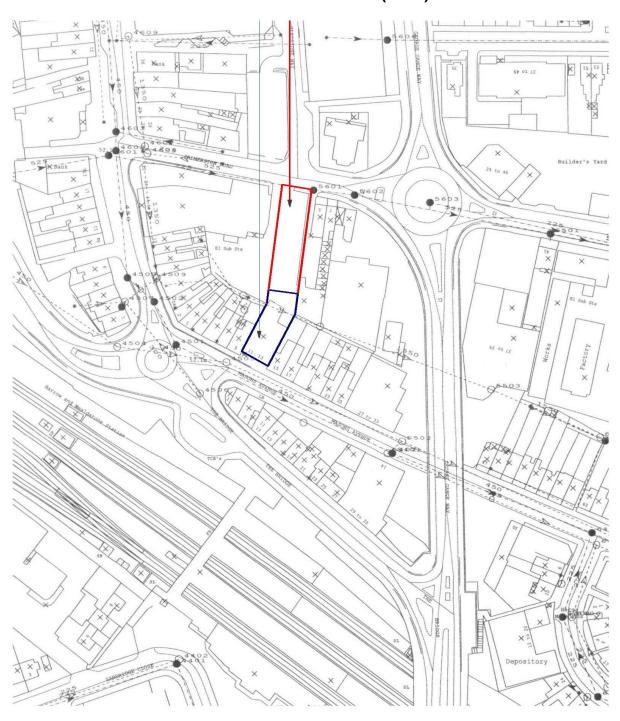




R/O Station House, 11-13 Masons Avenue

P/0681/20

# **LOCATION PLAN HERE (CRW)**



#### LONDON BOROUGH OF HARROW

### **PLANNING COMMITTEE**

## 22<sup>nd</sup> July 2020

**APPLICATION NUMBER:** P/0681/20

**VALID DATE:** 26<sup>TH</sup> MARCH 2020

**LOCATION:** REAR OF STATION HOUSE, 11 - 13 MASONS

AVENUE, HARROW

WARD: MARLBOROUGH

POSTCODE: HA3 5AD

APPLICANT: WESTGOLD HOLDINGS LTD

AGENT: STRATAGEM PLANNING CONSULTANTS LTD

CASE OFFICER: NABEEL KASMANI

**EXTENDED EXPIRY** 

**DATE:** 22<sup>ND</sup> OCTOBER 2020

#### **PROPOSAL**

Construction of four storey building with green roof to create six flats (1 X studio, 3 X 1 bed and 2 X 2 bed) (Use Class C3); Office at ground floor (Use Class B1); New vehicle access from Palmerston Road; Refuse and Cycle Storage; One blue-badge parking bay

#### 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 development and issue of the planning permission, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The Section 106 Agreement Heads of Terms would cover the following matters:
  - I. Parking permit restriction
  - II. Monitoring and Legal Fees

#### RECOMMENDATION B

That if the Section 106 Agreement is not completed by 22<sup>nd</sup> October 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation

is not completed, then delegate the decision to the Interim Chief Planning Officer to REFUSE planning permission for the following reason:-

The proposed development, in the absence of a Legal Agreement to provide parking permit restrictions would fail to ensure that the development in this location prioritises access by sustainable modes and does not place additional transport stress on the public highway, contrary to the National Planning Policy Framework (2019), Policies 6.3 and 8.2 of the London Plan (2016), Policies T6, T6.1 and DF1 of the draft London Plan (2019) – intend to publish version, Policy CS1 of the Harrow Core Strategy (2012), Policies DM42 and DM50 of the Harrow Development Management Policies Local Plan (2013) and PolicyAAP19 of the Harrow and Wealdstone Area Action Plan (2013)

### **REASON FOR THE RECOMMENDATIONS**

The proposed development would provide a residential-led mixed use development, including designated business floorspace. The proposal would make more efficient use of a highly accessible site within Wealdstone Town Centre and would also contribute to delivering the objectives of the Harrow and Wealdstone Opportunity Area.

