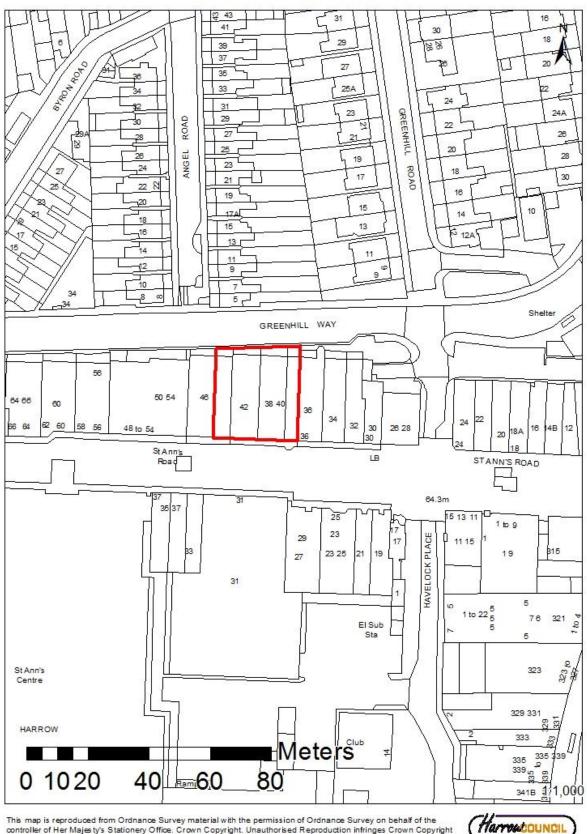


38-44 St Anns House



LONDON *

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th May 2020

APPLICATION NUMBER:
VALID DATE:
LOCATION:

WARD: POSTCODE: APPLICANT: AGENT: CASE OFFICER: EXTENDED EXPIRY DATE: P/0572/20 14/02/2020 38-44 ST ANNS HOUSE ST ANNS ROAD GREENHILL HA1 1LA 34-38 ST ANN'S HARROW LTD HGH CONSULTING KIMRY SCHLACTER 11/05/2020

PROPOSAL

Second floor rear extension; Creation of additional 2 storeys to provide additional office space (Use class B1a); change of use of first floor from retail (use class A1) to office space (use class B1a) External alterations; Refuse and cycle storage

The Planning Committee is asked to:

RECOMMENDATION A

- 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:

Travel Plan

- i) A revised travel plan shall be submitted to the Council prior to the first occupation of the building), to be implemented as approved unless otherwise agreed in writing.
- ii) A travel plan bond of £10,000 will be required to secure the implementation of all measures specified in the revised 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.

iii) 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.

Employment and Training

- iv) The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan. The developer to implement the agreed Plan. The training and Employment plan will include:
- a) employment initiatives opportunities relating to the construction of the Development and details of sector delivery;
- b) the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;
- c) the timings and arrangements for implementation of such initiatives and
- d) suitable mechanisms for the monitoring of the effectiveness of such initiatives
- v) 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.
- vi) The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.

Sustainability

vii) A provision of carbon reduction on-site and payment of any off-set if zero carbon reduction is not achieved on-site, as determined by the final carbon reduction achieved on site as per Condition 29 of this permission. Based on the submitted Energy & Sustainability Statement dated October 2018 [Ref P18-096, Issue No. 2], this is currently estimated at a financial contribution of (61 x £60 x 30 years) = £109,800 towards carbon offsetting measures.

Legal Fees

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

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 30th August 2020, 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 on the grounds that:

The proposed development, in the absence of a legal agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies, 5.2, 6.3, 6.9 and 6.10 of The London Plan (2016), policies E11, SI 2 and T6.1 pf The Draft London Plan (2019), Harrow Core Strategy (2012) policy CS1, policies AAP4

and AAP20 of the Harrow & Wealdstone Area Action Plan (2013) and policies DM1, DM12, DM13, DM14, DM42, DM43 and DM50 of the Harrow Development Management Polices Local Plan.

REASON FOR THE RECOMMENDATIONS

The proposed scheme seeks to provide new employment floorspace in the town centre, which is considered a suitable use within a town centre. The proposed development would support the economic vitality of the town centre and the Borough, in accordance with policies 2.13, 2.15, 4.3, 4.7, 4.8, 4.12 of The London Plan (2016), GG1, GG2, GG5, GG6, E1, E2, SD1, SD6, and SD7 of the Draft London Plan (2019), CS1 and CS2 of the Harrow Core Strategy (2012); AAP16 and AAP17 of the Harrow and Wealdstone Area Action Plan (2013); and policies DM32, DM35 and DM36 of the Harrow Development Management Policies Local Plan (2013)

Part 1: INFORMATION

This application is reported to Planning Committee as the proposed development creates more than 400sqm of new floorspace and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Major Development
Council Interest:	None
Net additional Floorspace:	1,278.2sqm
GLA Community	£76,692.00
Infrastructure Levy (CIL)	
Contribution (provisional):	
Local CIL requirement:	N/A

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 Polices 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.

PART 2: ASSESSMENT

1.0 SITE DESCRIPTION

- 1.1 The site is a three storey building on the northern side of St Ann's Road, on the pedestrianised shopping parade. The ground and first floor comprises retail use (A1) and the second floor is designated as B1(a) office space.
- 1.2 The site is located within the Harrow town centre, the Harrow & Wealdstone Opportunity Area, and Primary Shopping Area. The ground floor of the property forms Primary Shopping Frontage. The pedestrianized shopping parade along St Anns Road is designated open space.
- 1.3 The site back onto Greenhill Way, with a residential area to the north on the opposite side of this carriageway. The buildings to the east, south and west are a typical town centre mix of residential and commercial uses.
- 1.4 The site is wholly within a Protected Views Setting Corridor and partially within a Protected Views Restricted Corridor within an RAF Northolt Safeguarding zone (green) which requires consultation for any development over 15m in height. The site is also located in a critical drainage area.
- 1.5 The site has a Public Transport Accessibility Level (PTAL) of 6a.

