absence of a Planning Obligation to (a) secure an appropriate level of affordable housing within the development, (b) fund the provision of construction and training, (c) provide necessary commitments in relation to the Travel Plan unless otherwise agreed by the Council (d) adhere to the design review and code and (e) Commit to an adequate carbon offset payment would fail to provide affordable housing and would fail to mitigate the impact of the development upon infrastructure and the wider area, contrary to the National Planning Policy Framework, Policies 3.8, 3.11, 3.12, 6.3, 7.5 and 8.2 of the London Plan (2016), Policies CS.1J of the Harrow Core Strategy (2012) and Policies DM12, DM13, DM22, DM24 and DM43 of the Development Management Policies Local Plan (2013), and the provisions of the adopted Supplementary Planning Document: Planning Obligations 2013.

## **INFORMATION**

This application is reported to Planning Committee as it is for the construction of more than three dwellings and therefore falls outside Schedule 1b of the Scheme of Delegation.

Statutory Return Type:	E(18) Minor Development: All Other
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£119,038.80
Local CIL requirement:	£314,691.11

### 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

### PART 1 : Planning Application Fact Sheet

The Site	
Address	143/145 Eastcote Lane & 172 Alexandra Avenue, Harrow, HA2 8RW
Applicant	Mr Rakesh Raithatha
Ward	Roxeth
Local Plan allocation	n/a
Conservation Area	n/a
Listed Building	n/a
Setting of Listed Building	n/a
Building of Local Interest	n/a
Tree Preservation Order	n/a
Other	Directly opposite Alexandra Ave and Eastcote designated neighbourhood parade

Housing		
Density	Proposed Density u/ph	153
	PTAL	2-3
	London Plan Density Range	150-250
Dwelling Mix	Studio (no. / %)	N/A
	1 bed (7no. / 26.9 %)	7
	2 bed (17no. / 65.4 %)	17
	3 bed (2 no. / 11.5 %)	3
	4 bed (no. / %)	N/A
	Overall % of Affordable Housing	N/A
	Affordable Rent (no. / %)	N/A
	Intermediate (no. / %)	N/A
	Private (no. / %)	N/A
	Commuted Sum	N/A
	Comply with London Housing SPG?	Complies
	Comply with M4 (2) of Building Regulations?	Secured by Condition

Non-residential Uses		
Existing Use(s)	Existing Use / Operator	Residential
	Existing Use Class(es) sqm	Use Class C3, 340sqm

Proposed Use(s)	Proposed Use / Operator	Residential
	Proposed Use Class(es) sqm	Use Class C3 2,324.23sq.m
Employment	Existing number of jobs	Unknown
	Proposed number of jobs	Unknown

<b>Transportation</b>		
Car parking	No. Existing Car Parking spaces	4
	No. Proposed Car Parking spaces	13
	Proposed Parking Ratio	0.5
Cycle Parking	No. Existing Cycle Parking spaces	None
	No. Proposed Cycle Parking spaces	53
Public Transport	PTAL Rating	2-3
	Closest Rail Station / Distance (m)	0.7m (South Harrow Underground Station)
	Bus Routes	H10, 114, 398 along Eastcote Lane
Parking Controls	Controlled Parking Zone?	N/a
	CPZ Hours	Non-Parking Permits
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	N/A
Parking Stress	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
	Summary of results of survey	N/A
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Internal Refuse Storage to rear of building one at rear pedestrian entrance and the other at the entrance of the car park.

<b>Sustainability / Energy</b>	
Development complies with Part L 2013?	N/A
Renewable Energy Source / %	N/A

## **PART 2 : ASSESSMENT**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site is essentially a corner site on a busy highway intersection of Eastcote Lane and Alexandra Avenue and currently contains bungalows on three separate plots. Numbers 143 and 145 Eastcote Lane was severed in the mid-1970s and contains another bungalow (172A Alexandra Avenue), accessed via a service road off Alexandra Avenue.
- 1.2 The surrounding area is predominantly residential in nature with metroland properties located on Eastcote Lane and Alexandra Avenue.
- 1.3 The adjacent crossroads consist of a local neighbourhood parade (opposite the bungalows fronting Eastcote Lane), and a two storey dwellinghouse on the south west corner of the crossroads.
- 1.4 The north-west corner of the crossroads was the former location of the Matrix Public House. The site is currently being re-developed into a substantial residential development.

### **2.0 PROPOSAL**

- 2.1 It is proposed to demolish the existing three bungalows and redevelop the site to erect a four storey building comprising a total of 26 flats to create 7 x 1 bed, 17 x 2 bed and 2 x 3 bed units which would amount to approximately 2,324 sqm of Gross Internal Floorspace (GIA).
- 2.2 The building footprint would comprise an “L” shape design following the site boundary fronting Eastcote Lane and Alexandra Avenue.
- 2.3 The building would have two stair and lift cores. One would serve Entrance A fronting Eastcote Lane and the other Entrance B to the rear of the site from Alexandra Avenue.
- 2.4 The building would form a consistent block form elevation with projecting winter gardens and rooms up on first and second floors. The roof form would be angular and the fourth storey would be set back slightly from the main building line.
- 2.5 13 car parking spaces are proposed (including 3 blue badge and 7 electric charging points). Two blue badge spaces would be located to the front of the site and one to the rear in the designated car parking area. This would utilise the existing vehicular entrances from Eastcote Lane, albeit the central entrance would be dedicated for pedestrians. The vehicular access would be retained.



- 2.6 An internal refuse and cycle store is provided to the ground floor at the rear which can be accessed via a third dedicated access from Alexandra Avenue and from the car park to the rear. This route also leads to the rear amenity space, play space and additional cycle storage.
- 2.7 All properties benefit from private amenity space either via balconies or inset winter gardens. An additional 306 sqm of outdoor communal amenity space is located to the rear of the building, with seating areas and outdoor play space.

### 3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status and date of decision
<b>Application Site</b>		
P/1180/18	Redevelopment To Provide Four Storey Building To Create 31 Flats; Landscaping And Amenity Space; Parking; Refuse And Cycle Storage	14/09/2018
Reasons:		
<p>1. In the absence of robust justification to demonstrate overriding wider public benefit, the proposed redevelopment of the site, by reason of the excessive footprint of the proposed building and encroachment on private rear garden area, would constitute Garden Land Development and represent overdevelopment of the site, and would be at odds with the Councils spatial strategy for growth to the detriment of the character and appearance of the locality, contrary to the National Planning Policy Framework (2018), Policy 3.5A of The London Plan (2016), Core policies CS1.A and CS1.B of the Harrow Core Strategy (2012) and the adopted Supplementary Planning Document: Garden Land Development (2013).</p> <p>2. The proposal fails to provide the maximum reasonable level of affordable housing to the Boroughs housing stock. The proposal therefore fails to address the key aims of Policies 3.11 and 3.13 of the London Plan (2016), Policy CS1. J of the Harrow Core Strategy (2012), The Housing Supplementary Planning Guidance (2016) and adopted Supplementary Planning</p>		

Document:  
Planning Obligations and Affordable Housing (2013).

3. The proposal, by virtue of its excessive scale, width and positioning, would add an unacceptable amount of bulk and mass across the site's width and would result in the detrimental loss of the site's open character, representing an over-intensification of residential development on the site. The development would, therefore, not represent an appropriate high quality of design, would not maintain or enhance the character of the surrounding street scene and the visual interests of its surroundings and fails to appropriately respect and relate to its spacious context. Accordingly, the proposal is contrary to Policies 7.4 of the London Plan 2016, DM1 of the Harrow Development Management Policies 2013, the adopted Supplementary Planning Document Residential Design Guide 2010 and section 12 of the National Planning Policy Framework 2018.
4. The proposal, by reason of the failure to provide sufficient tracking of large, modern vehicles fails to alleviate concerns relating to on-street parking stress, should the provision of car parking not cater for such car types. This would give rise to an unsustainable development which would fail to contribute towards climate change mitigation, contrary to the National Planning Policy Framework (2018), policy 6.13 of The London Plan (2016) and Policy DM12 of the Harrow Development Management Policies Local Plan (2013) policies DM42 and DM43.