The design of the proposal is of a high quality in respect to its response to the site and local context, in terms of height and massing, layout, architectural appearance and materials. The development would optimise the potential of the site and would therefore enhance the character and appearance of the area. Given the urban context of the site and its relationship with the adjacent residential properties, the proposal would not unacceptably impact upon the residential amenities of the adjoining occupiers. Furthermore, the proposal would provide appropriate living conditions for the future occupiers of the development. The car-free proposal is acceptable subject to a permit free agreement and would not harm the functioning or safety of the public highway.

Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

#### **INFORMATION**

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

Statutory Return Type: E.18. Minor Development, all other

Council Interest: n/a Net Additional Floorspace: 496m²

GLA Community

Infrastructure Levy (CIL): £29,760 Local CIL requirement: £55,343

#### **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 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 proposed access does not adversely affect crime risk.

### 1.0 <u>SITE DESCRIPTION</u>

- 1.1 The application site consists of the land to the rear of Station House, 11-13 Masons Avenue. The site is hardsurfaced and features designated parking associated with the D1 and B1 uses of Station House. Access to the site is provided by a vehicle crossover fronting Palmerston Road
- 1.2 Station House is a four storey, L-Shaped building fronting Masons Avenue with a D1 use on the ground floor and B1 uses on the upper floors. The application site is adjoined to the west by Birchfield (1 Palmerston Road) a five storey residential building. The site features a vehicle access in the part adjacent to the application site
- 1.3 The parcel of land adjoining the application site to the east formerly consisted of three dwellinghouses fronting Palmerston Road and vacant workshop buildings. These have recently been demolished as part of the implementation of the Origin Housing Scheme granted Planning permission under reference P/1619/16 dated 294/08/2019. Permission has been granted on the adjacent site for a part 2 and part 5 storey building with commercial/community floorspace and 17 flats.
- 1.4 The application site is located within the Wealdstone District Centre and is within a designated Industrial and Business Use Area. The application site is also within the Harrow and Wealdstone Opportunity Area, in close proximity to the culverted Wealdstone Brook and within Fluvial Flood Zone 2. The application site has a public transport accessibility rating of 6a.

### 2.0 PROPOSAL

- 2.1 The application proposes a four storey mixed use building. The proposed building would feature a commercial unit fronting Palmerston Road on the ground floor and a total of six flats on the upper floors.
- 2.2 The proposed building would have a broadly rectangular form and would be grey brick with pre cast concrete cladding detailing. The proposal would also feature a biodiverse green roof. The residential stair core would be detailed by an aluminium frame curtain wall.
- 2.3 Pedestrian and vehicular access to the site would be through a shared surface along the western part of the application site. The proposal would provide one designated blue-badge parking bay for the proposed development would retain two parking spaces for the exiting D1 use at Station House, 11-13 Masons, Avenue.

#### 3.0 RELEVANT PLANNING HISTORY

3.1 There is no relevant planning history

### 4.0 **CONSULTATION**

- 4.1 A total of 105 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 16<sup>th</sup> April 2020.
- 4.2 No comments were received follow the statutory neighbour consultation.
- 4.3 Statutory and Non Statutory Consultation
- 4.4 The following consultations have been undertaken and a summary of the consultation responses received are set out below.

### **Consultee and Summary of Comments**

### **LBH Planning Policy**

The application seeks to provide for a B1 use on the ground floor with residential units above. The application site is located within a designated Local Strategic Industrial Site (LSIS), and is currently vacant of buildings and used as a car park. The car park does not serve an industrial use. It is noted that the application site is the last site within the designated LSIS, and sits adjacent to a block of flats.

