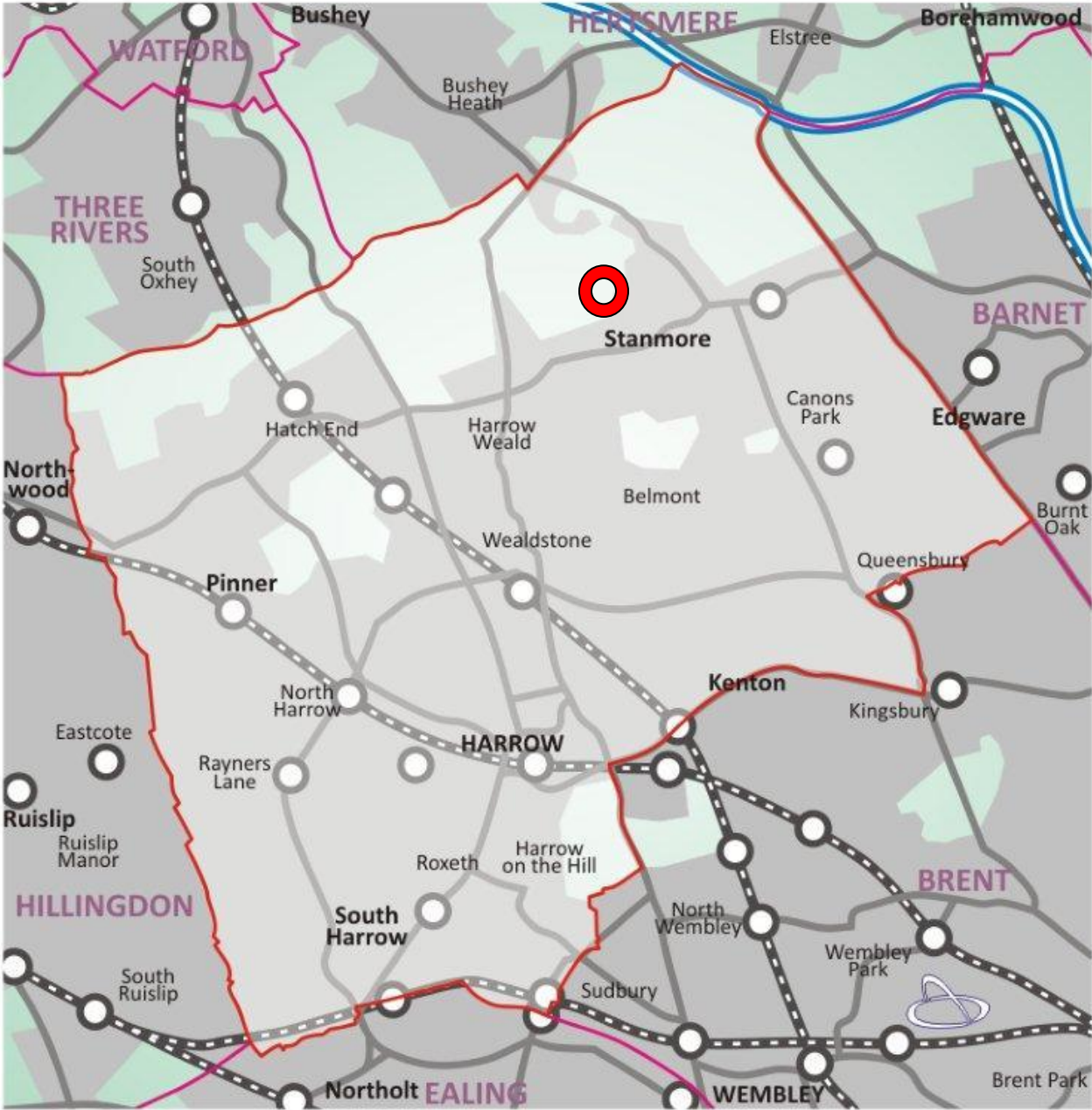
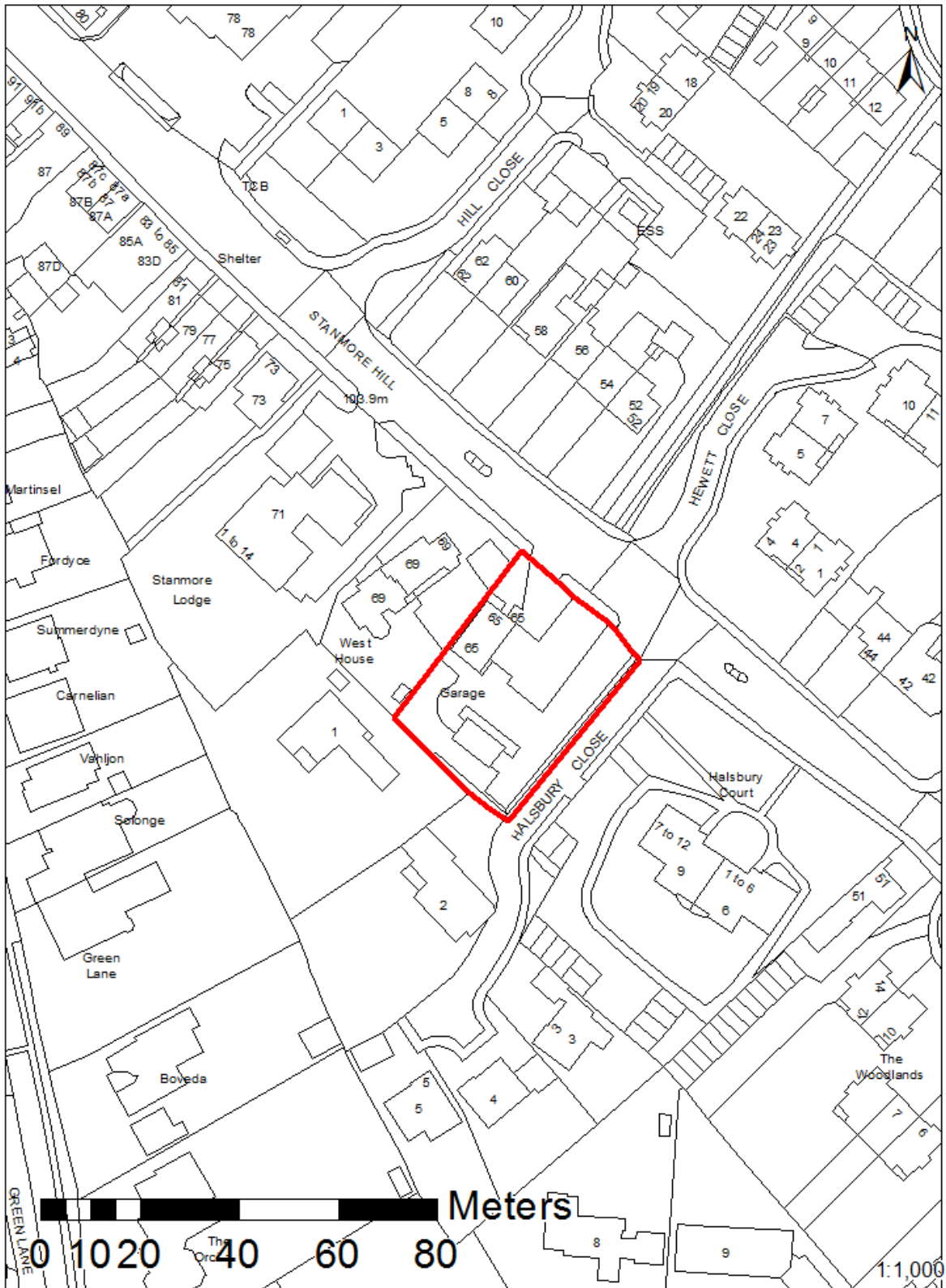