2.0 PROPOSAL

- 2.1 Construction of 2 additional storeys and extension of the existing 3rd storey to create a 5-storey building.
- 2.2 The first floor area which is currently in use as retail in connection with the ground floor shops would be converted to B1(a) office space, with the remaining existing and newly proposed floor space also proposed as B1(a) offices.
- 2.3 The proposal would have a main entrance off St Anns Road and a secondary frontages facing Greenhill Way.
- 2.4 The proposed new build would have a maximum height of 18.9m including the lift overrun and rooftop service area, and 17.2m to the front parapet level. The footprint of the building would not be extended at ground level; all extensions would be contained within the existing footprint.
- 2.5 The proposal would adopt a simple and contemporary design approach across the whole of the building, with recessed brick detailing to create variation and visual interest. New windows would also be inserted in front and rear, with redesigned shopfronts on the ground floor.
- 2.6 PV panels are proposed to be located on the roof, on the top of the plant and machinery enclosure.

- 2.7 No car parking is proposed; and 48 new cycle parking spaces (12 for retail and 36 for office) are to be provided on site, as well as shower and changing facilities.
- 2.8 The rear service area would be re-designed; with separate waste storage areas of the retail and office uses and additional cycle storage. The boundary wall for the service area would be rebuilt with a combination of brick and metal railings.
- 2.9 The sustainability of the refurbished and extended building would be improved, with an overall carbon savings of 58.8% for the site.

3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status and date of decision
LBH/20099/W	Five Storey Building To Provide Shop At Ground Floor And Part First Floor And Office In Remainder	Granted – 22/11/1982
LBH/25518	Three Storey Building For Retail And Offices	Granted – 25/10/1984
P/1903/07	New shop front	Granted – 15/08/2007
P/0478/16	Conversion of Second Floor Offices (Class B1a) to 4 Self-Contained Flats (Class C3) (Prior approval of transport & highways impacts of the development and of contamination risks and flooding on the site)	Granted – 18/03/2016
P/5514/18	Second floor rear extension; creation of additional 3 storeys to provide additional office space (Use class B1); bin and cycle stores; external alterations	Refused – 14/03/2019

4.0 <u>CONSULTATION</u>

- 4.1 A total of 19 consultation letters were sent to neighbouring properties regarding this application. A site notice was posted on 20/03/2020 and an advert was placed in the Harrow Times on 17/03/2020.
- 4.2 The overall public consultation period expired on 10th April 2020. No comments were received.

4.3 <u>Statutory and Non Statutory Consultation</u>

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

Harrow Town Centre Manager

No comments received

LBH Highways

This proposal is within Harrow Town Centre, the PTAL is 6A meaning that access to public transport is considered to be excellent. There are various buses, underground and rail options within a short walk from the site and there are many public car parks nearby.

An office use in this location is unlikely to result in a severe impact for the highway network as most of the trips generated are likely to be by non-car modes. The trip generation assessment shows that this proposal has a potential to generate around 40 trips during each peak period; it is assumed that there are sufficient public transport options to cater for the these. The assessment does not cover trips generated by the rest of the existing site but as the current floor area is less than the proposed new floors, the number of potential existing trips would be much lower than the forecast amount.

As an alternative to public transport, driving or walking, future site users are encouraged to cycle with a provision of secure, sheltered cycle storage facilities, lockers and showers. The level of cycle parking meets the requirements of the draft London Plan. To ensure good visibility for both cyclists and passing drivers, it is intended that the rear access yard will include railings rather than a solid fence or wall.

An outline construction logistics plan was requested for submission via the pre-app; it is now essential that a detailed CLP is secured by pre-commencement condition. The format must follow TfL guidance.

A detailed delivery and servicing plan should be secured by condition and should be provided within 6 months of occupation

Travel Plan Officer

The Travel Plan must be updated in line with the comments below in order to comply with Transport for London guidance, for approval by the London Borough of Harrow: https://www.tfl.gov.uk/info-for/urban-planning-and-construction/travel-plan-content

Changes required for approval of Travel Plan

Introduction	 Provide named contact once Travel Plan co-ordinator has been appointed (5.6)
Context	Are there any forecasts of who will be residing in the

Site assessment Travel surveys Objectives Targets	 businesses and do we have their proposed travel behaviour? n/a n/a Harrow Council may request SMART targets following occupation. (4.6) 		
Package of measures	 Further measures must be detailed and committed to within this travel plan. a) Provide personalised travel planning advice with information within the employee packs. b) Please provide information where existing car club bays are located c) Electric Vehicle Charge Point in line with the London Plan. d) Please commit to setting up a travel plan working group which would be used for the travel plan beyond 5 years. 		
Monitoring	• n/a		
Action plan	• n/a		
LBH Waste			
There's always parked vehicle	e arrangements appear to be acceptable. a possibility of loading going on along here but this may not result in a there specifically blocking access; and usually any bin that needs here is bought out as most places along here are all locked up.		
Environmental I	Health Officer		
We would ask that they submit an air quality assessment for the construction, so as to be AQ neutral as far as possible. Unless they've got plans to have a CHP plant on the building then just the construction AQ assessment should suffice.			
LBH Drainage			
of the manufact full details and t Suggest an info Thames Water	hould submit details of the permeable paver which includes the details surer along with a cross section of permeable paving construction with their maintenance plan for our approval prmative in your planning decision advising the applicant to contact regarding capacity of the public sewers due to additional discharge sed development.		
Natural England	<u>d</u>		
No Comments	to make on this proposal		

Historic England

No Comments to make

MOD Northolt Safeguarding

No comments received

5.0 POLICIES

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

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

- 5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government's planning policies for England and how these should be applied, and is a material consideration in the determination of this application.
- 5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].
- 5.4 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 Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.