**143 Eastcote Lane**

P/4608/15	Notification of householder extension- Single storey rear extension; 8.0m deep; 3m max height and 3.0m to the eaves.	Prior Approval Not Required 04/11/2015
P/2727/09	Demolition of existing dwelling & garage and erection of two semi-detached three storey dwellings and associated garages.	Grant 17/02/2010

**145 Eastcote Lane**

P/4610/15	Notification of Householder extension; 6.5m deep; 3.0m max height and 3.0m to the eaves:	Prior Approval Not Required 04/11/2015
P/2541/11	Vehicular access from Alexandra Avenue with Insertion of Gates' in side boundary:	Grant 15/12/2011

**172 Alexandra Avenue**

P/4611/15	Notification of householder extension: Single storey rear extension; 6.5m deep; 3.5m max height and 2.7m	Prior Approval Not Required
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	to the eaves;	11/11/2015
LBH/6537	Erection of detached bungalow with integral garage to the rear of 145 Eastcote Lane:	Refused 25/08/1971

**Pre-Application Discussion (P/4036/17/PREAPP) & (P/0232/19/PREAPP):** The applicant had engaged with the LPA in pre-application discussions with respect to the redevelopment of this site.

**Revisions from previous application (P/1180/18):**

- Reduction in overall mass to ensure policy compliance with Garden Land SPD;
- Reduction in No. car parking spaces
- Reduction in No. of units from 33 to 26.
- Revised Design and Layout
- Increased outdoor and private amenity space
- Simplified roof and material palette
- Clearer legibility and accessibility for all user groups

**Applicant Submission Documents**

- Application form, ownership certificate and CIL form;
- Architectural plans, elevations and drawings by IF Architecture;
- Design and Access Statement by IF Architecture;
- Planning Statement by Maddox Planning Consultants Limited;
- Daylight / Sunlight Assessment by Herrington Consulting Limited;
- Noise Impact Assessment Report by ALN Acoustic Design Ltd;
- Foul Sewer and Utilities Assessment by Pitman Associates Consulting Engineers;
- Surface water drainage strategy report by Pitman Associates Consulting Engineers;
- Tree Survey and arboricultural method statement by Greengage;
- Preliminary ecological appraisal by Greenage;
- Delivery and servicing plan by YES Engineering Group Ltd;
- Transport Assessment by YES Engineering Group Ltd;
- Energy and sustainability statement by eb7; and
- Viability assessment by HEDC Ltd.

## 4.0 CONSULTATION

- 4.1 A total of 148 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The public consultation period expired on 19<sup>th</sup> June 2019. Two x Site Notices were put up on 5/06/2019 for a period of 21 days expiring 26<sup>th</sup> June 2019.
- 4.3 A re-consultation took place for 14 days which started on 23 August 2019 and ended on 10 September 2019. A further 12 objections were received. All the comments have been summarised together below.

### Advertisement (Major Development)

- 4.4 Newspaper Advertisements (Harrow Observer & Harrow Times): 6<sup>th</sup> June 2019

### 4.5 Adjoining Properties

Number of Letters Sent	148
Number of Responses Received	9 (12 additional during re-consultation)
Number in Support	0
Number of Objections	21
Number of other Representations (neither objecting or supporting)	0

### 4.6 Summary of responses

The Officers response to the concerns raised are summarised in italics.

- There are only 13 car parking spaces on the planning application for 26 flats. If the site cannot accommodate 26 cars the development should be downsized to prevent on-street parking which is already strained.  
*The proposed level of car parking has been based on data analysis to generate anticipated demand for car parking at the site and the Council's Highways Department has considered this to be acceptable. Further detail has been outlined in Section 6.7 of this report.*
- A two storey building would better fit with the maisonettes on Alexandra Avenue.  
*The design and appearance of the proposed development has been assessed in section 6.4 of the report.*
- The housing density block is unsuited to its immediate context of neighbouring residential area.
- Overdevelopment of a small piece of land.
- The imposing character of the proposed development has not been addressed in this scheme.  
*The scale and mass of the building has been assessed in section 6.4 of the report. It has been significantly reduced since the previous scheme to ensure it does not exceed the footprint that could otherwise be built*

*under permitted development and planning permission resulting from extensions to the existing bungalows.*

- The loss of the bungalows with a scheme of this size and nature would detrimentally harm and change the character of the area.
- Sited on a busy junction used by pedestrians, school children, pedestrians.

*The proposal makes use of existing vehicular crossovers along Eastcote Lane and Alexandra Avenues. Dedicated accesses for pedestrians and cyclists have also been included. As such, it is not likely that the development would cause any additional safety issues above the existing properties.*

- The proposed development goes far beyond the footprint of the existing bungalows. Whilst the footprint is calculated as 560sqm, under PD there are height restrictions which have not been adhered to in this calculation.
- The loss of garden land has therefore not been accounted for.  
*The Garden Land SPD requires the footprint of the building to be calculated to ensure that such sites are not overdeveloped. This does not take into consideration height, however this has been assessed separately in section 6.4.*
- Loss of privacy by the imposing mass of façade.
- The proposed development would have a serious impact on light availability from the rear of the house and garden of No. 139 Eastcote Lane and ahead of the frontages of Nos. 139 and 141 Eastcote Lane.
- Inaccurate testing of daylight and sunlight to neighbouring properties.  
*An assessment of the impact to amenity has been included within Section 6.5 of the report. The development is considered not to cause detrimental harm to neighbouring occupiers as a result.*
- A higher density of people would result in greater crime rates.  
*The proposed scheme has been designed to include Secure By Design principles. A condition has been imposed to ensure SBD certification is attained.*
- The loss of the trees on the perimeter of the site would shield any dust and noise from the development and should be retained. Their loss could also lead to a loss of habitats.
- Lack of adequate landscaping given the amount of green residential gardens lost by built form.  
*The Council's Tree Officer has stated that the trees on the site are not protected. However, appropriate landscaping and ecology conditions have been imposed to ensure that any harm to habitats is mitigated against and an appropriate level of landscaping is provided.*
- Refuse storage would be sited next to 172 Alexandra Avenue which would attract rodents.  
*The refuse store would be accommodated within the building footprint. The holding area for refuse during bin collection day is provided to the rear of the site. As such, refuse will not be stored in that area for prolonged periods.*

- The construction statement says that the construction site would only be accessed by 5/6 mini/transit vans. It is actually likely these would be delivery trucks and lorries which would be highly disruptive.  
*A condition requiring the development to be carried out in accordance with the Servicing and Delivery Plan has been recommended which means that any problems arising from the scheme will be reviewed and resolved under a new plan.*
- The impact of the development at the Matrix site has not yet been felt in terms of traffic given that it is only just nearing completion. However, the cumulative impact of this could be detrimentally harmful.  
*The Matrix development was considered acceptable in Highways terms. Whilst it has been newly constructed it was assessed on its own merits and should not prejudice other schemes coming forward, provided that any forthcoming schemes are also acceptable in Highways terms. In this case, the current scheme has been considered acceptable.*
- Local infrastructure would also be impacted with a strain on doctor's surgeries, schools and local amenities.  
*It is not considered that a scheme of this size would impose a significant strain on local amenities.*
- Safety and health of people due to the increased congestion on the surrounding roads as a result of the development would be harmful to the people living in the locality.
- The level of construction noise and dust would be unacceptable.  
*The Outline Construction Logistics Plan indicates how traffic congestion and noise and dust during construction would be managed. Furthermore, given the small scale of the development it is not considered that the development would result in significant levels of traffic congestion.*

#### 4.7 Statutory and Non Statutory Consultation

The following consultations have been undertaken, together with the responses received and officer comments:

- LBH Planning Policy - No objections subject to heads of terms relating to early and late stage review of viability.

Noted and agreed as part of heads of terms.

- LBH Economic Development – Training and Employment Plan to be agreed between the Council and developer prior to commencement on site as part of heads of terms, as well as financial contribution towards the management and delivery of the construction training programme.

Noted and agreed as part of heads of terms.

- LBH Design Officer – Applicant has adhered to comments during the course of the application and subject to condition the scheme is acceptable in design terms.

- LBH Highways - Highways have no objection to the principle of the proposal on receipt of further justification suitability of parking levels.

Conditions have been recommended as suggested by the Councils Highways Officer.

- LBH Biodiversity Officer - Construction Logistics Plan fails to address whether the demolition and clearance would have an impact to protected / notable wildlife or presented details information as to the handling of biodiversity features or soft-landscaping on site.

Conditions requesting an updated CLP have been included.

- Network Management for Highways – No objection subject to meeting on site relating to bin store location.

Meeting requested by Network Management Officer.

- Housing – No objections subject to an early and late stage mechanism to be included as part of the heads of terms.

Early and late stage review mechanism included and agreed as part of the heads of terms.

- LBH Drainage Officer – No objection subject to Thames Water Consent being attained.

Standards drainage conditions and Thames Water consent informative attached.