 = application site



<b>65 Stanmore Hill</b>	<b>P/0310/19</b>
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# 65 Stanmore Hill



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

22<sup>nd</sup> January 2020

**APPLICATION NUMBER:** P/0310/19  
**VALIDATE DATE:** 06/02/2019  
**LOCATION:** 65 STANMORE HILL  
STANMORE  
  
**WARD:** STANMORE PARK  
**POSTCODE:** HA3 8RQ  
**APPLICANT:**  
**AGENT:** HGH CONSULTING  
**CASE OFFICER:** FAYE MCELWAIN  
**EXPIRY DATE:** 20/12/2019 (Extended to 31<sup>st</sup> January 2020)

### PROPOSAL

Redevelopment to provide single, two and three storey building to create place of worship (Class D1) on ground floor and nine flats on first and second floors (3 x 1 bed, 6 x 2 bed); Landscaping; Parking; Refuse and Cycle storage; Front boundary treatment

### RECOMMENDATION A

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report, and
- 2) grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

## **Land Swap**

The developer shall enter into a s106 agreement to ensure that the proposed scheme will be implemented in conjunction with the scheme at 39 Bessborough Road:

P/0308/19 - Redevelopment to provide part 5/part 6 storey building comprising of 40 flats (15 X 1bed, 19 X 2 bed and 6 X 3 bed); cycle and bin stores; parking (demolition of Synagogue).

P/0308/19 (Bessborough Road) shall not be occupied until P/0310/19 (65 Stanmore Hill) has been fully implemented.

## **MATTERS SPECIFIC TO 65 STANMORE HILL (P/0310/19)**

### **CPZ Review**

A monetary contribution of £10,000 to investigate the need to make changes to the CPZ which would include surveys undertaken post occupation. Should the surveys demonstrate a need for changes, a further £40k would be required. The actual costs of all associated works will be disclosed to the developer and any costs will be paid back if the scheme comes in below the £50k figure.

### **Travel Plan and Event Management Plan**

A Travel Plan and Event Management Plan for the synagogue and a travel plan for the residential element to be submitted to the Council prior to the first occupation of the building and to be implemented as approved unless otherwise agreed in writing.

A travel plan bond of £10,000 to secure the implementation of all measures specified in the agreed Travel Plan.

In addition a £5,000 monitoring fee is required to cover the cost of monitoring the travel plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site.

Should the travel plan not fulfil its agreed targets by year 5, the life of the travel plan may be extended, the cost of which will be met by the developer.

### **Legal Costs, Administration and Monitoring**

A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further financial obligation (equivalent to 5% of the overall financial contribution) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

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

## **MATTERS SPECIFIC TO BESSBOROUGH RD (P/0308/19)**

### **Carbon Offset**

A carbon offset contribution of £41,040 to be paid prior to commencement of the development. The obligation should also require that upon completion of the development, the developer is to submit final Building Regulations Part L calculations (as-built) confirming the carbon emissions reductions achieved and the emissions that need to be offset. This should be compared against the energy strategy and any requirement beyond that already offset (22.8 tonnes) addressed through an additional offset payment calculated at a rate of £60 / tonne to be offset, over 30 years (i.e. £1,800 per tonne).

### **Affordable Housing**

6X3 bed shared ownership units to be provided on site. If in the event the units cannot be provided on site or that that if by occupation of 75% of the market units the applicant has not secured a Registered Provider, the monetary contribution for the comparable amount shall be sought.

### **Play Space**

In the event that suitable play space is not provided on site the developer to pay the sum of £3600 to ensure that provision is made elsewhere in the Borough.

### **Parking Permits**

Restriction of parking permits for future occupiers.

### **Travel Plan**

A Travel Plan Statement for the development to be submitted to the Council prior to the first occupation of the building and to be implemented as approved unless otherwise agreed in writing.

A travel plan bond of £10,000 to secure the implementation of all measures specified in the agreed Travel Plan.

In addition a £5,000 monitoring fee is required to cover the cost of monitoring the travel plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site.

Should the travel plan not fulfil its agreed targets by year 5, the life of the travel plan may be extended, the cost of which will be met by the developer.

## **RECOMMENDATION B**

That if, by 4<sup>th</sup> February 2020 or such extended period as may be agreed in writing by the Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, transport and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies 6.3, 6.9, 6.13 and 8.2 of The London Plan (2016), policy CS1 R of the Harrow CS (2012) and Policies DM1, DM 46 and DM50 of the Harrow Development Management Policies Local Plan (2013).

## **INFORMATION**

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

Due to the election on 12<sup>th</sup> December and the election purdah period the consideration of this application was deferred until after the first committee following the election.

Statutory Return Type:	E13 Minor Dwellings
Council Interest:	None

GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£87,000
Local CIL requirement:	£135,458.13

(Based on net additional floor space of 854 sqm in Class C3 and 596 sqm in Class D1)

## **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**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises 0.13 hectares of land which was formally occupied by a petrol filling station with ancillary car wash and retail unit on the junction with Stanmore Hill and Halsbury Close.
- 1.2 The site is to the north of Stanmore Town Centre and the surrounding area is predominantly residential in character with a variety of architectural styles and dwelling types.
- 1.3 The surrounding area has significant heritage value. Whilst the site itself is not included, the site is surrounded on each boundary by the conservation area. In addition, to the south west of the site is 1 Halsbury Close which is a Grade II listed modernist house. No.s 42, 44 , 52, 54 and 56 are also Grade II listed buildings in the vicinity of the site.
- 1.4 There is a Tree Preservation Order on a group of six lime trees that on the south east boundary of the site.
- 1.5 The site is bordered by brick walls of approximately 3m in height on the north west and south west boundary and there are a number of trees surrounding the site.
- 1.6 There is currently one access and one egress point for the former petrol station on Stanmore Hill.

### **2.0 PROPOSAL**

- 2.1 It is proposed to redevelop the site to provide a new part two part three storey building comprising a Synagogue at ground floor and nine self-contained flats over the first and second floor. The building is proposed to allow the mosaic Reform Synagogue with its community of three constituent synagogues to relocate from their Harrow site at 39 Bessborough Road. The proposal is submitted in parallel with an application at the Bessborough Road site (P/0308/19 - Redevelopment to provide part 5/part 6 storey building comprising of 40 flats (15 X 1bed, 19 X 2 bed and 6 X 3 bed); cycle and bin stores; parking (demolition of Synagogue)
- 2.2 The proposed synagogue at ground floor contains six halls divided by foldable walls and ancillary administrative office, kitchen cloakroom and toilets. The flats consist of six 2 bed and three 1 bed units.
- 2.3 Twenty car park spaces, to include two disabled spaces, are proposed to the rear of the site accessed from a new access from Halsbury Close. Nine spaces are allocated to the residential use and the remainder for the synagogue. Bicycle storage for 18 long stay and 8 visitor places are proposed beside the residential entrance to the new building.