6.0 <u>ASSESSMENT</u>

- 6.1 The main issues are:
 - Principle of the Development
 - Character of the Area
 - Residential Amenity
 - Traffic, Parking and Servicing
 - Sustainability

6.2 **Principle of Development**

- 6.2.1 The relevant policies are 2.13, 2.15, 4.3, 4.7, 4.8, 4.12 of The London Plan (2016), GG1, GG2, GG5, GG6, E1, E2, SD1, SD6, and SD7 of the Draft London Plan (2019), CS1 and CS2 of the Harrow Core Strategy (2012); AAP16 and AAP17 of the Harrow and Wealdstone Area Action Plan (2013); and policies DM32, DM35 and DM36 of the Harrow Development Management Policies Local Plan (2013)
- 6.2.2 The application site is situated within the Harrow town centre and the Harrow and Wealdstone Intensification Area, as set out in the Harrow Core Strategy (2012) and The London Plan (2016). Whilst the site is not an allocated development site as defined within the adopted Site Allocations Local Plan (2013), the site is regarded as previously developed land for the purposes of the policies contained within the National Planning Policy Framework and the Harrow Core Strategy.
- 6.2.3 The proposal would result in the creation of new B1(a) floor space in the Harrow town centre and Harrow & Wealdstone Opportunity Area, which is supported by Policies DM32 and APP16 and would contribute to the viability and vitality of the town centre.
- 6.2.4 The proposal also includes the change of use from retail on the first floor to B1(a). As the ground floor forms Primary Shopping Frontage, a functional and viable commercial space in compliance with AAP17 and DM36 would be expected at ground floor facing St Ann's Road. The proposal includes alterations to the ground floor retail units, including new shopfronts and the consolidation of the two units into one. Due to the reconfiguration of the ground floor to accommodate the entrance lobby, lifts, stairs and cycle storage, the cumulative retail area on the ground floor would be reduced from 481.4sgm to 442.0sgm. Nevertheless, the reconfigured retail space on the ground floor would maintain the same width of shop frontage, with two entry points. The proposed internal layout would be functional and flexible, and would lend itself to the unit being subdivided in future as need arises. The rear waste storage is directly accessible and separate from the office waste storage. There appears to be a minor discrepancy between the ground floor plan and rear elevation drawing, with regard to the number and location of doors for the retail unit, which can be address via a condition for amended plans.

- 6.2.5 AAP17 and DM36 provide for more flexibility in considering first floor retail space. The applicant's submitted statement notes that the first floor is used for ancillary storage, rather than sales floorspace. Furthermore, as the proposed use of the first floor is for a B1(a) office, this floorspace would be retained in an employment use, and one which is appropriate for the town centres and compatible with the retained ground floor retail. The applicant's submitted Planning Statement cites a 2018 briefing note prepared by the Council regarding loss of office space within the town center as well as information obtained from a local agent, which together indicate that there is an apparent shortage of office space in Harrow at this time, with the highest demand being within Harrow town center. It further states that there is strong demand for small to medium occupiers and flexible short-term workspace. The proposal would provide a significant amount of adaptable floorpsace, which would be suitable for the identified demand. The need for flexible office space which caters to a variety of business is in line with Draft London Plan policies as well.
- 6.2.6 Given this, and given the retention of good quality and function retail units on the ground floor, it is considered that the retained retail floor space would be reasonable in size, functional in layout, and would retain an active retail frontage along the Designated Primary Frontage. The change of use of the first floor retail floorspace would be considered acceptable.
- 6.2.7 For the reasons set out above, the principle of the development is considered acceptable.

6.3 Character of the Area

- 6.3.1 The relevant policies are 5.10, 7.1, 7.2, 7.3, 7.4 and 7.6 of the London Plan (2106), D3, D4, D11, and E2, G5 of the Draft London Plan (2019), CS.1 of the Harrow Core Strategy (2012); AAP1, AAP4, AAP5, AAP6 of the Harrow and Wealdstone Area Action Plan (2013); and DM1, DM2, DM3, DM4 and DM18 of the Development Management Policies Local Plan (2013).
- 6.3.2 The application site is in the Harrow town centre, which is mixed in character; and more specifically in St Ann's Road, which has a range of building styles and ages. The buildings along this part of the northern side of St Ann's Road, including the immediately adjacent buildings on either side (32-36 St Ann's and no. 48-54 St Ann's Road) are similar in size and massing, but differing design details. There is somewhat more variety on the opposite side.
- 6.3.3 The proposal would increase the maximum height of the building from 12m (including the core services) or 15.9m to the top of the tower features to 18.9m (including the lift core and services). Policy AAP6(B) requires that building heights within the Opportunity Area are of a scale consistent with the sites surroundings, including nearby sites. Although many of the immediately adjacent buildings are up to 3 to 4 storeys high, there are two buildings at the junction of Havelock Place and St Ann's Road which are 5 to 6 storeys high. The town centre area just beyond the extent of St Ann's Road itself, moving towards the south and the Harrow-on-the-Hill Station contains buildings up to and above 6 storeys in height. The applicant's submitted Planning Statement provides

supporting information indicating that the proposal would not harm the [protected views from Wood Farm, Old Redding or Grove Open Space.