- LBH Refuse and Waste Department – No response received.
- Tree Officer – No objections.
- Energy / Policy - Some inconsistencies with Energy Strategy but broadly acceptable subject to conditions and S106 obligations relating to updated information would be required.

Included and agreed as part of the heads of terms.

#### External Consultees

- Transport For London - No Comments
- Metropolitan Police - A Secure by Design accreditation should be achieved by way of planning condition.

This has been included.

- Thames Water - There are public sewers crossing or close to the development. TW would need to check whether development does not

limit repair or maintenance activities or inhibit service provision in any way.

An appropriate informative is included.



## **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 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 significant 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 APPRAISAL**

6.1 The main issues are:-

- 1) Principle of the Development
- 2) Affordable Housing
- 3) Design, Character and Appearance of the Area
- 4) Residential Amenity
- 5) Residential Quality of Accommodation
- 6) Traffic, Parking, Access, Servicing and Sustainable Transport

- 7) Flood Risk and Development
- 8) Ecology and Biodiversity
- 9) Sustainability
- 10) Air Quality
- 11) Accessibility
- 12) Planning Obligations
- 13) Consultation Responses

## **6.2 Principle of Development**

### *Spatial Strategy*

- 6.2.1 Of relevance is Harrow's Garden Land SPD (2013) which has been prepared with a view to "draw a reasonable distinction between proposals which seek to demolish and redevelop existing dwellings, involving some increase in building footprint on the site, and redevelopment proposals which involve substantial incursions into garden land." Paragraph 3.6 states that "the redevelopment of an existing dwelling or group of dwellings to provide multiple dwellings or flats on the same building footprint, plus any appropriate enlargements" does not constitute garden land development. The applicant has demonstrated that the footprint of the main building would fall within the limits of what would constitute appropriate enlargements. It is noted that the enclosing of the proposed refuse and cycle store shown as part of the re-consultation documents would increase this footprint however these are considered to be ancillary provisions which are generally found in smaller scale residential conversions and which are more commonly found in the rear gardens of properties. As such, this has not been accounted for as part of the building footprint and accordingly would not constitute garden land development.
- 6.2.2 Furthermore, in light of the significant increase in housing targets set out in the draft London Plan 2017 proposed for the borough in comparison to the current, the proposal would be a welcome assistance in contributing to the new target. The proposed housing contribution which is considered to be of high quality located on previously developed land and would meet minimum London Plan Housing Standards would provide much needed housing within the borough.
- 6.2.3 In conclusion, it is considered that the proposed development by reason of its location on previously developed land would not result in an inappropriate form of development. As such, the proposed development would be contrary to the provisions set out in the National Planning Policy Framework (2019), core policies CS1.A & B of the Harrow Core Strategy 2012, policy 3.5 of The London Plan 2016, the adopted Supplementary Planning: Document Residential Design Guide (2010) and Supplementary Planning Document: Garden land Development (2013) which all seek to redirect all new housing development to previously developed land.

## 6.3 Affordable Housing

- 6.3.1 Core Strategy policy CS1J states that ‘the Council will aim for a Borough-wide affordable housing target of 40% of the housing numbers delivered from all sources of supply across the Borough’. Policy CS1.J goes on to say that the Council will seek the maximum reasonable amount of affordable housing on all development sites having regard to a number of criteria, including development viability.
- 6.3.2 Having regard to Harrow’s local circumstances, Policy CS1 (J) of the Core Strategy sets a Borough-wide target for 40% of all homes delivered over the plan period (to 2026) to be affordable, and calls for the maximum reasonable amount to be provided on development sites having regard to the following considerations:
- the availability of public subsidy;
  - the housing mix;
  - the provision of family housing;
  - the size and type of affordable housing required;
  - site circumstances/scheme requirements;
  - development viability; and
  - the need to meet the 40% Borough-wide target.
- 6.3.3 The applicants have provided a Financial Viability Assessment prepared by HEDC which declares that in addition to the CIL liability the scheme would not be able to provide any affordable housing at the site, thereby deviating from policy requirements. Within their report, the applicants had adopted an Existing Use Value (EUV) as their Benchmark Land Value (BLV) and applied a 20% premium to this value to reflect current market conditions.
- 6.3.4 The proposal was referred to the Council’s Housing Enabling Team for review, who raised queries regarding the lack of information relating to comparable market information to assess the value of the three properties currently on site and the 20% premium offered to landlords for these properties as well as whether the value of the construction and site costs stated were reasonable. Furthermore, modelling of a compliant 60/40 affordable rent to shared ownership was requested.
- 6.3.5 In July 2018, BNP Paribas Real Estate (PRE) conducted an independent review on behalf of Harrow Council for a scheme which had been subsequently refused (P/1180/18), one of the reasons being the lack of affordable housing. For consistency the same consultants were instructed to undertake the review of the financial viability for the current scheme. As such, the aforementioned considerations were reviewed including the build cost informed by Saville Brown Associates (SBA) instructed by BNP and HEDC and the applicant’s cost consultant and with respect to prevailing government guidance on anticipated ground rent income.

- 6.3.6 Based on the above, the final report by BNP Paribas Real Estate lowered the profit to 17% on private gross development value (GDV) as opposed to 20% based on existing market conditions. This lower profit level was tested against the compliant provision of Affordable Housing scenario. Whilst this lead to a surplus value, after discussions with the applicant's cost consultants SBA agreed a higher build cost and adjusted the ground rental income level according to forthcoming legislation. As such, BNP's report indicated that whilst the revised results show that the proposed scheme generates a higher Residual Land Value than proposed by HEDC (now below BNPs lower benchmark) and that based on the ground rent alterations and on current costs and values for construction, no onsite affordable housing can viably be provided.
- 6.3.7 Notwithstanding the above, as per advice provided by BNP Paribas and the Council's Housing Enabling Officer it is recommended that a review mechanism be sought to enable capture of deferred obligations if values and costs change during the lifespan of the planning consent. This has been included within the S106 obligations for the scheme, which would ensure full compliance with the Council's Affordable Housing policy.
- 6.3.8 For these reasons and subject to S106 obligations being adhered to, the proposed development would accord with the spatial development strategy for the borough set out in the Core Strategy, whereby providing a development within the borough that would be in a coherent, efficient and effective manner, according with National Planning Policy Framework 2019, policy 3.5A of The London Plan 2016 and policies CS1.A and CS1.B of the Harrow Core Strategy 2012.
- 6.3.9 Whilst the proposed development would not deliver affordable housing, the review mechanism as part of the heads of terms would safeguard any future provision should the scheme become viable if development and cost conditions change. On this basis, the scheme would on balance meet the strategic housing aim for the borough and accord with policy 3.13 of the London Plan (2016), Policy CS1.J of the Harrow Core Strategy, policies DM24 and DM50 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

## **6.4 Design, Character and Appearance of the Area**

- 6.4.1 In assessing the proposed development against local and national design policies it is relevant to consider it against London Plan policy 7.4 (B) which promotes high quality design and local Core Strategy Policy CS1.B and policy DM1 of the Development Management Policies Local Plan (2013) which promotes development to positively respond to local and historic context in terms of design and layout and resists a poor standard of development.

### *Scale and Mass*

- 6.4.2 The immediate surroundings of the site are characterised by varied forms of development. The site is a corner plot, one of four on a busy junction. Directly opposite is a two storey designated neighbourhood parade of shops, on the opposite corner is the newly constructed Matrix development comprising a four storey residential block and directly adjacent on Eastcote Lane and Alexandra Avenue are two storey residential blocks. It was noted in the previous refusal that there is a distinctive difference between the character of the northern and southern side of Eastcote Lane namely due to the juxtaposition between the urban nature of development on the northern side defined by its commercial nature and the more suburban residential character on the south.
- 6.4.3 Since the previous refusal the overall mass has been reduced and the roof design has been simplified to respect the scale and design of the surrounding built form. Residents have however raised concerns about the site being overdeveloped and out of character with the surrounding area. When viewed from the Eastcote Lane / Alexandra Avenue junction the revised roof design would appear to replicate the end gable roof forms of Nos. 139 and 141 Eastcote Lane directly adjacent and given that these properties are two storey dwellings with roof accommodation i.e. 3 storeys and given the height of the ridges of these dwellings the proposed development would only appear an additional one storey higher. The site is also located towards the corner of the junction which comprises a mix of commercial and residential uses and the roof form changes to a more angular design closer toward the junction to consider the more commercial context.
- 6.4.4 To the rear of the site, the mass has been reduced considerably to provide a distance of 14m between the proposed building and Nos. 170 and 172 Alexandra Avenue which would allow for the proposed development to appear as a focal point marking the transition from the suburban residential dwellinghouses to the commercial, urban grain to the north. The greater distance between the proposed building and existing residences on Alexandra Avenue also provides a larger amenity space along the boundary shared with No. 141 Eastcote Lane which helps to maintain the pattern of development and openness to the rear of the properties on Eastcote Lane east of the site. As such, it is considered that the scale and mass of the development would be appropriate.