2.4 Separated refuse and waste storage is provided for the residential flats and the synagogue. The synagogue storage is beside the north west boundary and the residential storage is beside the proposed building to the south west of the site.

2.5 A number of revisions have been made during the application process. The main alterations are listed below:-

Received 10/07/2019 – Revisions to the heritage statement and submission of the Draft Events Management Plan. External alterations to include alterations to the bricks and refuse details.

Received 08/07/2019 – The first floor has been set in 3m from the ground and first floor away from the boundary with Halsbury Close. Eight units proposed consisting of 6 two bed, 1 three bed and 1 1bed flats.

Received 18/09/2019 – The second floor further reduced. The number of units reverted to nine smaller units consisting of 6 two bed and 3 1 bed flats.

### **3.0 RELEVANT PLANNING HISTORY**

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

LBH/35837 – Redevelopment as Petrol Station

Refused 21/07/1988

LBH/2933/7 – Erection of 2 petrol filling pump islands with canopy over

Granted 07/10/1976

HAR/5588 – Erect Garage Repair Workshop

Granted 12/10/1951

LBH/2933 – Construction of new pump island and canopy and alterations and extension to showroom.

Granted 06/08/1968

LBH/5437/H – Construct three 2000 gallon petrol storage tanks

Granted 12/04/1961

### **4.0 CONSULTATION**

4.1 A total of 205 consultation letters were sent to neighbouring properties regarding this application and site notices were put on lamp posts in the vicinity of the site in addition to relevant adverts in local papers.

4.2 There have been four rounds of consultation to reflect the amendments to the scheme. The overall public consultation period expired on 3 October 2019.

4.3 155 letters of support including a 17 page petition consisting of 213 signatures and 51 Objections were submitted in the first round of consultation including objections from the Stanmore Society and Elms Pak Residential Association (06/02/2019).

4.4 15 letters of objections and one letter of support were submitted on the second round of consultation (24/05/2019) and 15 letters of objection were submitted on



the third round of consultation (18/07/2019) and nine objections were received on the final round (19/09/2019)

#### 4.5 Summary of responses

##### **Support**

The proposal will remove an eyesore and replace with a quality building which is sympathetic to the area.

The proposed flats will create much needed accommodation

The location is more convenient for the Jewish community than the Bessborough Road site.

Public transport to the site is convenient and accessible.

*Petition – ‘We the undersigned strongly SUPPORT the proposed redevelopment of the BP Petrol Station Stanmore Hill, which will remove an unsightly and busy site, with a new synagogue for the long standing Harrow Jewish Community, in a location more accessible to its current membership, in a new high quality designed, secure and sustainable building, which will meet the Mosaic’s long planned relocation aspirations and provision of nine much needed residential hones in Harrow Borough.’*

##### **Object**

The building is out of character, bringing the building up to the pavement is not sympathetic.

Public transport is poor so most people will drive to the site.

Twenty parking spaces is insufficient for the building.

Overspill parking will occur to surrounding areas.

Access on Halsbury Close is inappropriate would lead to congestion and road safety issues (amended plans have not dealt with this).

Intensification of the site.

Loss of petrol station and convenience store is detrimental to local residents.

Impact on air quality.

Impacts on listed 1 Halsbury Close and the conservation area.

Overshadowing to 69 Stanmore Hill

Issues for emergency services and refuse vehicles accessing the site.

Loss of employment (petrol station)

The submitted Transport Statement is flawed.

Potential for much larger attendance than stated in the supporting documents.

#### 4.6 Statutory and Non Statutory Consultation

The following consultations have been undertaken:

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

### LBH Highways –

Highways have no objection subject to relevant conditions and obligations being applied

It is accepted that while the proposals will result in a significant reduction in vehicle movements in comparison with the existing use as a filling station, the proposed use has the potential to have more of an impact in relation to parking.

The proposed level of parking is considered to be acceptable for regular services as the relocation of the synagogue means that it is better located for the congregation which gives greater opportunity to travel using more sustainable modes. It is important to consider, that by relocating, it is possible that the congregation who attend could increase. In order to verify where the current congregation live, a postcode plot could be provided as part of the travel plan. This would help to determine what travel options are available and concentrate efforts to encourage modal shift based on this information. This is in line with the Mayors Transport Strategy and draft London Plan policies which seek to encourage modal shift and reduce reliance on cars.

High Holy days are likely to see an increase in attendance but the proposed event management plan includes measures that would reduce the impact. More work needs to be done on this to establish firm options for alternative parking locations as St John's School have not yet been approached in relation to the use of their car park; the rugby club is a bit far to walk for some people, furthermore, the car park may not be available due to prior commitments; the Sainsbury's car park has a time limit on use (90 minutes) and the Anmer Lodge development will alter existing parking provision for the town centre in general, although public car parking will be retained. This plan can be agreed in due course.

In order to minimise the impact of on-street parking in the surrounding CPZ it will be necessary to review the effects of the development once it is operating. We intend to seek a contribution to carry out a review of the CPZ in the immediate vicinity and would require a subsequent contribution towards the cost of implementing changes should it be determined necessary. This is to ensure that existing residents are able to continue to park safely and efficiently in accordance with Policy T6, draft London Plan.

In terms of a travel plan, passive electric vehicle charge points needs to be revised in line with draft London Plan standards; a travel plan statement for the residential element and a full travel plan for the Synagogue are required. Further obligations may be required in relation to the Travel Plans e.g. monitoring and bonds.

Noted and conditions attached

### LBH Conservation Officer –

Following amendments to the originally submitted scheme it is considered that whilst there would be less than substantial harm, this is to be weighed up against public benefits in this instance - this is addressed in detail in section 6.3 of the report.

LBH Biodiveristy Officer–

The development site is 260 metres away from the nearest designated wildlife site (Pearwood and Stanmore Country Park) and there would be no direct impact on sites of conservation.

The development would have a limited impact on biodiversity , with the loss of some trees and soft landscaping. This would not be adequately addressed by the inclusion of a few nestboxes and the replacement of established trees identified for removal.

The new building has the potential for both a living roof at the upper level and sections of living wall. It would also be possible to incorporate solar panels within the roof set up.

Noted and conditions attached.

LBH Arboricultural Officer:-

No objection: - The above proposals would not affect the TPO'd Limes on the side boundary of this site directly, and they are shown as being retained – space during construction is likely to be limited.

Noted and condition added

LBH Landscape Architect -

The soft landscape proposals are limited and the majority of the site is covered by the proposed building, car parking and hard landscape, dominating the streetscene. The minimal strips of soft landscape would do little to enhance or improve the setting of the proposed development. The lack of soft landscape setting around the proposed built form would be out of character with the surrounding area.