- 6.3.4 The plant and machinery enclosure and lift overrun would be set a minimum of 2.4m from the rear elevation and 4.3m from the front elevation, thus would not be highly visible from street level. The building would thus be read, from many viewpoints, as per the height of the parapet, which is 17.2m. This height would be in line with the parapet of a similar proposal (under ref: P/3742/19) for the adjoining property no. 32-26 St Ann's Road, as yet undecided; and the floor levels would also align between the two proposed buildings.
- 6.3.5 A previous application which was submitted at this site was refused in part because of its scale and bulk. The proposed development has been reduced in height and contains one less storey. This reduction in height, in combination with the alterations to the design (discussed in more detail below) is considered satisfactory; and it is considered that in this respect the proposal has overcome the previous issues with regard to bulk and scale.
- 6.3.6 As noted above, the retained ground floor retail area would have a functional and adaptable layout. Furthermore, the floor-to-ceiling height of the ground floor would be increased by 0.2m, thus helping improve circulation and functionality. On the front elevation, the ground floor would have a good extent of glazing for shopfronts, and an area 0.6m high for fascia signs. The existing canopy would be replaced with a new one, 2.3m deep, across the whole of the frontage. This serves both a practical function, as well as visually separating the ground floor retail visually, and is of a reasonable design, thus complying with Policy AAP17.
- 6.3.7 The right hand side of the ground floor would contain signage and a lobby entrance for the upper floor offices, separate from the retail frontage. Whilst this entrance point is somewhat muted, it is clearly marked out, with its own signage, and would be easy to navigate to. The lobby is a moderate size and functional.
- 6.3.8 The layout of the first floor through to the fourth floor would be similar, with facilities for users on each floor, with a floor-to-ceiling height of 2.7-3.0m. The layout of each floor is open, but designed to allow for partitioning, thus maximising flexibility and adaptability for multiple users. The ceiling beams and partition posts align with the window openings so that, when the space is subdivided, the windows would align with that subdivided space. Furthermore, the core and servicing areas align with easternmost column of windows and with the exterior pattern of the brickwork. There is therefore a high level of interaction and harmony between the internal space and the external design points.
- 6.3.9 The projecting brickwork would provide texture and visual interest at both front and rear elevations, which would wear well over time. The design has a modern feel with strong, simple lines and features. This design is considered to be appropriate to the town centre; was evolved at pre-application stage with input from the GLA's Design Advisor. The proposed design is considered superior to the previous refused scheme; and is therefore considered to have overcome this reason for refusal.

- 6.3.10 The boundary wall at the rear would be brick interspersed with sections of railing and sliding gates, thus allowing for more visual permeability than exists currently on site. The rear elevation has a secondary entrance for the office space and service entrance for the retail unit, with room for signage. Although the rear entrance for the offices would not be prominent given that it is located behind the service yard boundary wall, it is serviceable and clear for those using the rear service yard for cycle parking, and so on.
- 6.3.11 The proposed fenestration would be of an appropriate size with a regular rhythm across the front and rear elevations. The proposed brick as a finish would be appropriate for and consistent with development in St Ann's Road. The submitted information indicates that window reveals would be sufficient to create articulation. There is no new landscaping other than relaying of the hard surfacing in the service yard. As the site is in a critical drainage area, the resurfacing should be done in permeable paving. Conditions to approve the materials for the resurfacing, and the external finishes (including brickwork and railings for the service area) and windows/doors of the buildings, as well as details of the window reveals, have been attached. In addition, lighting details for the rear service area can be dealt with by condition.
- 6.3.12 In terms of accessibility, the proposal has level access at ground level and adequate door widths for both the retail and office entrances at the front. The office lobby includes elevators with sufficient clearance for a wheelchair, and there are toilets, including accessible toilets, on each of the upper floors. The proposal will furthermore be subject to building control regulations, which will also ensure adequate fire safety measures are implemented. Finally, a standard condition is attached to ensure the development would meet Secure by Design accreditation.
- 6.3.12 The building is considered to be far enough away from listed and locally listed buildings towards the eastern end of St Ann's Road (minimum 55m), and from the locally listed pub to the west, that the proposal would not affect their setting.
- 6.3.13 In addition, taking into account the increase in height, as this would be considered acceptable for the reasons set out above, and taking into account the site is to the north of St Ann's, it is considered that the proposal would not negatively affect the Designated Open Space of the pedestrianised St Ann's Road.

6.4 Residential Amenity

- 6.4.1 The relevant policies are 7.6 of London Plan (2016), CS.1 of the Harrow Core Strategy (2012); policy DM1 of the Development Management Policies Local Plan (2103), and the SPD Residential Design Guide.
- 6.4.2 The proposed development would be sited in the town centre which contains a mix of residential and commercial uses. The two immediately adjoining properties are currently in commercial use, according to available planning history; while no. 32-36 has on active application for commercial use. There would therefore be no residential amenity impacts on these properties. With regard to the properties

opposite on St Ann's would be sited approximately 14m away. Planning history on these properties also indicate no residential uses on the buildings directly opposite the proposal.