In this instance, the application site is located right on the boundary of the LSIS with residential either side. Directly to the west is a block of residential units, which falls outside of the designated LSIS. Located to the east and fronting onto Palmerston Road are a number of residential properties. To the rear of these are industrial units and then the rear of shops fronting onto Masons Avenue. The application site itself is utilised as a carpark which does not appear ancillary to an industrial use, or utilised as any such yard space. What can be said about the application site, by reason of its specific location within the LSIS, and the adjoining uses, is that it is a transitional site adjacent to residential properties.

Whilst being noted as being sited within a designated LSIS, the site is also located within the Wealdstone Town Centre Boundary and within the Harrow & Wealdstone Opportunity Area. Whilst the retention of land for industrial uses within the LSIS is sought after, the application site firstly does not serve an industrial site. Secondly, the site is located within a designated town centre, and therefore under this designation office use is an appropriate use in such a location.

The proposal would also find favour with Policy DM31 (Supporting Economic Activity & Development), specifically through DM31B(a – d). It is therefore considered that this particular piece of land provides little contribution to the existing LSIS land, and by reason of its specific location, is unlikely to come forward in an identified industrial use within the borough. Furthermore, the site does not provide parking or yard space, or indeed any useful space to adjacent industrial uses. Lastly, the site is located within a designated town centre, and therefore an office use would provide an employment use, within an

appropriate location.

The applicant has submitted a sequential test, looking at allocated sites across LB Harrow and also neighbouring boroughs. This approach is appropriate as it looks across multiple local plans, and at allocated sites which have already been through a sequential test. The current application, by reason of including office space, results in a significant number of the out of centre sites becoming contrary to the development plan. B1 office space is a town centre use, with the application site falling within the Wealdstone Town Centre. Furthermore, a number of the sites identified within the LB Harrow site allocations DPD have already been delivered. It is considered that insofar as the LB Harrow sites that have been considered as part of the sequential test, it is reasonable that the application site is the only site to meet the development parameters of the proposal, and is a site that is available and deliverable.

It appears that the ground floor has been amended to incorporate a B1 use class, and therefore by reason of not being a residential use, is a less sensitive occupier of the ground floor. Subject to an appropriate Flood Risk Assessment (to be reviewed by the Drainage Authority), the location of such a use in a flood zone is appropriate.

#### LBH Highways

This proposal is within a PTAL 6a location meaning that access to public transport is considered to be excellent. There are various bus services, rail and Underground all within a short walking distance. There are also many shops and other conveniences within Wealdstone town centre that are also within a short walk. The Council has proposals to further improve transport access within the immediate vicinity of this site.

On-street parking in this location is very limited. Immediately outside the site on Palmerston Road there are double yellow lines and loading is also prohibited at all times. The northern section of the site is within CPZ CA operating Monday to Friday, 10-11am and 2-3pm, whilst the southern section (not part of this proposal) is within CPZ J, operating Monday to Sunday 7am to midnight. In order to support the car free intentions of the proposal and to minimise the impact of any overspill car parking, it would be necessary to restrict future residents from being able to apply for parking permits for the surrounding CPZ. The proposal for a car free residential and commercial development is acceptable. The single disabled person's parking space exceeds the requirements of the draft London Plan – this is welcomed. The retained parking space for the D1 use is also considered acceptable.

The proposed access route to the parking area is very narrow at 2.85m (measured on the site plan drawing) if this is to be a shared surface area. Whilst it is likely to be very lightly trafficked, there would be very little space for a pedestrian or cyclist to pass should a car enter at the same time. The alterations at the front of the site may need further investigation as the existing vehicle access would no longer be appropriate and should be reinstated to full height kerb. A new access would need to be created however there is an existing street light in place; it would need to be confirmed by the Street

Lighting department that this could be relocated if needed.

Cycle Parking needs to be conditioned to accord with draft London Plan standards. Considering the highly accessible location, it is accepted that the anticipated trip generation is acceptable and journeys can be accommodated within the existing and proposed transport network.

In summary, this proposal is unlikely to result in a severe impact for the surrounding highway network. Further information is required in relation to the possible relocation of a street light and concerns in relation to the width of the access route. Subject to receipt of a satisfactory response and the addition of conditions (cycle parking, CLP) and obligations (parking permit restriction); Highways have no objection to this proposal.