A reduction in the footprint of the building would enable a more meaningful and enhanced landscape setting and the soft landscape to be increased in extent –be an improvement to the streetscene and would help to enhance the biodiversity of the area.

Details of green roof required. If the application is granted soft and hard landscape conditions would be required. In addition to landscape management plan and levels plan.

Noted and conditions added.

LBH Environmental Health -

The identified contamination is quite limited but being a fuel station with buried infrastructure they are not really sure what they may come across- the saving grace being that they will concrete over much of it. A customised condition to address the contamination issues is required.

Noted and Condition added

Historic England – no comments.

## **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), 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 originally published in draft form in December 2017 and subject to Examination in Public (EiP), with the Panel's report published in October 2019. The Plan (Consolidated Suggested Changes Version published in July 2019) holds some weight in the determination of planning applications, although lesser weight will be given to those areas of the plan that are recommended to be amended in the Panel's report.

5.6 Notwithstanding the above, the Draft London Plan remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of the Development
- Design and Character of the Area
- Residential Quality
- Refuse and Servicing
- Traffic Safety and Parking
- Trees and Landscaping
- Accessibility
- Energy and Sustainability
- Development and Flood Risk

- Secure By Design
- Conclusions

## 6.2 Principle of Development

6.2.1 The relevant policy is Policies DM 46 and DM 47 of the Development Management Policies Local Plan (2013).

### 6.2.2 Synagogue (ground floor)

6.2.2 It is proposed that the mosaic synagogue is to be relocated from their current site on Bessborough Road. The application has been submitted in conjunction with an application for flats at the Mosaic Synagogue in Harrow.

P/308/19 - Redevelopment to provide part 4/part 5 storey building comprising of 40 flats (15 X 1bed, 19 X 2 bed and 6 X 3 bed); cycle and bin stores; parking (demolition of Synagogue)

It is proposed to re-site the existing synagogue at the subject site as part of land swap. Therefore there will be no net-loss in D1 provision. The supporting information suggests that the Stanmore site is better located to serve the current users of the synagogue than the Bessborough Road site and that the proposal will secure an enhanced premises for the community. The synagogue has been designed with members of the Mosaic Community to provide a place of worship to effectively meet their needs. The Mosaic Community consists of three constituent communities and the synagogue is designed to be multi purpose and flexible with folding walls and ancillary facilities to fully meet the needs of the three constituents. It is considered the modernised facilities would better accommodate the Mosaic community and will be of significant benefit to its patrons.

6.2.3 Although the proposed site is outside of Stanmore Town Centre and the public transport accessibility is lower than the current site, the amount of support from the Jewish community strongly suggests that the re-provision would be better located in terms of the community it is intended to serve. Therefore it is considered that the proposal would secure enhanced re-provision and improved accessibility for the Mosaic community.

6.2.4 The proposed Section 106 would ensure that the scheme for the synagogue was implemented to allow the demolition for the synagogue at the Bessborough Road site and for its use as residential to be acceptable in policy terms. As such the principle of re-locating the synagogue in this location is considered to be acceptable in principle, subject to entering into the section 106 agreement, in accordance with the relevant local policies.

6.2.5 The relevant policy is CS1 of the Core Strategy (2012).

### 6.2.6 Flats (upper floors)

It is considered that the proposal would provide an increase in smaller housing stock within the Borough which is in accordance with the aims of the development plan. The site is within a predominantly residential area and there are no designations on the site preventing residential development. Therefore the principle of flats on the site is acceptable.

6.2.7 For the above reasons, provided the scheme complies with all other relevant policies, the principle of the proposed development is acceptable.

### 6.3 Design and Character of the Area/Heritage Assets

The relevant policies are the NPPF (2019) Policies 7.4B and 7.8 of the London Plan (2016); Nationally Described Space Standards; Core Policies CS1B and CS1D of the Core Strategy (2012) and Policies DM1 and DM7 of the Development Management Local Plan (2013), the Harrow Residential Design Guide (2010).

6.3.1 The site, whilst not in the Conservation area, is surrounded by it on all boundaries. Beyond the south west boundary to the site is 1 Halsbury Close which is a Grade II listed building. This is a 1930s building and its special interest relates to its many hallmarks of the Bauhaus style, including clean lines, a sharp angular silhouette and linear strips of Crittall-framed glazing. Currently when viewed from the garden there is no built form in the background interrupting / or forming part of these views. This helps complement and set off the sharp style that is the core of its special interest and allows all focus to be on the simple and striking form of the building.

6.3.2 It is acknowledged that a three storey building on the site will have some impact on the setting of the listed building. However, it is considered that throughout the application process, the applicant has addressed the concerns raised by the Council's Conservation Officer. The harm to the listed building has been minimised by setting the first and second floor away from the south west boundary with the listed building and minimising the number of openings on the south west elevation to present a simple uncluttered elevation. As noted above the significance of the listed building is its architectural and historical significance. The dwelling is already within a semi-urban setting and it is considered that the house would remain the focal point in views of the building towards the application site. It is therefore considered that the significance of the listed building will not be lost by the proposed development.

6.3.3 On the opposite side of the road are other grade II listed buildings (52-54 Stanmore Hill, 56 Stanmore Hill and Goodengate). These are considered to be of a sufficient distance from the proposed development that their setting will not be affected.

- 6.3.4 The building is of a contemporary style with the synagogue appearing as the base of the building with the residential floors above creating a clear distinction between the synagogue and the residential elements. From Stanmore Hill the building will appear as a three storey building and will have a significant presence in the street scene. The building comes close to the pavement frontage, assisting in establishing its presence in the street scene, whilst the stepped two and three storey elements to the rear significantly break down the bulk to the rear. The frontage is marked with brick wall and railings which are complimentary to the overall design ethos of the building. It is considered that the proposed building dramatically improves the appearance of the site, when compared to the existing petrol station which appears as a blight to the Conservation Area. The proposal effectively provides contrast with the traditional dwellings in the surrounding area whilst minimising the impact on the listed building to the rear of the site.
- 6.3.5 The final palette of materials for all parts of the development will be subject to a condition requiring samples and further information on specific detailing of the materials.
- 6.3.6 Accordingly, when considering the character and massing of surrounding development, the height and proportions of the proposed development is considered acceptable. It is considered that any harm to the heritage assets would be outweighed by the clear public benefits in the provision of the new facility. Therefore in respect of character and design the scheme complies with the relevant policies.

#### 6.4 Refuse and servicing

The relevant policies are Policy 7.4B of the London Plan (2016); Core Policy CS1B of the Core Strategy (2014) and Policies DM1 and DM45 of the Development Managements Local Plan (2013).

- 6.4.1 The proposal demonstrates that waste and recycling facilities for the residential units would be located within a secure location near the access. The refuse storage for the synagogue is proposed in front of the dwelling.
- 6.4.2 The proposed plans indicate a satisfactory level of refuse facilities for the flats and synagogue. These have been separated and as such it is considered that the proposed location is considered acceptable. A condition has been added to ensure a suitable finish to the stores is achieved.
- 6.4.3 In conclusion, the proposed development would provide a good quality development on the site. The design of the building would add positively to the built form, setting out a high quality design and would be in keeping with the character of the conservation area. It is considered that the development would accord with the relevant policies.