- 6.4.3 To the north of the application property, across Greenhill Way lies a residential area comprised of two storey houses. The houses along Angel Road are set at a perpendicular angle to the application site, and have no windows on their facing flank elevations. These properties are sited approximately 13-14m away from the boundary of the application site, or a minimum of 17m from the proposed building. Given this relationship, it is not considered that the proposal would result in a significant degree of overlooking to these properties' above that of the existing situation. However, given the site's location to the south of these properties, consideration must be given to potential overshadowing impacts. Given the distance of the proposal from Angel Road and it's proposed height, it would not interrupt a vertical 45-degree angel drawn from the base of those properties. Taking all of these factors into account, it is considered that the degree of impact on the properties along Angel Road would not be unreasonable.
- 6.4.4 Harrow's Environmental Health Officer has noted that, given the specifics of this proposal, an air quality assessment would only be required in relation to construction. A condition has been attached to this effect.
- 6.4.5 In conclusion, it is considered that the proposal would not result in any undue impacts on residential amenity, and thus would comply with the relevant policies.

6.5 Traffic, Parking and Servicing

- 6.5.1 The relevant policies are 6.3, 6.9, 6.12 and 6.13 of The London Plan (2016), T1, T2, T3, T4, T5, T6.2, and T7 of the Draft London Plan (2019), CS.1 of the Harrow Core Strategy (2012); AAP4, AAP19 and AAP20 of the Harrow and Wealdstone Area Action Plan (2013); and policies DM1, DM42, DM43, DM44, and DM45 of the Development Management Policies Local Plan (2103).
- 6.5.2 The application site is located within an area with a PTAL (Public transport Accessibility Level) of 6a meaning that access to public transport is considered to be excellent. In addition to abundant nearby public transportation and amenities, there are many public car parks nearby.
- 6.5.3 The application was accompanied by a Transportation Statement, a Travel Plan, and a Delivery and Servicing Plan. Harrow's Highways officer has noted that the number of trips is likely to be lower than the forecasted amount, given the high levels of available public transportation, and so the proposal would be acceptable in these terms.
- 6.5.4 A total of 48 cycle parking spaces, 12 for the retail unit and 36 for the office units, have been provided. This includes a number of Sheffield stands which would cater for accessible cycle parking. In addition, showering facilities with lockers have been provided to facilitate cycle travel for staff. The level of cycle parking meets the requirements of the draft London Plan. The railings at the rear along the boundary wall would allow for visibility for cyclists and pedestrians entering

and existing at the rear, thus enhancing traffic safety. It is noted that the cycle storage in the rear yard (for the retail shops) is indicated to have a roof over it; however full details of the proposed cycle parking is conditioned, to ensure a suitable appearance and quality of facilities.

- 6.5.5 A Delivery and Servicing Plan, which includes an outline Construction Management Plan, has been submitted with the application. There are existing dedicated servicing areas at the rear of the building off Greenhill Way which will continue to be used. For refuse servicing, the retail and office waste storage are separated; and separate rear doors allow for deliveries to be received separate for each use. Although it is noted that a delivery and servicing plan has been submitted, the Highways officer has indicated that full detailed delivery and servicing plans should be secured by condition within 6 months of occupation, when more details of potential occupiers are known.
- 6.5.6 The proposed waste arrangement include separate provision for the retail and office uses. Harrow's Waste Management team has confirmed the waste arrangements are satisfactory, as bins can normally be pulled out when necessary if loading bays are in use.
- 6.5.7 The outline construction logistics proposals are noted; however a full construction logistics plan will be required, and has been attached as a pre-commencement condition.
- 6.5.8 A Travel Plan has also been submitted with the proposal. The Travel Plan officer has asked for minor amendments to this document. The Travel Plan, including amendments, are to be secured via a S.106 agreement. Thus, it is considered that the proposal has overcome this previous reason for refusal.

6.6 Sustainability

- 6.6.1 The relevant policies are 5.1, 5.2, 5.3, 5.4, 5.6, 5.7, and 5.9 of The London Plan (2016), SI 1, SI 2, SI 4, SI 5 of the Draft London Plan (2019), CS.1 and CS.2 of the Harrow Core Strategy (2012); AAP4 and AAP10 of the Harrow and Wealdstone Area Action Plan (2013) and policies DM12, DM13 and DM14 of the Development Management Policies Local Plan (2103).
- 6.6.2 All major applications are required to achieve a 35% reduction (on site) in carbon dioxide emissions over the Building Regulations 2013; and 0% overall. The applicant should follow the hierarchy and policy guidance within the Draft New London Plan (2019). In addition, Policy 5.7 (Renewable Energy) requires new development to provide a reduction in expected carbon emissions through on-site renewable energy, where feasible. The supporting text to the policy indicates there is a presumption that the reduction achieved through on-site renewable energy will be at least 20%.
- 6.6.3 The application has been accompanied by an Energy and Sustainability Statement, which sets out a number of measures to meet the required 35% reduction in Co2 on site. These measures include refurbishment of the existing

portions of the building to improve energy efficiency; the installation of photovoltaic panels on the roof; and Air Source Heat Pumps. This is similar to the provision in the previous proposal, which was found to be satisfactory. The estimates reduction in CO2 would be 62.5% for refurbished areas and 44.7% for new build areas, for an overall average of 58.8%.