#### **LBH Drainage**

No Objection, subject to conditions.

#### **LBH Landscape Officer**

No Objection, subject to conditions

### **Waste and Refuse Management Officer**

No Comment

### **Environment Agency**

No Objection

**Thames Water** 

#### 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.
- 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 (2019), 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 ASSESSMENT

- 6.1 The main issues are:
  - Principle of the Development
  - Housing Supply, Density and Mix
  - Design, Character and Appearance
  - Residential Amenity
  - Transport and Parking
  - Flood Risk and Drainage
  - Landscape and Biodiversity
  - Planning Obligations

#### 6.2 Principle of Development

- 6.2.1 The relevant policies are:
  - National Planning Policy Framework (2019)
  - The London Plan (2016): 2.13, 3.3, 3.8, 4.4,
  - The draft London Plan (2019): SD1, H1, H8, E4, E6
  - Harrow Core Strategy (2012): CS1, CS8
  - Harrow Development Management Policies (2013): DM31
  - Harrow and Wealdstone Area Action Plan (2013): AAP3, AAP14

#### Industrial and Business Land Use Designation

6.2.2 The application site is located within a designated Local Strategic Industrial Site (LSIS), although currently vacant of buildings and used as a car park. The car park also does not serve an industrial use. It is also noted that the application site is adjoined by residential properties to the east and the west. The site is also located within the Wealdstone Town Centre Boundary and within the Harrow & Wealdstone Opportunity Area. Whilst the retention of land for industrial uses within the LSIS is sought after, the application site does not serve an industrial site.

Furthermore, the designation of the ground floor as an office use would be an appropriate use within the town centre location.

6.2.3 The Council's Planning Policy Officer has noted that the subject site provides little contribution to the LSIS land, and by reason of its specific location, is unlikely to come forward in an identified industrial use within the borough. Furthermore, the site does not provide parking or yard space, or indeed any useful space to adjacent industrial uses. Lastly, the site is located within a designated town centre, and therefore an office use would provide an employment use, within an appropriate location. For these reasons, it is considered that the principle of a mixed use development would be acceptable in this instance.

### Loss of existing car park spaces for the commercial and community uses

6.2.4 The existing site functions as a car park for 11-13 Station House, which fronts Masons Avenue and has a mixed use consisting of a place of worship on the ground floor and offices above. The applicant has provided a supporting letter from the Pastor of Redeemed Christian Church of God (RCCG) which occupies the ground floor. The letter confirms that the RCCG are only entitled to two parking spaces within the existing car park. The proposed site plan shows that these two parking spaces would be retained. Furthermore, the applicant has also confirmed that the remaining parking spaces are no longer leased to the former commercial tenants, who have vacated the premises. Any new commercial tenant would not have the benefit of an on-site parking space. On this basis, it is considered that the proposal would not prejudice the functioning of an existing community or commercial use and would comply with the relevant policies in this regard.

#### Flood risk and the sequential test

- 6.2.5 The application site is located within EA Flood Zone 2 and therefore has a medium probability of flooding. In accordance with the NPPF, the proposal therefore necessitates a sequential test which would assess whether there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- A sequential test has been submitted with the application which considers allocated sites across LB Harrow and the neighbouring boroughs. The current application, which proposes office space on the ground floor, results in a significant number of alternative sites outside of a town centre becoming contrary to the development plan. The Council's Planning Policy Officer has noted that insofar as the LB Harrow sites that have been considered as part of the sequential test, it is reasonable that the application site is the only site to meet the development parameters of the proposal, and is a site that is available and deliverable. Furthermore, the ground floor commercial use is a less vulnerable use (as defined in the Planning Practice Guidance) than the residential use above. On this basis, subject to meeting the Exception Test, the location of the development within the Flood Zone is considered acceptable.