## 6.5 Residential Quality

### *Residential Amenity Space of Future Occupiers*

The relevant policies are Policies 3.5 and 7.6B of the London Plan (2016); Core Policy CS1B of the Core Strategy (2014) and Policy DM1 of the Development Managements Local Plan (2013).

- 6.5.1 The proposed development would comply with the recommended minimum room sizes of the London Housing Supplementary Planning Guidance (2016).
- 6.5.2 In addition, the proposed flats would meet the gross internal floor area requirements for flats of their respective occupancy levels. Each of the rooms provided would have a functional layout and would have an adequate outlook and receive a satisfactory level of natural light. The floor to ceiling heights meet the minimum requirements. It is considered that the proposed living accommodation provided is acceptable and would accord with the relevant policies.
- 6.5.3 The proposed floor plans demonstrate that there would be an acceptable vertical stacking between the proposed units with bedrooms and living rooms broadly stacked above one another. It is therefore considered that there would not be an unreasonable level of noise transfer between the flats.
- 6.5.4 It is therefore considered that the proposed accommodation would create a satisfactory standard of amenity and would comply with the relevant policies.

### 6.5.5 Impact of Synagogue of New Flats

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

The proposed place of worship on the ground floor will be below the flats on the first floor which could have an impact on the amenity of the future occupiers of these flats. The applicant has submitted a noise report which concludes that any adverse impact as a result of noise can be minimised for the residential development (such as enhanced glazing and acoustically rated ventilators). It is considered that as this is a new build, any noise from the new commercial use can be overcome by noise insulation through Part E of the building control regulations. In addition an hours condition has been added to control the use outside of sociable hours and a condition restricting the levels of noise from the commercial unit and a condition to ensure that the development follows the recommendations contained in the noise report.

## 6.6 Outdoor Amenity Space

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



6.6.1 The proposal provides balconies for each of the flats. The amount of space provided for each of the flats complies with the minimum requirements of the London Plan and offers an adequate outlook and is considered suitable for a flat development.

#### 6.7 Impact on neighbouring properties

The relevant policies are Policy 7.6 of the London Plan (2016) Policy DM1 of the Harrow DMP (2013), and the Residential Design Guide SPD (2010).

6.7.1 To the north west of the site are residential dwellings which comprise two semi detached dwellings 69 Stanmore Hill and West House. Although the ground floor of the proposed building runs beside the boundary, the first and second floors are set in from this boundary to reduce the impact on these dwellings. The flank wall of the proposed upper flats closest to no. 69 does not contain any openings and there is a distance of approximately 13m which is considered acceptable to prevent any significant loss of light or overlooking concerns as a result of the proposal. There is a balcony serving flat 2 and a bedroom on the elevation at first floor which is set away from the dwelling but is closer to the boundary with West House. However, there is a gap of approximately 23m between the first floor window and the proposed balcony which is considered acceptable to prevent any unacceptable overlooking. The balconies serving flat 3 and flat 7 orientated to the rear which prevents any overlooking to these dwellings.

6.7.2 To the South West is 1 Halsbury Close. There is a single storey projection to the dwelling beyond the boundary. The proposed building has been designed to restrict the number of openings on the rear elevation therefore minimising the overlooking impact on this neighbour. There is a gap of over 22m to the two storey accommodation of the dwelling which is considered suitable to prevent unacceptable overlooking. Also the orientation of number 1 is not a direct relationship.

6.7.3 2 Halsbury Close is to the south of the site. There is a gap of over 27m from the first floor of the proposal with this dwelling which is considered adequate to prevent a significant impact on the amenity of the occupiers of this dwelling.

6.7.4 To the south east of the site is Halsbury Court. This is separated by Halsbury Close and is a significant distance from the site.

6.7.5 The applicant has submitted a Daylight and Sunlight report which utilises the BRE criteria. The report concludes that the amenity values of daylight, sunlight and overshadowing to neighbouring residential properties would be retained to the accepted level.

6.7.6 The lawful use as petrol filling station would have had involved a certain amount of activity in terms of customers coming and going persistently throughout the day and the night. It is acknowledged that the proposed synagogue, is likely to give rise to more intensive use at certain times such as Saturday Services and events.

- 6.7.7 The main Saturday services commence at 10am and are staggered between the different congregations throughout the morning with all services being finished by approximately 1pm. It is suggested by the applicant that the combined number of attendees to all the services is typically 30-60. The times of the Saturday services and the number of visitors as a result is considered to be of a scale so as not to impact significantly adversely on the residential amenity of the occupiers of neighbouring properties.
- 6.7.8 In addition there are regular mid day meals for the elderly usually attended by approximately 14 people and there are evening school clubs. The numbers of attendees for these activities is not considered to create significant disturbance to the occupiers of nearby residential properties.
- 6.7.9 The application is accompanied by a Draft Events Management Plan. The Plan indicates that an event is considered to consist of 100 people or more. It is stated that there will be security marshalls on duty between 8am and 8pm and they will be present outside the premises thirty minutes prior to and before the closing of an event. The Draft Plan does not give an exact number regarding the number of attendees for the events. However, it is suggested that there are eighteen events throughout the year. Although the number of attendees and the presence of the security guards will be noticeable during the events it is considered that their infrequency would not cause significant disruption and disturbance to normal residential enjoyment of properties in the vicinity of the site on an ongoing basis. It is stated in the submitted Events Management Plan that events will generally finish by 10:30pm on week days and potentially 11:30pm on weekends. This is outside of sociable hours and even given the infrequency of such events and the positioning of neighbouring properties this is considered to likely affect neighbouring amenity.
- 6.7.10 In order to address this, it is considered by Officers that the impact on neighbouring amenity would be acceptable should an hours condition be imposed to prevent events going beyond 9pm Monday to Thursday and on Sundays and up to 10:30 on Fridays and Saturdays, in addition to a condition to restrict the number of events to twenty per year to allow for the events listed in the Jewish Calendar. It is expected that an Events Management Plan to be secured by Section 106 would give more clarity on the maximum number of people to attend events and would allow for further control during such events.
- 6.7.11 Provided a suitable Events Management Plan is secured and restrictive conditions added it is considered that the proposal would adequately safeguard neighbouring amenity, in accordance with the relevant policies.