6.6.4 As the submitted information demonstrates that the proposal should be capable of meeting the policy requirements noted above. The required sustainability measures are to be secured via a standard S.106 agreement.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed scheme for refurbishment of the existing building and a large and adaptable B1(a) office space would contribute to the employment floorspace in the town centre and the economic health of the Opportunity Area and the Borough. Furthermore, the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.
- 7.2 For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

<u>Checked</u>

Interim Chief Planning Officer	Beverley Kuchar 7.5.2020
Corporate Director	Paul Walker 7.5.2020

APPENDIX 1: Conditions and Informatives

Conditions

1 <u>Time Limit 3 years - Full Permission</u>

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

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

2. <u>Approved Drawing and Documents</u>

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out, retained and completed in accordance with the following approved drawings and documents:

Planning Statement [dated February 2020]; Letter (Transport Assessment) from EAS dated 29nd January 2020; Design and Access Statement [dated January 2020]; Energy & Sustainability Statement [Ref: 9.242, dated January 2020]; Travel Plan [ref: 1975/2020, dated January 2020]; Delivery and Servicing Plan [ref: 1975/2020, dated February 2020]; M807 004.PL2; M807 047.PL2; 041.PL2; M807_035.PL2; 040.PL2; 042.PL2; 043.PL2; M807_030PL2; M807 036.PL2; M807 034.PL2; M807 033.PL2; M807 032.PL2; M807 031.PL2; M807_021.PL2; M807_022.PL2; M807_020.PL2; M807 016.PL2; M807 010.PL2; M807 015.PL2; M807 013.PL2; M807 012.PL2; M807_011.PL2

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

3. <u>Materials (Pre-Commencement)</u>

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted, provided at the application site, and approved in writing by, the local planning authority:

a) External materials, including the proposed cladding and render

- b) Window / door detailing for the entire building, including cross-sections of the depth of the windows reveals at 1:20 or 1:50 scale
- c) Railings and rainwater goods
- d) Hard landscaping, which must be comprised of permeable paving

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

REASON: To ensure that the development is carried out to the highest standards of architecture and materials

4. <u>Demolition and Construction Logistics Plan (Pre-commencement)</u>

No development shall take place, including any works of demolition, until a detailed demolition and construction logistics plan has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall detail the arrangements for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in construction the development;
- d) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- e) wheel washing facilities; and
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- g) measures for the control and reduction of dust
- h) measures for the control and reduction of noise and vibration
- i) How traffic would be managed to minimise disruption

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

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, and to ensure that the transport network impact of demolition and construction work associated with the development is managed. To ensure that measures are agreed and in place to manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts during the demolition and construction phases of the development. This condition is a PRE-COMMENCEMENT condition as the proposed measures must be in place prior to commencement of works.

5. <u>Construction Air Quality(Pre-commencement)</u>

No development shall take place, including any works of demolition, until a a scheme for air quality management plan for the construction phase of works has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall detail:

- a) Sensitivity of the area to air quality impacts arising from demolition and construction
- b) Assessment of risk for dust and other impacts affecting air quality from the proposed construction
- c) Site specific mitigation measures to address the identified risks
- d) Monitoring measures to be implemented

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

REASON: To ensure that the development would not worsen air quality in the local area, and to protect the health and welfare of local residents. This condition is a PRE-COMMENCEMENT condition as the proposed measures must be in place prior to commencement of works.

6. <u>Surface Water Drainage Strategy (Pre-Commencement)</u>

No development shall take place other than works of demolition until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to the Local Planning Authority in writing and agreed. The submitted details shall include a Management Plan for disposal of ground water during construction phases, measures to prevent water pollution, full details of drainage layout including details of the outlet and cross section of proposed storage, any flow restrictions proposed, full details of SuDS including flood displacement storage levels for existing and lowered areas, and permeable paving/surfacing and their management and maintenance. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate run-off rates in this critical drainage area and to ensure that sustainable urban drainage measures are exploited.

7. Foul Water Drainage Strategy (Pre-Commencement)

No development shall take place other than works of demolition until a foul water drainage strategy, has been submitted to the Local Planning Authority in writing to be agreed. The development shall not be occupied until the agreed drainage strategy has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development,

8. <u>Amended Plans, Lighting and Cycle Parking Details (Pre-Commencement)</u>

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

- a) Amended plans of the proposed ground floor to show two access points for the retail space, consistent with plan nos. 041.PL2 and 043.PL2.
- b) Full details of the proposed cycle storage, which shall be secure and sheltered which shall be accessible to occupants of the development only
- c) Details of external lighting proposed for the rear service area.

The works shall be completed in accordance with the approved details before first occupation of the development and shall thereafter be retained.

REASON: To protect the privacy and amenities of neighbouring and future occupiers, and to ensure the satisfactory provision of safe and satisfactory cycle storage facilities for all the users of the site and in the interests of highway safety and sustainable transport. <u>Refuse Storage</u>

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.

9. <u>Permitted Development</u>

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 reenacting 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.

10. <u>Secure by Design Accreditation</u>

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented where practical 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. the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

11. Plant Machinery

The rating level of noise emitted from any plant, machinery and equipment on the site, shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with BS 4142:2014. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation. Before any plant is used, measurements of the noise from the plant must be taken and a report / impact assessment demonstrating that the plant (as installed) meets the design requirements, shall be submitted to the Local Planning Authority in writing to be agreed be approved in writing by the Local Planning Authority.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings.

12. <u>Energy and Sustainability</u>

The development shall be undertaken in accordance with the Energy & Sustainability Statement. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the development a post construction assessment shall be undertaken

demonstrating compliance with the approved Energy & Sustainability Statement by Mecserve dated October 2018 [Ref P18-096, Issue No. 2], which thereafter shall be submitted to the Local Planning Authority in writing to be agreed the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development.