### *Design and Layout*

- 6.4.5 When considering the building footprint which is laid out in an “L” shaped arrangement, following the street line along Alexandra Avenue and the general building line along Eastcote Lane, the building would not appear overbearing on the street scene and would appear in general conformity with the arrangement of the wider area. This in turn creates generally good quality internal spaces within the units, and is particularly helpful as it would provide the all units with dual aspect.
- 6.4.6 The residential development is separated into two blocks A and B. Block A encompasses the northern part of the site and contains a total of 15 units and Block B comprises the southern half of the site and contains 11 units. As such, two entrances have been incorporated; entrance A for Block A and entrance B. The entrance for Block A proposes a single central pedestrian entrance and utilises the existing vehicular entrance for two blue badge car parking spaces. A new entrance is proposed on Alexandra Avenue at street level, which would provide a new and active frontage on that side which is welcomed. The vehicular access to the rear also utilises an existing dropped kerb to provide access to the 13 car parking spaces proposed at the rear of the site which is considered to be an acceptable layout.
- 6.4.7 Notwithstanding the above, the Metropolitan Police have requested a condition to ensure that the development achieved a Secured by Design accreditation to ensure measures are in place to reduce opportunities for crime and disorder. A condition to this effect has been attached.

### *Design and Appearance*

- 6.4.8 The building has been designed so that it does not appear visually intrusive within the street scene respecting the general scale, building and site lines of the surrounding area. The introduction of winter gardens means that the private amenity spaces for each unit are contained within the building facades. The design includes considered projections from the both street facing elevations over the first and second floor levels. These repeated projections provide articulation to the building and the angular fourth floor creates interest on the street scene and a sense of relationship with the Matrix development opposite.
- 6.4.9 The proposed fenestration within the development follows a clear and legible pattern and would be constructed in aluminium. This is considered to be appropriate and ensures that the elevations do not appear contrived. Details have not been submitted to demonstrate the depth of the reveals with the elevation for the windows. Providing depth to these is important, as this ensures that there would be additional articulation within the elevations. It is therefore considered reasonable that a condition requiring details of the reveal depth of the proposed fenestration to ensure that this is achieved. A condition is accordingly recommended.

6.4.10 In terms of the proposed materials palette this has been simplified to two colours of stock brick which would create an interesting yet complementary façade to the existing residential dwellings. The glazing would generally be uniform in a linear design across the entirety of the building. The scheme has a mix of private balconies and winter gardens. It is important to ensure that the colour, texture and materials for each external feature including balustrades from the amenity spaces is specified and samples provided (where necessary) to ensure it would be appropriate to the surrounding area. Accordingly, it is considered reasonable to attach a condition to request details of the materials used in the remainder of external surfaces of the proposed development.

#### *Access*

6.4.11 New designated entrances would be provided for vehicles, pedestrians and cyclists for both blocks A and B. In terms of pedestrian legibility, a single central entrance to the building from Eastcote Lane is proposed with a generous forecourt comprising soft landscaping. Access to Block B is from Alexandra Avenue via a dedicated pathway. Private amenity spaces for some of the ground floor units would also front this street. A second access from Alexandra Avenue is proposed which would lead directly to the cycle and refuse store from the street as well as to the communal garden which is also considered to be acceptable, given that it would provide a dedicated route for primarily cycle users. Two vehicle points are also proposed, which would utilise existing vehicle accesses; one from Eastcote Lane which would be for the two blue badge spaces and the second to the rear of the site from the service road which runs parallel to Alexandra Avenue to the dedicated private car park.

6.4.12 This access arrangement is considered to be acceptable given that it would clearly set out legible and safe routes for each transport user group. The dedicated pedestrian entrances to each core would also provide welcoming and clearly defined entry / exit points. The site is relatively level, and such access into the building should be able to be step-free. However, to ensure that this is the achieved, a condition is recommended to be attached accordingly.

#### *Landscaping*

6.4.13 The existing forecourts of all the properties comprise of predominant hard surface with soft landscaped gardens to the rear. The proposed landscape masterplans and proposals are considered to be broadly acceptable given that they would comprise a generous landscaped forecourt on the principle elevation fronting Eastcote Lane and a large expanse of amenity space to the rear and also to the boundary facing onto Alexandra Avenue comprising private gardens for some of the ground floor flats which would also provide for defensible space. A low boundary wall with railings above is proposed along the frontage of Alexandra Avenue and Eastcote Lane which is considered to be acceptable and has been agreed by the Secure by Design team. However, it is recommended that the proposed boundary treatments

for the entire site are secured by condition, requiring details and specifications of all boundary treatments.

- 6.4.14 The Council's landscape officer has also suggested that given that some integration between the proposed children's play space and amenity space, this would offer a less formal area to create one larger space. Furthermore, trees along the car park boundary on the west of the car park should be incorporated to complement the existing tree line on the western side of the road. Whilst the introduction of a brown roof would be welcomed further details would be required in relation to this. It is therefore considered that insufficient details have been provided in relation to the soft and hard landscaping and as such a condition in relation to this as well as a landscape management plan and landscape maintenance plan including long term design objectives, management responsibilities and maintenance schedule for all landscape areas are considered reasonable alongside the aforementioned details.

#### *Private Amenity Space*

- 6.4.15 Policy DM27 Amenity Space of the Development Management Policies Local Plan document states that the appropriate form and amount of amenity space should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy.
- 6.4.16 For private amenity space, the SPG requires a minimum of 5m<sup>2</sup> per 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant, and for balconies the SPG specifies minimum dimensions of 1.5m x 1.5m. The proposed balconies (7m<sup>2</sup>) would exceed these minimum dimensions in terms of the required quantum and also the required depth. Furthermore, and specifically along the front elevations facing Eastcote Lane and Alexandra Avenue, the balconies would be inset winter gardens, which provide a much more private, quieter balcony for the future occupiers. Level access onto the balconies would be secured as part of the proposed access condition.
- 6.4.17 The proposal would also provide a communal garden and play space for children at ground floor. This would comprise approximately 265 sqm and bound to the east by the rear gardens of properties along Eastcote Lane and to the west by the private car park of the subject development albeit separated by appropriate boundary treatments.

#### *Conclusion*

- 6.4.18 Subject to the conditions mentioned above, it is considered that the external appearance and design of the buildings together with the proposed landscaping scheme are consistent with the principles of good design as required by the National Planning Policy Framework (2019). The resultant development would be appropriate in its context and would comply with policies 7.4B and 7.6B of The London Plan (2016), Core Policy CS1(B) of the Harrow Core Strategy, policy DM1 of the Council's Development Management Policies Local Plan and the Council's adopted Supplementary



Planning Document – Residential Design Guide (2010), which require a high standard of design and layout in all development proposals.

## 6.5 **Residential Amenity**

- 6.5.1 In assessing the impact of the proposed development on residential amenity London Plan Policy 3.5 *Quality and Design of Housing Developments* which sets out a range of criteria for achieving good quality residential development is relevant. Furthermore, Core Strategy Policy CS1 K requires a high standard of residential design and layout consistent with the London Plan and associated guidance. Policies DM1 *Achieving a High Standard of Development* and DM27 *Amenity Space* set out a number of privacy and amenity criteria for the assessment of proposals for residential development.
- 6.5.2 In assessing the scale and layout of the proposed development, the most likely affected neighbouring residents would be at Nos. 141 and 139 Eastcote Lane and Nos. 170 & 172 Alexandra Avenue. The proposed development would introduce a 4 storey building comprising 26 residential units to the application property. The applicants have provided a Daylight / Sunlight assessment which reviewed the potential impact of the proposed development on neighbouring occupiers. The report identified habitable rooms of the nearest sensitive receptors along Eastcote Lane, Alexandra Avenue and Alexandra Close. The results show that impact on the daylight to all habitable rooms of the 17 properties tested would be negligible albeit there would be a small reduction which would not be significantly noticeable.
- 6.5.3 In terms of sunlight, the BRE guidelines states that for the proposed development to be considered to have adverse effect on available sunlight to neighbouring windows, all three tests would need to have been failed. The report concludes that whilst there would a reduction in sunlight hours enjoyed by these windows the reduction would be within the limits prescribed by the BRE Guidelines and would therefore be acceptable.