## 6.8 Traffic, Safety and Parking

The relevant policies are policies 6.3, 6.9 and 6.13 of The London Plan (2016), Policies T4, T5 and T6 of the Draft London Plan (2019) Policy CS1 R of the Harrow CS (2012) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

- 6.8.1 This proposal is within a low PTAL 2 location which is considered to have poor access to public transport. Car ownership in the area is high and therefore suitable parking provision for the residential element and the place of worship would be necessary.
- 6.8.2 The proposal seeks to provide 20 car parking spaces. The car park is accessed from a new access from Halsbury Close which is opposite the existing parking court. Although, a number of residents raise concern with the altered access point, the Highways Authority do not raise objection to this arrangement in terms of highway safety and movement and the accessibility for servicing and emergency vehicles. Nine of the spaces are proposed to be allocated to the flatted development with the remainder allocated to the synagogue. The ratio of one parking space per flat is in accordance with the London Plan standards for the residential element of the proposal in this location. A condition has been added to attain a parking management plan to ensure that the spaces are allocated accordingly.
- 6.8.3 Although there is likely to be a significant reduction in total vehicle movements following the closure of the petrol station and the proposed use, there is the potential for more impact in terms of parking. Eleven spaces are proposed to be allocated to the synagogue. Whilst it is acknowledged that the number of car spaces on site would not be sufficient for the number of visitors who arrive by car and that some alternative car parking would be required, it is also noted that the relocation of the synagogue means that it is better located for the congregation which gives greater opportunity to travel using more sustainable modes. A full Travel Plan for the Synagogue would be required and its implementation to be secured by section 106. It is also considered that it is possible that the congregation who attend could increase. In order to verify where the current congregation travel from, the Highway's Authority consider a postcode plot should be provided as part of the travel plan. This would help to determine what travel options are available and concentrate efforts to encourage modal shift based on this information. This is in line with the Mayors Transport Strategy and draft London Plan policies which seek to encourage modal shift and reduce reliance on cars.
- 6.8.4 In addition the Highway Authority have suggested a review of the Controlled Parking Zones would be necessary to fully understand the implications of the development. The applicant would be required to finance the cost of the review and any necessary adjustments. This will be secured by way of a section 106 agreement.
- 6.8.5 High Holy Days and Events are likely to see an increase in attendance. A Draft Event Management Plan has been submitted as part of the application which includes measures that would reduce the impact. The Draft Plan includes proposed alternative parking locations such as St John's School, the rugby club and Sainsbury's. However, it is acknowledged that further work needs to be done to finalise this plan and to secure agreements with the relevant parties. In addition, prior commitments such as the Amner Lodge development which has planning permission could impact on the location of parking. The Council Highways Officer has outlined that fully detailed proposals for the Events

Management Plan would be required in order to mitigate the impacts on the development on the surrounding areas. Therefore in addition to the Travel Plan it has been recommended that the S106 would need to secure a comprehensive events management plan to ensure transport impacts are adequately mitigated.

- 6.8.6 Given the scale of the development, it is deemed necessary to recommend a condition to ensure that, prior to commencement of work, a construction logistics plan is submitted and approved to ensure that there is no impact on the adjacent highway during construction works.
- 6.8.7 Overall, subject to the highlighted conditions and planning obligation for the Events Management Plan and CPZ review, it is considered that the proposal would not have a significantly adverse impact on the free flow of traffic or highway and pedestrian safety and subject to the attached conditions the impact on parking pressure can be suitably managed. In view of the above, it is considered that the proposal is acceptable in relation to the relevant policies.

## 6.9 Trees and Landscaping

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

- 6.9.1 Given the significant site coverage and areas of hard standing associated with the development, the proposal would leave minimal space for meaningful soft landscaping. Small areas of biodiverse green roof has been proposed above the proposed synagogue which is welcomed and a condition has been added to ascertain further detail. Given the minimal areas for landscaping, the Council will be seeking a high standard of soft landscaping and planting to soften the appearance within the streetscene and from surrounding properties. The areas of hardstanding must also be finished to a high standard, consisting of a palette of materials that complements the building. Therefore it is considered that detailed information is submitted to the Local Planning Authority for approval, relating to landscaping (hard and soft), planting and levels. A pre-occupation condition has been added accordingly.
- 6.9.2 There are protected lime trees near to the proposed entrance to the site. The Council's Tree Officer has reviewed the arboricultural report submitted with the application and is satisfied there would not be a significant impact on these trees as a result of the development. However, there is the threat that there could be an impact during the construction work. A condition has been added for the applicant to submit details of the tree protection methods of the lime trees during construction.

## 7.0 Accessibility

The relevant policies are policies 3.5 and 3.8 of the London Plan (2016), Policy DM2 of the Harrow Development Management Local Plan (2013) and Policy CS1 K of the Core Strategy (2012).

- 7.1.1 The Design and Access Statement has confirmed that the new building is fully accessible to all potential users and visitors. All areas of the proposed development will be accessible with either direct flush/flat access or via a lift to the flats. A disabled WC is provided on the ground floor of the synagogue.
- 7.1.2 While the above provision is acknowledged, a condition of approval will ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.
- 7.1.3 Accordingly, subject to compliance with this condition, it is considered that the proposed accommodation would be satisfactory and as such would comply with the relevant policies.

## 7.2 Biodiversity

The relevant policies are Policy 7.19 of the London Plan (2016) and Policies DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013).

- 7.2.1 The development site is 260 metres away from the nearest designated wildlife site (Pearwood and Stanmore Country Park) and there would be no direct impact on sites of conservation. It has been determined by the Council's Biodiversity Officer that the proposed development would have a limited impact on biodiversity. The inclusion of a nestboxes and the replacement of established trees identified for removal will ensure a degree of enhancement in terms of biodiversity. Suitable Conditions have been added to this effect.
- 7.2.2 It was considered that there is potential for both a living roof at the upper level and sections of living wall and it would also be possible to incorporate solar panels within the roof set up. The proposed scheme has a small section of green roof over single storey element of the building which although more roof coverage would be preferable, this is considered adequate given the scale of the scheme.
- 7.2.3 The proposal is considered to address biodiversity issues sufficiently in accordance with the relevant Policies.

## 7.3 Development and Flood Risk

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

- 7.3.1 The application site is located within Flood Zone 1 and a critical drainage area as defined by the maps held by the local drainage authority. The Drainage Engineer has reviewed the Flood Risk Assessment submitted by the applicant and has deemed it to be satisfactory.
- 7.3.2 The development would result in some additional hardsurfacing on the site and would therefore have an impact in terms of surface water flood risk. A green roof is proposed over part of the new building which will assist with surface water attenuation. The details of the green roof has been conditioned to ensure an effective and sustainable outcome. As the site is located within a Critical Drainage

Area, further sustainable urban drainage [SuDs] is encouraged by way of informative.

- 7.3.3 In addition, permeable materials should be used for all paving and hardstanding. A suitable condition has been attached to this effect.

#### 7.4 Secure by Design Issues

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

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

#### 7.5 Contamination

- 7.5.1 The relevant policy is Policy DM15 of the Development Management Local Plan (2013)

- 7.5.1 Due to its former use, as a petrol filling station, there will need to be significant remediation of the site. The application has submitted Phase 1 and 2 Geo Environmental Site Assessment reports which has been assessed by the Council's Environmental Health Officer. A condition to ensure that a suitable remediation scheme is in place has been added and that any unforeseen contamination risks are taken into account.

### **8 CONCLUSION AND REASONS FOR APPROVAL**

- 8.1 The proposed redevelopment of the site would provide a high quality development comprising of a synagogue on ground floor and residential accommodation at upper levels. The proposed internal layouts, specifications and services offered by the proposed development would provide an acceptable standard of accommodation for occupiers of the flats and would provide a facility which is better located in terms of its congregation.