Informatives

1. <u>Policies</u>

The following policies and guidance are relevant to this decision: National Planning Policy and Guidance: National Planning Policy Framework (2019)

The London Plan (2016): 2.13; 2.15; 4.3; 4.7; 4.8; 4.12; 5.1; 5.2; 5.3; 5.4; 5.6; 5.7; 5.9; 5.10; 6.3; 6.9; 6.12; 6.13; 7.1; 7.2; 7.3; 7.4; 7.6; 8.2

Draft London Plan (2019): GG1; GG2; GG5; GG6; SD1; SD6; SD7; D3; D4; D11; D12; G5; E1; E2; E11; SI 1; SI 2; SI 4; SI 5; T1; T2; T3; T4; T5; T6.2; T7; DF.1

Harrow Core Strategy (2012): CS1; CS2

Harrow and Wealdstone Area Action Plan (2013) AAP1; AAP4; AAP5; AAP6; AAP10; AAP16; AAP17; AAP19; AAP20

Development Management Policies Local Plan (2013): DM1; DM2; DM3; DM4; DM12; DM13; DM14; DM18; DM32; DM35; DM36; DM42; DM43; DM44; DM45; DM50

2. <u>Pre-application engagement</u>

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 £76,692.00

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

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

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

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liab ility.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf If you have a Commencement Date please also complete CIL Form 6: <u>https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_n</u> otice.pdf

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

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

5. <u>Considerate Contractor Code of Practice</u>

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

6. Party Wall Act

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

1. work on an existing wall shared with another property;

2. building on the boundary with a neighbouring property;

3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

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

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

Please quote Product code: 02 BR 00862 when ordering Also available for download from the CLG website:

http://www.communities.gov.uk/documents/planningandbuilding/pdf/

133214.pdf

Tel: 0870 1226 236 Fax: 0870 1226 237 Textphone: 0870 1207 405

E-mail: communities@twoten.com

7. <u>Compliance with Planning Conditions</u>

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.

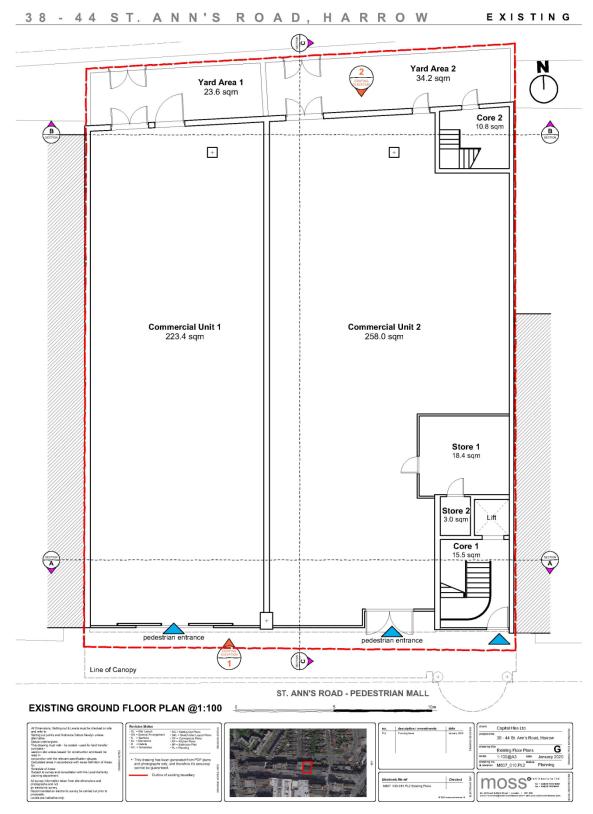
8. <u>Liability for Damage to Highway</u>