### *Impact to No. 141 Eastcote Lane*

- 6.5.4 The proposed development would maintain a distance of approximately 3.1m at its closest point. Whilst it would be considerably higher than the existing single storey bungalows currently on site, it would not project significantly forward of the front building lines of the properties to the east along Eastcote Lane and would essentially only be an additional storey higher than both 139 and 141 Eastcote Lane. To the rear, the proposed development would project approximately 3m beyond the rear building line of No. 141 at four storeys. At ground floor this depth would be acceptable particularly given that there would be sufficient separation distances. When assessed against the 45 degree rule, the proposal would be compliant when measured from the corner of No. 141 Eastcote Lane. Furthermore, all the side facing windows on this property serve non-habitable spaces including a bathroom and stairwells at ground, first and second floors and as such the proposal would not affected any protected or primary windows.

- 6.5.5 The “L” shape form of the building means that beyond the closest point of the fourth storey as reviewed above, the building line would be set back across the remaining length of the site by at least 10m from the rear garden of No. 141 Eastcote Lane and which is considered to be an acceptable distance so as not to result in detrimental harm to this space in terms of overbearing or overshadowing. Furthermore, the set back from the closest properties on Alexandra Avenue by approximately 14m means that an appropriate level of openness would still be maintained from the rear garden of this property.
- 6.5.6 In terms of privacy, whilst there are some side facing windows which would directly face the rear gardens of properties along Eastcote Lane, namely No. 141, it is considered that the loss of amenities to neighbouring gardens in these situations given the suburban character is not uncommon particularly as these would not face any habitable rooms of these properties. In light of this, it is considered that the living conditions of those neighbouring occupiers would not be unacceptably harmed.

#### *Impact to Nos. 170 & 172 Alexandra Avenue*

- 6.5.7 The closest property to the south east of the application site is a semi-detached property containing maisonettes (Nos. 170 & 172 Alexandra Avenue). Due to the orientation of this property, it is considered that the proposed development would not result in undue impacts in terms of outlook, daylight sunlight or overbearing. This is also reinforced within the submitted daylight/sunlight report. Furthermore, since the previously refused scheme the projecting balconies have been removed and the distance between the development and these properties has increased by a further 10m. In terms of privacy and overlooking, the majority of the south-east elevation of the proposed development would face part of the flank elevations of this property. Although there is a first floor window, this does not appear to be a primary window. It is considered that the 14m distance between this opening and the proposed development and orientation of the flank, i.e. wall not directly facing the proposed scheme any overlooking or loss of privacy to these neighbours is not considered to be detrimental.

#### *Surrounding developments*

- 6.5.8 The separation distances of between 30-50m from the other adjacent properties including the residential units above the shopping parade opposite, the recent Matrix Development and also No. 147 Eastcote Lane on the opposite side of Alexandra Avenue are considered to sufficiently mitigate any significant detrimental harm caused in terms of amenity.

#### *Noise and Disturbance*

- 6.5.9 The greatest generation of noise and disturbance which would be generated from the proposed development to neighbouring properties would be from the additional level of car parking proposed. Whilst there would be two blue badge spaces to the front of the site, this is not considered to generate additional noise and disturbance over and above the existing situation to

immediate neighbouring occupiers. This is because the vehicular entrance would utilise existing crossovers which could already accommodate at least two cars. Similarly to the rear of the site, the existing crossover would be utilised to provide access to the private car park for the development, which would accommodate up to 11 car parking spaces. Furthermore, this car park would also be subject to use by delivery vehicles and refuse collection all of which have been reviewed within the submitted Delivery and Servicing Plan (2019) prepared by YES Engineering Group Limited.

- 6.5.10 The Council's Environmental Health Officer has stated that as there would be an increase in vehicular movement throughout the day, this is unlikely to be detrimentally harmful given the existing noise and disturbance from the busy highway network directly adjacent. However, a condition requiring acoustic fencing on the rear boundary of the site would ensure any additional noise caused by the car park and deliveries to the rear would adequately safeguard the amenity in particular to Nos. 170 and 172 Alexandra Avenue.
- 6.5.11 Based on the above, it is not considered that the proposal would cause significant undue harm to the neighbouring residential amenity in accordance with policy DM1.

## **6.6 Residential Quality of Accommodation**

- 6.6.1 Policies 3.5C and 7.6B of the London Plan (2016) and policy DM1 of the DMP are relevant in assessing the quality of accommodation provided and seek requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people's needs.

### *Room size and layout*

- 6.6.2 The table below illustrates the extent to which the proposed development would comply with the recommended room sizes of the London Housing Supplementary Planning Guidance (2016).
- 6.6.3 The internal floor areas would meet and exceed the minimum space standards as set out within the Mayors Technical Housing Standards – Nationally described (2016). Whilst there are some short falls with regards to storage space, all units which do not meet the prescribed standards exceed the minimum floor areas required and would therefore be capable of accommodating the short fall. As such, this in itself would not warrant a refusal. The sections provided indicate that the stacking arrangements would generally place habitable rooms above similar rooms and the same would apply for non-habitable rooms.

### *Dual aspect*

- 6.6.4 The SPG seeks to avoid single aspect dwellings where: the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful levels of external noise; or the dwelling would contain three or more bedrooms. Policy DM1 *Achieving a High Standard of*

*Development* undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers. All the units would be dual aspect as well as benefitting from private amenity spaces in the form inset balconies or winter gardens. An acceptable level of daylight and outlook would also be experienced by all habitable rooms thereby ensuring that the quality of internal accommodation would be acceptable.

### *Play Space*

- 6.6.5 London Plan Policy 3.6 and policies DM19 of Harrow's DMP require major residential development to provide dedicated play space. Harrow's Planning Obligations and Affordable Housing SPD require a minimum 4m<sup>2</sup> of dedicated play space per child, resulting in a total play space requirement of 46m<sup>2</sup>. This would be split between older (11-18 year old) children and younger (0-10 year old) children i.e. 6 m<sup>2</sup> for older children and 40m<sup>2</sup> for younger children.
- 6.6.6 The landscape plan indicates that the communal amenity area proposed would include 265m<sup>2</sup> of available play space, 88m<sup>2</sup> of which would be dedicated formal play space. This far exceeds the requirement set out by both national and local policies and is the provision is therefore acceptable.

### *Internal noise for future occupiers*

- 6.6.7 The SPG seeks to limit the transmission of noise from lifts and communal spaces to sensitive rooms through careful attention to the layout of dwellings and the location of lifts. The SPG also recognises the importance of layout in achieving acoustic privacy. Both of these points are picked up by Policy DM1 *Achieving a High Standard of Development* which undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers and, at paragraph 2.15 of the reasoned justification, echoes the SPG position on noise and internal layout.
- 6.6.8 The internal layout of each of the cores ensures that noise sensitive rooms such as bedrooms would be sited away from the lift shafts. Notwithstanding this, the site is located on a busy highway network, whilst the presence of winter gardens on the main exposed elevations i.e. north-west and south-west would go some way in noise mitigation, the Noise Impact Assessment Report states that the rooms facing these elevations would experience relatively high levels of noise due to their proximity to Alexandra Avenue and Eastcote Lane. However, the acoustic performance specification provided has appropriate mitigation measures for insulation to the balcony doors, window units and trickle ventilators which would ensure these levels would be acceptable particularly during resting and sleeping hours. As such, where necessary acoustic laminate would be provided to the windows on the most sensitive facades.

6.6.9 A condition requiring the proposed scheme to ensure implementation of the mitigation measures outlined within table 5 (page 14) and any other relevant measures stated as part of the submitted Noise Impact Assessment dated 15 March 2019 and prepared by ALN Acoustic Design is recommended to safeguard the amenity of future occupiers.

## 6.7 **Traffic, Parking, Access, Servicing and Sustainable Transport**

6.7.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. London Plan policies 6.3, 6.9 6.10 and 6.13 as well as Core Strategy policies CS1.R and CS1.Q aim to promote modal shift through the application of parking standards and implementation of a Travel Management Strategies.

6.7.2 The proposed development would provide parking spaces for a total of 13 cars, two of which would be blue badge holders, located to the front of the site. The Council's Highways Officer has raised three main points: 1) Parking Provision, 2) Car Park Layout; and 3) Cycle Parking. Each has been discussed in detail below. Similar concerns have been raised by residents primarily relating the level of car parking provision and the stress the development may cause to the wider area.