- 8.2 The proposal would not cause significant harm to the conservation area or the listed buildings in proximity of the site and would enhance the urban environment in terms of material presence, attractive streetscape and would make a positive contribution to the local area, in terms of quality and character.

- 8.3 The layout and orientation of the buildings and separation distances to neighbouring properties are considered to be satisfactory to protect the amenities of the neighbouring occupiers.

- 8.4 The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2019, the policies and proposals in The London Plan 2016, the Harrow Core Strategy 2012 and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

## **APPENDIX 1: Conditions and Informatives**

### **Conditions**

#### 1. Timing

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

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

#### 2. Approved Drawing and Documents

Save where varied by other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

Plans:

3189\_001; 3189\_011; 3189\_020; 3189\_050 Rev B; 3189\_051 Rev E; 3189\_052 Rev G; 3189\_053 Rev G; 3189\_060 Rev D; 3189\_070 Rev E; 3189\_071 Rev E; 3189\_072 Rev F; 3189\_073 Rev A; 3189\_074; 3D images.

Documents:

David Clark Arboricultural Report October 2018; BVP Daylight and Sunlight Report October 2018; Design and Access Statement; CSA Environment Ecological Technical Note September 2018; EAS Flood Risk Assessment and Sustainable Drainage Statement December 2018; Heritage Collective Heritage Statement October 2018; NSL; TRC Phase I/II Geo-environmental Site Assessment October 2018; SLR Phase I/II Geo-environmental Site Assessment November 2017; SLR Factual Geo-Environmental Report; LSR Groundwater Monitoring Report May 2017; Planning Statement January 2019; EAS Transport Statement December 2018; Heritage Statement Addendum May 2019; Scheme Amendments and Responses to Consultation Responses – Addendum to Planning Statement May 2019; Stanmore Hill Synagogue Events Management Plan (draft) April 2019; Supplemental Planning Note: Synagogue Membership and Saturday Sabbath Service Arrangements July 2019.

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

#### 3. Materials

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

- a) window threshold details, including deep reveals and set backs
- b) balustrade details

- c) balcony decks (As well as finish underneath)
- d) brickwork, to both ground floor and higher levels
- e) roofing materials
- f) boundary treatment
- f) all external paving materials

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2016 and policy DM1 of The Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure that satisfactory materials are utilised to preserve the character of the surrounding area.

#### 4. Construction Logistics Plan

No development shall take place, including any works of demolition, until a Detailed Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority in accordance with the format and guidance provided by the Transport for London – [www.constructionlogistics.org](http://www.constructionlogistics.org). The Detailed Construction Logistics Plan shall provide for:

- a) Parking of site operatives/visitors
- b) HGV access to site – loading and unloading of plant and materials
- c) Number of HGV's anticipated
- d) Storage of plant and materials used in constructing the development
- e) Programme of work and phasing
- f) Site layout plan
- g) Highway condition (before, during, after)
- h) Measures to control dust and dirt during construction
- i) A scheme for recycling/disposing of waste resulting from demolition and construction works
- j) Details showing the frontage boundary of the site enclosed by site hoarding to a minimum height of 2m.



The development shall be carried out in accordance with the approved Demolition and Construction 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 and to ensure that development does not adversely affect safety on the transport network in accordance with policy 6.3 of The London Plan (2016) and policies DM1 and DM43 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory method of construction is agreed prior to any works on site commencing.

## 5. Remediation Scheme

The development hereby permitted shall not commence until a scheme to deal with the contamination identified by the phase I/II Geo-environmental assessment which accompanied the application, has been submitted and approved by the Local Planning Authority (LPA).

- a) The scheme shall include a written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified, along with details of a watching brief to address undiscovered contamination.
- b) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
- c) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Health Team before any part of the development is occupied or brought into use, unless the LPA dispenses with any such requirement specifically and in writing.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy DM15 of the Development Management Policies Local Plan (2013). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure all contamination issues are addressed prior to the commencement of the development on site.

6. Levels

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement, in accordance with policies DM1 of the Councils Development Management Policies Local Plan 2013. This is a PRE-COMMENCEMENT CONDITION to ensure adequate levels before the development commences on site.

7. Disposal of Surface Water/Surface Water Attenuation

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

REASON: To ensure that adequate drainage facilities are provided and to reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013. This is a PRE-COMMENCEMENT CONDITION to ensure adequate drainage details are agreed before the development commences on site.

8. Disposal of Sewage

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

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013. This is a PRE-COMMENCEMENT CONDITION to ensure adequate sewage disposal details are agreed before the development commences on site.

9. Landscaping

The development hereby approved shall not be occupied until a scheme for the hard and soft landscaping details for the ground level areas have been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The hard surfacing details shall include details of all furniture, boundary treatment, samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.

The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

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

10. Landscaping Implementation

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

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

11. Arboricultural Protection Plan

No site works or development shall commence until a tree protection plan / method statement, to address the impact of the development within the root protection area of the trees protected by a Tree Protection Order (TPO) at the proposed access to the site has been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the agreed details

REASON: To ensure that the trees protected by a TPO on the site are not adversely affected by the development in accordance with Policy DM22 of the Development Management Policies Local Plan (2013). This is a PRE-

COMMENCEMENT CONDITION to ensure adequate measures to safeguard the protected trees are agreed before the development commences on site.

12. Green Roof

The construction of the building hereby permitted shall not proceed above 150mm above ground level until full details of the Green Roof, with cross section of the construction and maintenance plan, has been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To ensure that the development makes appropriate provision for the protection and enhancement, creation and management of biodiversity in accordance with Policies DM20 and DM21 of the Development Management Policies Local Plan (2013)..

13. Cycle Storage

Prior to the first occupation of each of the residential units and place of worship hereby approved, details of the secure cycle parking to serve the nine flats and the synagogue in accordance with the London Plan (2016) standards will be submitted to, and approved in writing by, the Local Planning Authority (5% to be accessible - can be used by non-standard cycles). The plans must show dimensions, type of storage and type of stand. The cycle parking shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy 6.9B of The London Plan (2016) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

14. Parking Management Plan

The residential premises hereby approved shall not be occupied until a Parking Management Plan has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall clearly identify the parking spaces for the residential units and the synagogue. The development shall be carried out in accordance with the plan so agreed and shall be retained as such thereafter.

REASON: To ensure that the development provides sufficient electric vehicle charging points and adequate, secure and (where appropriate) weather protected cycle parking in accordance with London Plan Policies 6.9 and 6.13 and Local Plan Policy DM 42, and contributes to the achievement of a lifetime neighbourhood in accordance with London Plan Policy 7.1 and Policy DM 2 of the Local Plan (2013).

15. Electric Vehicle Charging Points

Prior to occupation of each of the residential units and the synagogue hereby approved the electric vehicle charging points shall be provided as shown on drawing number 3189\_051 Rev E and shall thereafter be retained.

REASON: To safeguard the appearance of the locality and to ensure the satisfactory provision of electric vehicle charging points, to serve the development in accordance with Policy 6.13 of the London Plan (2016).