- 6.2.7 Paragraph 159 of the NPPF states that if it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The application of the exception test should be informed by a strategic or site-specific flood risk assessment, and for the exception test to be passed, it should demonstrate that the development would;
  - a) provide wider sustainability benefits to the community that outweigh the flood risk; and
  - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 6.2.8 The application site is previously developed land, within the Opportunity Area and designated Town Centre. The site benefits from excellent public transport accessibility and would conform to the prevailing residential and mixed use development within the locality. As detailed more comprehensively in other sections of this report, the proposed development would deliver a wide range of planning benefits for the site and the surrounding area. As detailed in section 6.6 of the report, a site specific Flood Risk Assessment was submitted and is considered to be acceptable by the Council's Drainage Department. A number of flood risk mitigation measures are proposed in addition to a sustainable urban drainage strategy and this would be secured by way of conditions. Consequently, Officers are satisfied that the proposal would be safe for its lifetime without increasing flood risk elsewhere.
- 6.2.9 For these reasons, officers therefore consider that the requirements of the Sequential and Exception Tests are met. The proposal would therefore comply with the relevant policies in this regard.

#### Provision of new residential accommodation

- 6.2.10 The proposed flats would provide an increase in smaller housing stock within the borough, thereby complying with the housing growth objectives and policies of the Harrow Development Plan. The principle of new residential flats on the site is is therefore considered acceptable.
- 6.2.11 Overall, it is considered that the principle of development would be acceptable and the proposal would therefore comply with the relevant policies in this regard.

#### 6.3 Design, Character and Appearance

- 6.3.1 The relevant policies are:
  - National Planning Policy Framework (2019)
  - The London Plan (2016): 7.1, 7.3, 7.4, 7.6
  - The Draft London Plan (2019): D1, D4,
  - Harrow Core Strategy (2012): CS1,
  - Harrow Development Management Policies (2013): DM1, DM22, DM23
  - Harrow and Wealdstone Area Action Plan (2013): AAP4

- 6.3.2 The layout, form, massing, appearance and design of the proposed development is considered to be appropriate within the context of the application site and would positively enhance the character and appearance of the locality.
- 6.3.3 Subject to conditions to safeguard the quality of the proposed development, external finishing and landscaping, officers consider that the proposed development would be consistent with the principles of good design. The proposal would therefore comply with the relevant policies in this regard.

#### 6.4 Residential Amenity

- 6.4.1 The relevant policies are:
  - National Planning Policy Framework (2019)
  - The London Plan (2016): 3.5, 7.2, 7.6,
  - The Draft London Plan (2019): D4, D5, D6, D7
  - Harrow Core Strategy (2012): CS1
  - Harrow Development Management Policies (2013): DM1, DM2, DM27, DM28
  - Harrow and Wealdstone Area Action Plan (2013): AAP4
  - Mayor's Housing SPG (2016)

#### **Neighbouring Occupiers**

- 6.4.2 The application site is adjoined to the west by Brichfield House, a five storey residential building. The east facing flank elevations of that adjacent building feature habitable room windows that face directly towards the application site. Block A of the Origin Housing development to the east of the application site also has windows and balconies facing towards the application site. The upper floor flats of nos. 5-9 Masons Avenue are located to the south of the application site
- 6.4.3 A daylight and sunlight report was submitted with the application. This concludes that the daylight to the majority of habitable rooms of the neighbouring buildings would fall within the BRE guidelines. However, the report also identifies that some rooms and windows would experience a noticeable reduction in daylight. However, these windows have a reliance on daylight over neighbouring land and would therefore be sensitive to any additional massing on the subject site.
- 6.4.4 A 'mirror image' analysis was also undertaken to establish whether alternative targets are reasonable based on the impact of the neighbouring buildings upon themselves. The report concludes that only two rooms would not meet the target criteria of the alternative target values within the Origin Housing Scheme. However, these rooms are single aspect and set behind a recessed balcony which restricts the view of the sky and would be more sensitive to changing conditions on the subject site. In relation to Birchfield, five rooms would not meet the No Sky Line targets and eight windows would fall short of meeting the Vertical Sky Component targets. Again, as the rooms and windows are situated very close to the site boundary and are in most cases single aspect, they are extremely sensitive to any change in sky obstruction resulting from development of the subject site