### *1) Parking Provision*

6.7.3 The Council's Highways Officer has stated that the Transport Assessment submitted as part of the proposal acceptably justifies the level of parking proposed at the site. The Officer acknowledged that whilst the proposed parking ratio at 0.5 is slightly lower than other nearby developments that have 0.8 (including the former Matrix Public House and former Eastcote Arms Public House), this higher ratio would equate to about 21 car parking spaces at the site. Notwithstanding this, the Transport Consultants have obtained census data for residents living in flats from 2011, and the likely number of parking spaces to be owned by future residents at the proposed development has been calculated using this. This shows that out of the 26 new households, 11 are anticipated to own one car and 2 are likely to own two cars. This amounts to a potential need for 15 car parking spaces. The Council accepts this to be the likely demand generated by the development in relation to car ownership for the area surrounding the site.

6.7.4 The Council's Highways Officer goes on to state that the proposed 13 spaces would still meet the demand but also encourage some transfer to sustainable travel modes and the potential overspill of two cars on the public highway could easily be absorbed without any noticeable impact. The parking surveys provided demonstrate that there is on-street capacity to accommodate any additional demand, albeit it is acknowledged that the situation may be altered since the parking demand survey was undertaken in 2017. Notwithstanding this, the site in its own right is not considered to cause a significant impact, however combined with other developments the impact may be greater, albeit this should not prejudice the future development of the current site.

Furthermore, when balanced against the Mayor's onus on modal shift as well as the high quality offer of communal amenity space and soft landscaping, it is considered that any additional on-site parking would compromise the wider benefits of this scheme, and weighing this planning balance the proposed parking provision is considered to be acceptable at this site.

#### *Car Park Layout*

- 6.7.5 The Council's Highways Officer requested that a revised swept path is provided to demonstrate the ability for larger vehicles to manoeuvre within the proposed car park. Whilst it shows that the space is tight, it demonstrates that the space provided could accommodate larger vehicles. Notwithstanding this, the Transport Consultants states that given the mix housing comprises primarily of one and two bedroom flats and only two family sized units, the need for larger estate cars would be less. The Highways Officer goes on to state that in spite of the above, it is expected that future residential consider their own parking needs before moving to such developments. In this regard, this aspect is considered to be acceptable.

#### *Cycle Parking*

- 6.7.6 It is considered that the proposed level of cycle parking would be acceptable, although long and short stay cycle parking appear to be combined. The draft London Plan requires developments of 5 to 40 dwellings to provide a minimum of two short stay spaces. The preferred location for these would be near the entrances for security and practicality reasons and should be separated from the residential long stay spaces. It is considered that a condition requiring details of these as well as for the external stores is recommended to be secured. The details would include the type of storage, stands, numbers and location.

#### *Servicing and Delivery*

- 6.7.7 Policy DM1 of the Harrow Development Management Policies Document (2013) states that proposals should have regard to the functionality of the development, including (but not limited to) the appearance, capacity, convenience, logistics and potential nuisance of arrangement for waste, recycling and composting. Waste and refuse collection would be collected on-street. It is proposed that two refuse areas located at the ground floor servicing Blocks A and B would be incorporated. In line with the Council's 'Code of practice for the storage and collection of refuse and materials for recycling in domestic properties' one 1100 litre waste bin and one 1280 litre blue bin is required for every eight flats. The development comprises 26 flats which would require approximately 6 bins (3 waste and 3 recycling bins). A holding area for the refuse is also provided close to vehicle entrance from the service road in Alexandra Avenue. As such, this element is considered to be acceptable.

- 6.7.8 The service and delivery plan submitted by the applicant states that the refuse collection would be undertaken from Eastcote Lane (in accordance with the existing arrangement) and from the service road on Alexandra Avenue. It is anticipated that the refuse collection would subsequently form part of the existing LBH refuse collection service which serves adjacent residential properties. It is considered that the proposed servicing arrangement would be satisfactory and would accord with the council's policies in this regard.
- 6.7.9 Concerns have been raised by residents about the number and type of deliveries anticipated as a result of the deliveries. The submitted Servicing and Delivery Plan indicates that the majority of daily deliveries will be from mini / transit vans. Notwithstanding this, it is considered that the service road to the rear of the site has a width large enough to allow for refuse and larger delivery vehicles should this be necessary. The report states that should any problems arise with the procedures contained in the plan the Delivery and Servicing Plan would be modified in agreement with the Council. A condition to this effect will ensure this is followed through.
- 6.7.10 Based on the above, subject to condition it is considered that sufficient information in relation to car parking, cycle provision, servicing and delivery and as such the proposal would not have an unacceptable impact on the safety and free flow of the public highway and would not accord with draft London Plan policies T5 and T6, London Plan Policies 6.3, 6.9 6.10 and 6.13, Core Strategy Policy CS1Q and R, and policies DM1, DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013).

### **Flood Risk and Development**

- 6.7.1 The site is not located within a flood zone. However, is located within a Critical Drainage Area and given the potential for the site to result in higher levels of water discharge into the surrounding drains, could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall.
- 6.7.2 The Council's Drainage Officer has confirmed that the drainage strategy supplied as part of the submission is satisfactory, however detailed drainage design in line the Council's standard drainage requirements should be submitted for approval by the Local Planning Authority. A standard drainage condition requiring the submission of surface water / attenuation / storage works are provided with details would therefore be recommended to be attached to any grant for approval, to prevent any increased risk of flooding. In addition, the Council have advised that Thames Water should be consulted regarding the capacity of their public sewers for receiving additional discharge from the proposed development. The letter from Thames Water confirming this should be submitted to the Local Planning Authority. An informative to this effect will therefore be attached.

6.7.3 Subject to safeguarding conditions the development would accord with National Planning Policy, The London Plan policy 5.12.B/C/D, and policy DM10 of the DMPD (2013), the proposal would be acceptable in terms of Flood Risk.

## **7.0 Ecology and Biodiversity**

7.1.1. Paragraph 175 of the NPPF states "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused." London Plan Policy 7.19 Biodiversity and Access to Nature as well as policy DM21 of the Harrow Development Management Policies echoes the need for development proposals to make a positive contribution to biodiversity and secure the restoration and re-creation of significant components of the natural environment as part of the design and layout of development.

7.1.2. There are a number of trees which would be removed as a result of the proposal these include five Category B trees, 22 Category C trees and shrub hedges as well as one Category U tree. Whilst the report finds the loss of these trees is not considered significant in terms of overall quality, the applicant proposes to mitigate against these losses provide a number of new trees hedges of robust species. This will also include the retained early mature Corkscrew willow, considered to be of high value within the existing site layout. The Council's tree officer has stated that as there are no Tree Preservation Orders (TPO's) on site and the trees marked for removal have no significant value the proposed works would be acceptable.

### *Biodiversity*

7.1.3. The site lies almost 500m from the closest SINC (Newton Park and Newton Ecology Centre) and the Council's biodiversity officer states that it is not anticipated that the proposals will have any impact on the interest of this or other sites designated for nature conservation.

7.1.4. The submitted Ecological Assessment of the site indicated that provided demolition and clearance are carried out in an appropriate manner, with particular regard to herpetofauna and breeding birds it should not have an impact on protected or notable wildlife. Notwithstanding the biodiversity officer notes that the submitted CEMP fails to address such considerations as detailed information as to the handling of biodiversity features or soft-landscaping on site has not been presented, but which would require remedying. Furthermore, the report presents some mitigation measures, however these have not been provided within the proposed scheme. As such, a pre-commencement condition requiring preparatory works on site within a revised CEMP which takes the recommendations in the report into account and how the proposal seeks to achieve this is considered reasonable.



- 7.1.5. The use of the biodiversity metric is welcomed but the small patches of amenity grassland and shrubbery in what will be a heavily used communal space is suggested to be removed from consideration by the Council's biodiversity officer. On its own, the metric also fails to take account the wider impacts on the natural environment, e.g. flood risk and climate change. However, it is considered that if properly implemented and maintained the proposals for a living roof, in combination with other measures, would provide adequate gain. As such, a management plan which could also form part of the full landscape management plan would be required to provide the Council certainty that the measures in place would be thereafter adequately maintained. Conditions to this affect are therefore recommended.
- 7.1.6. Subject to the conditions stated above, the proposal is considered to be acceptable with respect to ecology and biodiversity and in accordance with policies DM20, DM21 and DM22 of the Council's Development Management Policies Document (2013).