16. Refuse storage

Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not be occupied until details (including elevations) of the scheme for the storage and disposal of refuse/waste for all residential units and the synagogue has been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained. 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, in accordance with policies 7.4.B of The London Plan 2016 and policy DM1 of The Development Management Policies Local Plan 2013.

17. Opening Times of Synagogue

The Synagogue hereby permitted (Use Class D1) shall not open to patrons outside of the following times: -

09:00 to 21:00 hours Monday to Thursday.

09:00 to 22:30 hours Friday and Saturday.

10:30 to 21:00 hours on Sundays and Bank Holidays

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

18. Deliveries (Synagogue)

Deliveries to the non residential use shall take place between the following times:-

09:00 – 19:00 unless otherwise agreed in writing with the Local Planning Authority.

REASON: To safeguard the amenities of neighbouring properties and ensure the proper functioning of the synagogue within the locality, in

accordance with policy DM1 of the Harrow Development Management Local Policies Plan 2013

19. Amplified Music (Synagogue)

Noise levels due to -music or amplified sound caused as a result of the synagogue shall be at least 5 dB(A) below the existing representative background sound level at the boundary of any residential premises, either attached to, or in the vicinity of, the premises to which this permission refers.

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents, in accordance with policy DM1 of the Harrow Development Management Local Policies Plan 2013.

20. Implementation of Acoustic Report

Prior to occupation of the residential units details of how the recommendations of the approved acoustics report have been incorporated into the design shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be retained in accordance with the approved details.

REASON: To ensure that the proposed development does not give rise to noise nuisance to future residents, in accordance with policy DM1 of the Harrow Development Management Local Policies Plan 2013.

21. Event Management

The maximum number of D1 events/functions as detailed in the approved Event Management Plan shall not exceed 20 per annum, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that the use of the site is not over-intensive and to safeguard the amenities of neighbouring properties and ensure the proper functioning of the synagogue within the locality, in accordance with policy DM1 of the Harrow Development Management Local Policies Plan 2013.

22. Accessibility

The development hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2) and retained thereafter.

REASON: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time in accordance with Policy DM2 of the Development Management Policies Local Plan and Policy 7.2 of the London Plan (2016).

23. Permeable Paving

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

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding. In accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

24. Bats/Birds

The development shall not be occupied until details of bat bird tubes are submitted and approved by the Local Planning Authority to include:

- 6 Schwegler 2FR Bat Tubes (installed side-by-side, in groups of 3) on the southern aspect, at just below roof level
- 6 nest boxes for swifts (Schwegler No 17c double cavity boxes) to be sited at just below roof level on the north and east aspects
- 3 Schwegler Type 24 Brick boxes (or similarly durable equivalent) for sparrows, tits etc. to be located on the north and east aspects at heights of 3-4 metres above ground level

These shelters shall be permanently incorporated within the building structure and retained thereafter.

REASON: To protect and enhance biodiversity in accordance with the National Planning Policy Framework (2019) and Policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013). This is a PRE-COMMENCEMENT CONDITION to ensure adequate measures to safeguard the bats and birds are incorporated into the design before the development commences on site.

25. Construction Times

Any works to be undertaken in site preparation or construction should be timed and conducted so as to avoid disturbance to protected species, including bats and breeding birds. If any protected species are encountered in the course of operations, they should be immediately halted until a suitably qualified ecologist has provided advice and their instructions implemented.

REASON: To protect and enhance biodiversity in accordance with the National Planning Policy Framework (2019) and Policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

26. External Lighting

Any external lighting, used during demolition, construction or in occupation must be designed, deployed and used to avoid disturbance to bats particular where there are roosts and along established foraging roots, as well as to minimise energy use.

REASON: To protect and enhance biodiversity in accordance with the National Planning Policy Framework (2019) and Policies DM 20 and DM 21 of the Harrow Development Management Polices Local Plan (2013).

27. Change of Use (flats)

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

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with Policy DM1 of the Harrow Development Management Policies 2013, Policy CS1(B) of the Harrow Core Strategy 2012, Policy 7.4 of the London Plan 2016 and the Core Planning Principles of the National Planning Policy Framework 2019.

28. Change of Use (Synagogue)

The premises shall be used for the purpose specified in the application and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification) unless otherwise agreed in writing by the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the D1 use class to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with Policy DM1 of the Harrow Development Management Policies 2013, Policy CS1(B) of the Harrow Core Strategy 2012, Policy 7.4 of the London Plan 2016 and the Core Planning Principles of the National Planning Policy Framework 2019



29. Secure By Design

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

REASON: In the interest of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime and in accordance with Policy 7.3 of the London Plan (2016).

## **INFORMATIVES**

1. The following policies are relevant to this decision:

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

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

- 3.5C: Quality and design of housing developments
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.11 Green roofs and development site environs
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.3B Designing out crime
- 7.4B Local character
- 7.6B Architecture

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

- D1 London's form and characteristics
- D2 Delivering good design
- D3 Inclusive Design
- T4 Assessing and Mitigating Transport Impacts
- T5 Cycling
- T6 Car Parking
- HC1 Heritage Conservation and Growth

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

- Core policy CS1.B
- Core policy CS1.D
- Core Policy CS1 K
- Core policy CS1.W

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

- DM1: Achieving a High Standard of Development
- DM2: Achieving Lifetime Neighbourhoods
- DM7: Heritage Assets
- DM10: On Site Water Management and Surface Water Attenuation
- DM12: Sustainable Design and Layout
- DM15: Prevention and Remediation of Contaminated Land
- DM22: Trees and Landscaping
- DM27: Amenity space
- DM 42: Parking Standards
- DM45: Waste Management
- DM46: New Community and Educations Facilities
- DM47: Retention of Existing Community, Sport and Education Facilities

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

- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2015)
- Harrow Residential Design Guide (2010).

## 2 Pre-application engagement

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

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

## 3 Mayoral CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £39,448.

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

You are advised to visit the [planningportal](https://ecab.planningportal.co.uk) website where you can download the appropriate document templates.

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

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

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

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

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

## 4 Harrow CIL

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

Harrow's Charges are:

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

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

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL

levy rate for Harrow of £110/sqm is £147,196

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

The CIL Liability is payable upon the commencement of development.

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

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

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

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

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

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

## 5 Considerate Contractor Code of Practice

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

## 6 Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

## 7 Compliance with Planning Conditions

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

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

## 8 Liability For Damage to Highway

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

## 9 Street Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting [technicalservices@harrow.gov.uk](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)

## 10 Sustainable Drainage Systems

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

SUDS involve a range of techniques including soakaways, infiltration trenches,

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

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

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

The applicant can contact Harrow Drainage Section for further information.

11. Designing Out Crime

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

Interim Chief Planning Officer	
Corporate Director	





Photographs



Former petrol filling station



Halsbury Close Elevation





1 Halsbury Close



View from garden of 1 Halsbury Close

# Plans



Ground Floor Plan



First Floor Plan



Second Floor Plan



Stanmore Hill Elevation





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