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

9. <u>Construction Design Management Regulations</u>

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline on 01541 545500

APPENDIX 2: SITE PLAN



Existing Site and Ground Floor Plan

APPENDIX 3: SITE PHOTOGRAPHS



Front of site



With no. 32-36

Planning Committee Wednesday 20th May 2020





No.46 and other adjacent properties to the west



Rear along Greenhill Way





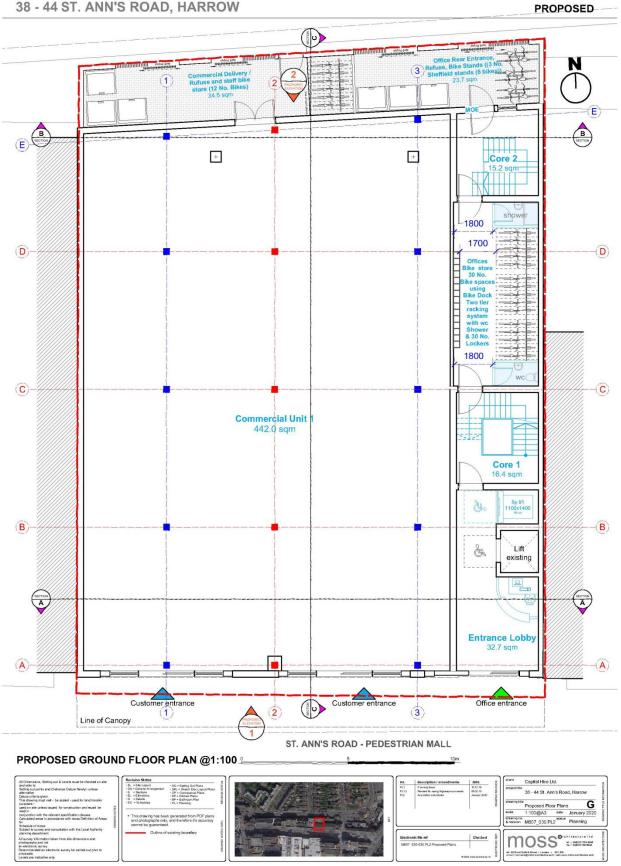
Nearby taller buildings



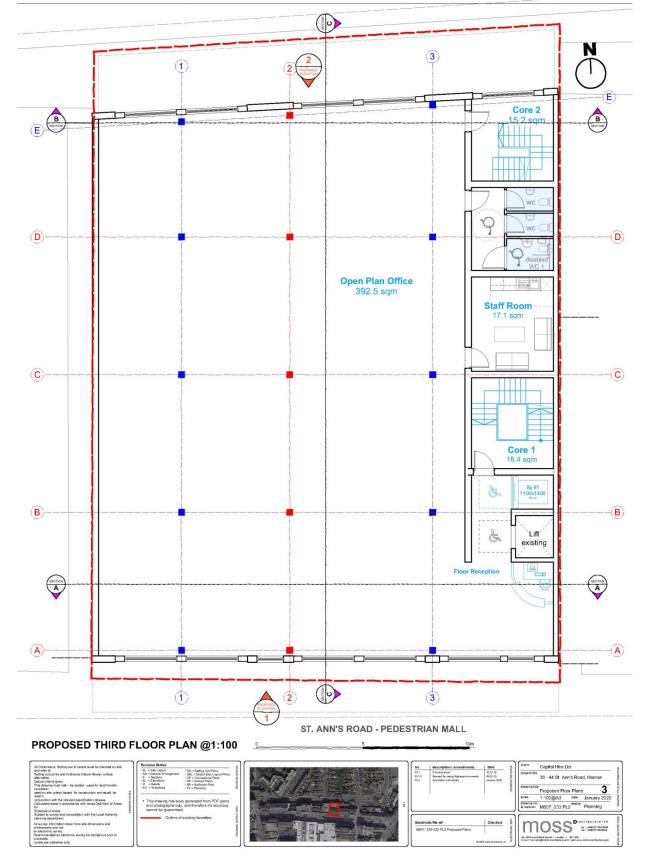
Planning Committee Wednesday 20th May 2020

APPENDIX 4: PLANS AND ELEVATIONS

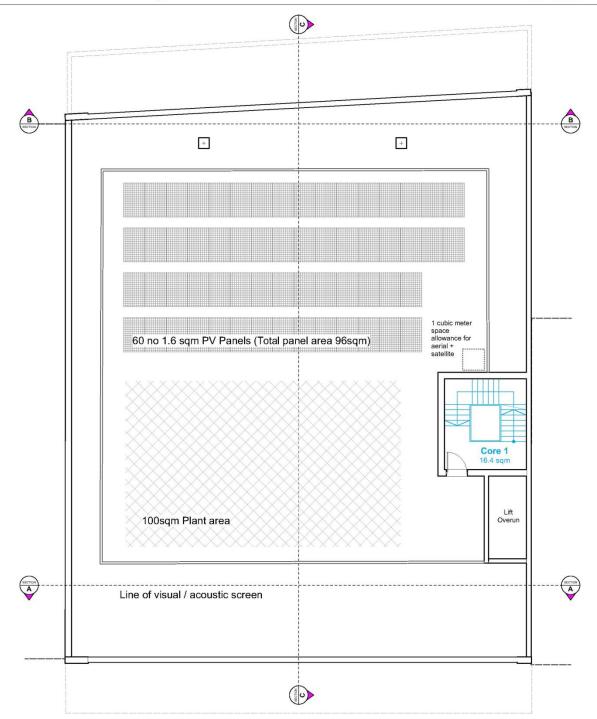
38 - 44 ST. ANN'S ROAD, HARROW



38 - 44 ST. ANN'S ROAD, HARROW



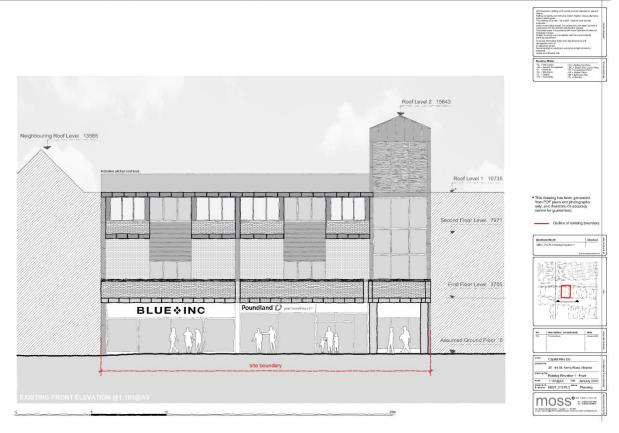
Proposed Third Floor Plans (First through fourth floors have the same layout)



PROPOSED ROOF PLAN SHOWING PLANT AREA AND PV PANELS @1:100



Proposed Roof Plan



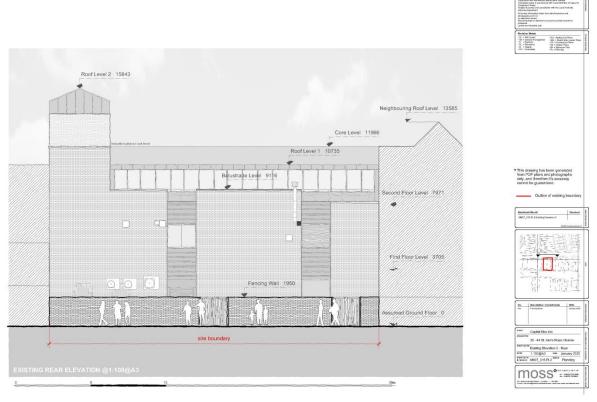
Existing and Proposed Front Elevations





E XIS TIN G





Existing and Proposed Rear Elevations





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