## **8.0 Sustainability**

- 8.1.1 Section 14 of the NPPF (2019), Chapter 5 of the London Plan (2016) and policies DM12 and DM14 of the Development Management Policies Document (2013) relates in part to supporting the use of renewable and low carbon energy and where possible development should incorporate renewable energy technology. Specifically, policy 5.2 of the London Plan (2016) sets out an energy hierarchy for assessing applications, as set out below:
- 1) Be lean: use less energy
  - 2) Be clean: supply energy efficiently
  - 3) Be green: use renewable energy
- 8.1.2 The applicant has submitted an Energy Statement (dated 20 March 2019) prepared by EB7. This largely follows the energy hierarchy as required by the London Plan. There are however some errors, inconsistencies and information missing in the document, for example, incorrect development description (from previous application), differences in overall carbon reductions achieved (Introduction compared to Summary & Conclusions) and the SAP calculations are not included in the Appendices. Additionally, whilst sample units have been modelled to enable calculation of the overall carbon emissions, these calculations are not provided. Inclusion of these calculations / 'workings' would assist in understanding why the current proposal (smaller than the previous refused scheme) produces more carbon emissions. Consequently, the Council considers it necessary to include a condition requiring submission and approval of a revised energy strategy, before the development reaches damp-proof course stage.
- 8.1.3 The energy strategy indicates limited scope for connection to a district heat network and this is considered a reasonable conclusion. The development will however include a communal heat network serving all units through efficient gas boilers and make provision for connection to a district heat

network in the future should one become available. These proposals are considered to meet the 'Be Clean' element of the energy hierarchy. The revised strategy (sought by condition) should however provide plans of safeguarding route/s for connection to a future district heat network.

- 8.1.4 In terms of the final element of the energy hierarchy ('Be Green') the energy strategy proposes solar PV panels; these are considered as reasonable technology given the site / context. These panels are expected to achieve a 32.92% reduction in carbon emissions. It is noted that compared to the energy statement for the previous application, fewer panels are propose but greater carbon reductions are indicated. Without the detailed SAP calculations, it is unclear as to why this is the case.
- 8.1.5 As a result of the proposed measures, an overall carbon reduction of 36.65% is achieved, which meets the minimum on-site requirements under the current and proposed London Plans. A review of the proposal suggests that there is limited scope for additional renewable energy proposals i.e. solar PVs cover all available roof space, car parking / hard standing / small sites make ground-source heat pumps difficult.
- 8.1.6 To achieve zero carbon development, 23.37 tonnes of carbon needs to be offset, at a rate of £1,800 per tonne (£60 / tonne / year over 30 years). Based on the energy strategy, this equates to a monetary contribution of £42,066; this should be secured by way of s106 agreement. Based on this and the above, subject to conditions the information supplied in relation to Energy and Sustainability is considered to be acceptable and would accord with the aims of the relevant policies.

## **9.0 Air Quality**

- 9.1.1 Policy 7.14B of the London Plan seeks to minimise increased exposure to existing poor air quality and make provisions to address local problems of air quality. The Policy states that development proposals should; promote sustainable design and construction to reduce emissions from the demolition and construction of buildings and be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality. Policy DM1 of the Development Management Policies (2013) also reinforces the view of assessing the impact of proposal on inter alia vibration, duct and air quality.
- 9.1.2 No Air Quality Report was submitted as part of this application and therefore no assessment was made or requested by the Council in relation to the proposed development. However, the units facing the main highway would incorporate winter gardens which would go some way in mitigating against unacceptable levels of poor air quality for future occupiers. The scheme is likely to include mechanical ventilators which would ensure the circulation of fresh air using ducts and fan systems. This would ensure that the scheme would be compliant with policy 7.14B of the London Plan (2016) and DM1 of the Development Management Policies Document (2013).

## **10.0 Statement of Community Involvement**

- 10.1.1 The NPPF, Localism Act and the Council's Statement of Community Involvement encourage developers, in the case of major applications such as this to undertake public consultation exercise prior to submission of a formal application.
- 10.1.1 Early engagement with local stakeholders was undertaken in advance of the planning submission. A consultation was distributed on 15 November 2017 to local residents and businesses. The letter provided a summary insight of the proposed development, notifying the local community of the proposal. The letter included CGI's of the proposal. A further consultation letter was distributed on 21 February 2018 to local residents with contact information in case of any queries. One response was received in relation to overlooking on 172 Alexandra Avenue and a response and responded by requesting further details, albeit no further details were received.
- 10.1.2 The applicant has sought to encourage public consultation in respect the proposal in line with the guidance set out in the NPPF and the Localism Act.

## **11.0 Accessibility**

- 11.1.1 Policy DM2 of the DMPD and policies 3.5 and 3.8 of The London Plan 2016 seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion. Policy CS1.K of the Harrow Core Strategy seek to ensure development complies with the requirements of Lifetime Homes. Supplementary Planning Document Accessible Homes 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'.
- 11.1.2 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building Regulation M4 (2) - 'accessible and adaptable dwellings'.
- 11.1.3 The Design and Access Statement has confirmed that the common areas within the building, including the stairwells corridors and lobbies, would be designed to comply with Part M of the Building Regulations and Wheelchair standards. The applicant has also indicated that all of the proposed flats would comply with Part M and some of them would be wheelchair adaptable.
- 11.1.4 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.

11.1.5 Accordingly, subject to compliance with this condition, it is considered that the proposed accommodation would be satisfactory and as such would comply with policy 3.5 of The London Plan (2016), standard 5.4.1 of the Housing SPG (2012).

## **12.0 Planning Obligations**

12.1.1 The Council has agreed the following as heads of terms under a Section 106 agreement to be completed prior to determination of this application with the applicant. These have been set out above under Recommendation A of this report. As such, subject of the agreement the proposal is considered to accord with the policy requirements of policy DM50 of the Development Management Policies Document, which seeks planning obligations to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

## **13.0 Consultation Responses**

13.1.1 The Council concurs with the majority of comments raised by internal Consultees and these have been drawn upon within the report in detail.

13.1.2 The comments received by local residents as part of the consultation have been reviewed and all planning considerations have been acknowledged and addressed within the report.

## **14.0 CONCLUSION AND REASONS FOR APPROVAL**

14.1 It is considered that the proposal would contribute to a strategically important part of the housing stock within the Borough and would make a positive contribution to the residential and commercial environment, consistent with the regeneration aspirations of the opportunity area. The development would provide a good quality of accommodation for the occupiers of the property, whilst not unduly impinge on neighbouring amenities. Accordingly, the development would accord with development plan policies and is recommended for approval.

**14.2** For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above. In conclusion, subject to the imposition of relevant conditions, the proposal is considered acceptable in terms of the above and is not contrary to the aims and objectives national, London and local policies.

## APPENDIX 1: CONDITIONS AND INFORMATIVES

### Conditions

#### 1 Timing

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

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

#### 2 Approved Plans and documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: IF 17-04/001, IF 17-04/002 Rev B, IF 17-04/003 Rev A, IF 17-04/400, IF 17-04/401, IF 17-04/100 Rev B, IF 17-04/101 Rev A, IF 17-04/102 Rev A, IF 17-04/103 Rev A, IF 17-04/104 Rev A, IF 17-04/200 Rev B, IF 17-04/201 Rev B, IF 17-04/202 Rev C, IF 17-04/203, IF 17-04/300 Rev A, SK04, LC4415EW, Proposed Landscaping Rev A, Design and Access Statement incorporating landscape design dated April 2019, Daylight and Sunlight Assessment dated March 2019, Energy and Sustainability Statement dated 20<sup>th</sup> March 2019, Planning Statement dated May 2019, Tree Survey and Arboricultural Method Statement dated April 2019, Noise Impact Assessment Report dated 15 March 2019, Surface Water Drainage Strategy dated April 2019, Foul Sewage and Utilities Assessment dated May 2019, Affordable Housing Viability Submission dated May 2019, 'Order of cost estimate' dated 12<sup>th</sup> April 2019, CBRE letter dated 20 April 2019, Development Appraisal dated 13 May 2019, Explanatory Notes dated May 2019, Preliminary Ecological Appraisal dated April 2019, Delivery and Servicing Plan dated April 2019, Transport Assessment dated April 2019, Outline Construction Logistics Plan dated August 2019

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

#### 3 Construction Management Plan

No development shall take place, including any works of demolition, until a Construction Method Statement & Logistics Plan 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.

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.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers, in accordance with Policy DM1 of the Local Plan, 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 Local Plan. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development.