- 6.4.5 It is acknowledged that the design of the adjacent buildings and the location of single aspect windows facing the application site have made the adjacent residential units very sensitive to any change. This design has unfairly constrained the ability to development on the subject site to a scale and massing which is commensurate with the surrounding area. Furthermore, an informative attached to the planning permission for the adjacent Origin Housing development advises that the windows in the flank elevations (facing the application site) would not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.
- 6.4.6 Taking into account the above, the extent and degree of daylight and sunlight losses that would occur, and the need to balance the efficient use of the previously developed site, it is concluded that the proposal would maintain an appropriately standard of amenity for neighbouring residential occupiers within the context of the application site
- 6.5.7 It is noted that the proposed residential core would be finished in aluminium curtain wall glazing. Given the extent of glazing proposed and its proximity to the adjacent habitable room windows of the adjacent buildings to the east and west of the application site, it is considered that this would result in an unfavourable privacy amenity relationship. A condition is therefore attached requiring a revised external finish to the residential core in order to address this issue.

### **Future Occupiers**

6.4.8 The proposed flats would comply with the minimum space standards and would benefit from private amenity space. The supporting Daylight and Sunlight report confirms that the proposed residential units would benefit from an adequate level of daylight and sunlight. Officers consider that the proposed development would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

### 6.5 Traffic and Parking

- 6.5.1 The relevant policies are:
  - National Planning Policy Framework (2019)
  - The London Plan (2016): 6.3, 6.9, 6.13
  - The Draft London Plan (2019): T4, T5, T6, T6.1
  - Harrow Core Strategy (2012): CS1
  - Harrow Development Management Policies (2013): DM42, DM44
  - Harrow and Wealdstone Area Action Plan (2013): AAP19
- 6.5.2 The subject site has a PTAL 6a and therefore benefits from excellent accessibility to sustainable transport modes. The proposal for a car free residential and commercial development is therefore considered acceptable. In order to avoid the possibility of overspill parking taking place within the surrounding roads and to ensure that no additional parking stress is placed on the public highway following the development, the Council's Highways Department have requested a planning obligation to restrict the future occupiers of the development from applying for on-

street resident parking permits. The planning permission is also subject to a Grampian condition to ensure the street lamp adjacent to the proposed vehicular access would be relocated to ensure it does not hinder the functioning of the proposed vehicle access or restrict the use of the proposed blue-badge parking bay and retained vehicle parking spaces for the community use.

6.5.3 Subject to conditions and securing the permit restriction through a planning obligation, the Council's Highways Department raise no objection to the proposals. On this basis, it is considered that the development would not have a detrimental impact on the safety and functioning of the highway and would not result in undue parking stress within the locality. The proposal would therefore comply with the relevant policies in this regard.

### 6.6 Flood Risk and Drainage

- 6.6.1 The relevant policies are:
  - National Planning Policy Framework (2019)
  - The London Plan (2016): 5.11, 5.12, 5.13, 5.14
  - The Draft London Plan (2019): SI11, SI12, SI13
  - Harrow Core Strategy (2012): CS1
  - Harrow Development Management Policies (2013): DM9, DM10
  - Harrow and Wealdstone Area Action Plan (2013): AAP9
- 6.6.2 The Council's Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to safeguarding conditions and informatives. The proposal would therefore comply with the relevant policies in this regard.