#### 4 Site Levels

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

REASON: To ensure that 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

#### 5 Ecological Management Plan

Prior to any part of the development proceeding above foundation level, the applicant will submit to the Council for approval in writing, a detailed Ecological Management Plan including full plan drawings and technical specifications, in relation to the ecological mitigation and enhancement measures to be delivered as part of the development scheme during the establishment phases. Matters to be covered in this document and any supporting information will include but won't be limited to:

- a. The number, type and placement of shelters/refugia for birds, mammals and invertebrates. With regard to the suggested boxes, the final scheme should include boxes for swifts (4+ double or treble boxes), house sparrow (3 terrace boxes), robin (1) and tits (3). Schwegler multiple swift boxes with entrance roses to preclude occupation by other species (or equivalents) would be favoured. For bats a group of 3 interconnecting 'bat tubes' and a group of 3 Schwegler 2FTH Universal Summer Bat boxes. All boxes on buildings to be permanently incorporated within the fabric of the building at the time of construction.
- b. The build-up of the biodiverse roof (including sections), the substrate, mix of seeds and plants to be sown/planted and other features to be incorporated within it;
- c. the site's key features of ecological interest and any opportunities for ongoing enhancement;
- d. how these features will be managed and monitored to maintain and enhance their value, including any replacements during the establishment phase (to run

- for three years from the commencement of construction)
- e. a month by month and year by year schedule of the timing of operations and who has responsibility for these and for ensuring they are undertaken and how the plan will be updated at 5 year intervals; and
  - f. how these operations will be funded over the lifetime of the new development, during and following construction.

REASON: For the purpose of proper planning and to ensure that the scheme meets local, London and national planning policy requirements with respect to protection and enhancement of biodiversity and the natural environment.

6.

#### Flood risk and Development

Notwithstanding the approved plans, the development hereby permitted shall not commence until details for a scheme for works for the disposal of foul water, surface water and surface water attenuation and storage works on site as a result of the approved development shall be submitted to the local planning authority to be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To 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

7.

#### Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below (but not limited to) have been made available to view on site, and approved in writing by, the local planning authority:

- a: facing materials for the building, including down pipes
- b: windows / doors
- c: boundary treatment
- d: ground treatment
- e: hard landscape 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.

8.

#### Secure by Design

Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the development shall be installed in accordance with details to be agreed in writing by the local planning authority. The applicant shall apply for a Secured by Design Certification which shall be submitted and approved in writing by the local planning authority, or justification shall be submitted where the accreditation requirements

cannot be met. Secure by design measures shall be implemented where practical prior to the occupation of the development and the development shall be retained in accordance with the approved details.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy DM2 of the Harrow Development Management Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

9. Communal Television Equipment

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

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

10. Window Detail

Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not progress beyond damp proof course level until there has been submitted to and approved in writing by the Local Planning Authority detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations. The development shall be completed 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.

11 Flues and Pipework

The use hereby approved shall not commence until detailed ventilation, extraction and associated flue system(s) have been installed in accordance with details that shall have first been submitted to, and agreed in writing by, the local planning authority. The details shall include the discharge output of the system(s), the height of the flue, the methods for attenuating noise and vibration from the system(s), and the siting and external appearance of the system(s). The systems so agreed shall thereafter be retained in connection with the use hereby approved.

REASON: To ensure that any noise and odour impacts of the use are appropriately mitigated, and to ensure that the external siting and external appearance of the ventilation, extraction and associated flue system(s) achieve a high standard of



design and amenity, in accordance with Policies 7.6, 7.14 and 7.15 of the London Plan (2015) and Policies DM 1 and DM 38 of the Harrow Development Management Polices Local Plan (2013).

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved, unless otherwise approved by the Local Planning Authority.

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

12. Refuse Storage

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

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

13. Flood Risk and Development

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.

14. Restriction to Telecommunication Items

Notwithstanding the provisions of the Electronic Communications Code Regulation 5 (2003) in accordance with The Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Schedule 2, Part 16, Class A of that order shall be carried out in relation to the development hereby permitted without the prior written permission of the local planning authority.

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

15 Accessibility

The development hereby permitted shall be constructed to include 90 per cent of the new homes to meet Building Regulations requirement Part M M4(2) 'accessible and adaptable dwellings' with the remaining 10 per cent meeting Building Regulations requirement Part M M4(3) 'wheelchair user dwellings' and thereafter retained in that form..

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards in accordance with policies 3.5 and 3.8 of The London Plan (2016), policy CS1.K of The Harrow Core Strategy (2012) and policies DM1 and DM2 of the Development Management Policies Local Plan (2013)..

16 Delivery & Service Plan

The Delivery and Servicing of the site shall be carried out in accordance with the Delivery and Servicing Plan prepared by YES, dated April 2019 hereby approved and shall be adhered to thereafter.

REASON: To ensure that the development does not harm the safety and free flow of the public highway.

17. Acoustic Fence

The development hereby approved shall not progress beyond damp proof course level until a scheme which specifies the provisions to be made for the control of vehicle noise emanating from the residential car park accessed via the service road from Alexandra Avenue, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical, administrative measures, noise limits and other appropriate measures. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures thereafter prior to the first occupation of the development.

All other measures outlined within the approved Noise Report, in particular the acoustic performance specification set out in table 5 on page 14 for the external glazed elements shall be carried out in accordance with this document unless otherwise approved by local planning authority.

REASON: To safeguard the amenity of neighbouring residents and in particularly nos. 170 and 172 Alexandra Avenue, thereby according with policy DM1 of the Harrow Development Management Policies (2013).

18. Hard and Soft Landscaping

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 Landscape Management Plan and Landscape Maintenance Plan shall be carried out in a timely manner as approved.

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

19. Landscaping Scheme

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).

20. Energy Statement

The development hereby permitted shall not progress beyond damp proof course stage until a revised Energy Strategy is submitted to and approved by the Local Planning Authority.

REASON: To ensure that the development makes appropriate provision for the minimisation of carbon dioxide emissions in accordance with Policy 5.2 of the London Plan (2016) and policy DM12 of the Harrow Development Management Policies (2013).

21. Obscure Glazed Window

The window(s) in the flank wall(s) above ground floor level adjacent to properties 141 and 139 Eastcote Lane and only those units served by Block A shall be:

- 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 at nos. 141 and 139 Eastcote Lane and the rear gardens of properties along Eastcote Lane, thereby according with policy DM1 of the Harrow Development Management Policies (2013).

22. Electric Charging Points

Notwithstanding the approved plans, prior to construction of the development beyond damp proof course level, details of electrical car charging points to be installed in at least 20% of the car parking area on site (with capacity for an additional 20% passive spaces) shall be 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 in place prior to first occupation of the development and shall be retained as such thereafter.

REASON: To ensure that the development achieves suitable levels of electrical car charging points consistent with Policy 6.13 of the London Plan.

## **Informatives**

### 1 **Policies**

The following policies and guidance are relevant to this decision:

#### **National Planning Policy Framework (2019)**

##### **The London Plan (2016)**

3.5, 3.6, 3.8, 3.11, 3.12, 5.2, 5.3, 5.6, 5.12, 5.13, 5.14, 6.3, 6.9 6.10, 6.13, 7.2, 7.4B, 7.6B, 7.14, 7.19

##### **Draft London Plan (2017)**

T5, T6

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

CS1 Overarching Policy

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

DM1, DM2, DM10, DM12, DM14, DM19, DM21, DM22, DM24, DM27, DM42, DM38, DM44, DM45, DM50

##### **Supplementary Planning Documents**

Supplementary Planning Document: Residential Design Guide (2010)

Mayor of London's Housing Supplementary Planning Guidance (2016)

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

### 2 **Grant with pre-application advice**

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

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

### 3 **Mayor CIL**

Please be advised that approval of this application by Harrow Council will attract a liability payment £119,038.80 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £29,880.00 plus indexation for the application, based on the levy rate for Harrow of £60/sqm and the stated increase in floorspace of 2,324.23m<sup>2</sup>

You are advised to visit the [planningportal](#) website where you can download the appropriate document templates.

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

#### 4 Harrow CIL

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

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;  
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;  
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm  
All other uses - Nil.

The Harrow CIL Liability for this development is: £314,691.11 with indexation.

#### 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 Surface Water

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email [infrastructure@harrow.gov.uk](mailto:infrastructure@harrow.gov.uk) with your plans.

9

## SUSTAINABLE URBAN DRAINAGE

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 (2012) 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.

#### Thames Water Consent

The applicant should also consult Thames Water developer services by email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) or by phone: 0800 009 3921 or on Thames Water website [www.developerservices.co.uk](http://www.developerservices.co.uk) regarding capacity of their public sewers for receiving additional discharge from the proposed development. The Thames Water confirmation letter should be submitted.

#### 11 Street Naming And 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](mailto:technicalservices@harrow.gov.uk) or on the following link.

[http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

Checked:

Interim Chief Planning Officer	Beverley Kuchar	03/10/19
Corporate Director	Paul Walker	04/10/19



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