#### 6.7 Biodiversity

- 6.7.1 The relevant policies are:
  - National Planning Policy Framework (2019)
  - The London Plan (2016): 7.19, 7.21
  - The Draft London Plan (2019): G6
  - Harrow Core Strategy (2012): CS1
  - Harrow Development Management Policies (2013): DM20, DM21
  - Harrow and Wealdstone Area Action Plan (2013): AAP12
- 6.7.2 The application proposes a green roof which would provide net biodiversity gain on the site. Subject to appropriate detailing, which can be secured by condition, it is considered that the application would comply with the relevant policies in this regard.

#### 6.8 Planning Obligations

- 6.8.1 The relevant policies are:
  - National Planning Policy Framework (2019)
  - The London Plan (2016): 8.2
  - The Draft London Plan (2019): DF1
  - Harrow Core Strategy (2012): CS1
  - Harrow Development Management Policies (2013): DM50
- 6.8.2 To ensure that no additional transport stress is placed on the public highway following the development and to promote sustainable modes of transport, the section 106 will secure a resident/visitor permit restriction to exclude future occupiers of the development from applying for on-street parking permits.
- 6.8.3 The legal costs associated with the preparation of the planning obligation and the Council's administrative costs associated with monitoring compliance with the obligation terms will also be secured.

### 7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed development would provide a residential-led mixed use development, including designated business floorspace. The proposal would make more efficient use of a highly accessible site within Wealdstone Town Centre and would also contribute to delivering the objectives of the Harrow and Wealdstone Opportunity Area.
- 7.2 The design of the proposal is of a high quality in respect to its response to the site and local context, in terms of height and massing, layout, architectural appearance and materials. The development would optimise the potential of the site and would therefore enhance the character and appearance of the area. Given the urban context of the site and its relationship with the adjacent residential properties, the proposal would not unacceptably impact upon the residential amenities of the adjoining occupiers. Furthermore, the proposal would provide appropriate living conditions for the future occupiers of the development. The car-free proposal is acceptable subject to a permit free agreement and would not harm the functioning or safety of the public highway.
- 7.3 Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

### **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. <u>Approved Plans and documents</u>

Save where varied by the 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:

101-3EX-00, 101-3EX-01, 101-3GA-01B Rev B, 101-3GA-02B Rev B, 101-3GA-03, 101-3GA-04, 101-3GA-05, 101-3GA-06, 101-3GA-07B Rev B, 101-3GA-08B Rev B, 101-3GA-09B Rev B, 101-3GA-10B Rev B, 101-3GA-11B Rev B, 101-3GA-12B Rev B, C2204-02 Rev A, Daylight and Sunlight Assessment (February 2020), Design and Access Statement, Transport Statement (6 February 2020), Flood Risk Assessment & SUDS Report (C2204-R1-Rev-B), Sequential Test (C2204-R2-Rev-B), Planning Statement (February 2020), Addendum Planning Statement (April 2020)

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

### 3. Relocation of Street Light

The development authorised by this permission shall not begin until a scheme for the relocation of the lamp column sited on the pedestrian footpath adjacent to the application site has been submitted to, and approved in writing by the Local Planning Authority. The development hereby approved shall only be occupied once the lamp column has been relocated in accordance with the proposals so agreed.

REASON: To ensure the vehicular access and parking bays for the development would not be compromised. Details are required prior to commencement of development to ensure a satisfactory form of development

#### 4. Surface and Foul Water Disposal

The development shall not commence until works for the disposal of surface and foul water, including a foul water drainage strategy, have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. The applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk. Details are required prior to commencement of development to ensure a satisfactory form of development

### 5. <u>Surface Water Attenuation</u>

The development shall not commence until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk. Details are required prior to commencement of development to ensure a satisfactory form of development

### 6. <u>Construction and Logistics Plan</u>

The development shall not commence until a construction logistics plan has first been submitted to and agreed in writing by the Local Planning Authority. 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 of 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.

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 construction and to safeguard the amenity of neighbouring occupiers and to ensure that the transport network impact of construction work associated with the development is. Details are required prior to commencement of development to ensure a satisfactory form of development.

### 7. Levels

The development hereby permitted shall not 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 by, the local planning authority.

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. Details are required prior to commencement of development to ensure a satisfactory form of development.

#### 8. <u>Materials</u>

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not progress beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and agreed in writing by, the local planning authority:

- a. external appearance of the buildings;
- b. windows and doors
- c. refuse and cycle storage area
- d. the boundary treatment

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

REASON: To ensure that the development achieves a high standard of design and layout and safeguard the character and appearance of the area

### 9. Revised External Finish of the Residential Core

Notwithstanding the details submitted, the proposed development hereby permitted shall not proceed above damp proof course level until elevation and floorplan drawings detailing the revised external finish and treatment of the residential core have been submitted to an approved in writing by the Local Planning Authority. The revised details shall overcome the privacy impacts identified. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the privacy of the occupiers of the neighbouring occupiers and to ensure that the development achieves a high standard of privacy and amenity

### 10. Landscaping and External Lighting

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above damp proof course level until there has been submitted to, and approved in writing, by the local planning authority, a scheme of hard and soft landscaping and boundary treatment. This shall include a landscape masterplan, written specification of planting and cultivation works to be undertaken and a landscape implementation programme. Soft landscape works shall include: planting plans which also detail the replacement planting along the boundary, and schedules of plants, noting species, plant sizes and proposed numbers / densities. All details of hard landscaping materials are also to be provided including permeable paving. External lighting details should include locations. lighting design, lighting design details with images and manufacturer details, specification, elevations, light spillage and lighting levels. The development shall be carried out in accordance with the approved details and shall thereafter be retained. REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in accordance with policy DM23 of the Development Management Policies Local Plan 2013.

### 11. <u>Biodiversity Enhancements</u>

The development hereby permitted shall not commence above damp proof course level until full details of biological enhancements for the site have been submitted to, and agreed in writing by, the local planning authority. The enhancements shall include;

- the type and location of bat and bird boxes to be built into the structure
- full details of the proposed green roof treatment, including roof build up, plant species mix(es) which should include twenty plus native flower species offering pollen and nectar from early spring to late autumn, together with an assessment of the sustainability of the roof to ensure adequate water provision/retention

——Full details of measures to be taken to provide shelter and foraging for invertebrate species at ground level, in the external building walls, and within the green roof areas\_where possible.

The works shall be completed in accordance with the approved details before the development is occupied and shall thereafter be retained.

REASON: To enhance the ecology and biodiversity of the area

### 12. <u>Landscaping Implementation</u>

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first use of the building(s), 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 5 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 ensure that the development maintains appropriate provision for soft landscaping soft landscaping details

### 13. <u>Landscape Management Plan</u>

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

REASON: To enhance and safeguard the appearance of the development

### 14. Cycle Provision

The development hereby permitted shall not be occupied until details of cycle parking, including the appropriate quantum, full specification of the type of stand and dimensions of storage unit have been submitted to, and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure appropriate cycle provision in accordance with Policy 6.9 of the London Plan (2016)

#### 15. Accessible and Adaptable Dwellings

The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards.

### 16. Refuse Storage

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

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

### 17. Secure by Design

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

#### 18. Site Hoardings

Site works in connection with the development hereby permitted shall not commence before the boundary of the site is enclosed by a close boarded or other security fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety

#### 19. Flues and pipework

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved.

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

#### 20. Noise

The individual and cumulative rating level of noise emitted from plant and/or machinery at the development hereby approved shall be at least 10dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 Method for rating industrial noise affecting mixed residential and industrial areas.

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

### 21. Non-Residential Use Class Restriction

The ground floor unit shall only be used for the purposes specified on the application and those that fall within Use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: To ensure the use accords with the industrial and business use designation, safeguard the amenity of neighbouring residents and the character of the locality and in the interests of highway safety

#### 22. Non-residential opening hours

The B1 Use hereby approved shall only be open to the public between: 8:00am and 20:00pm on Mondays to Saturdays, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the operation of the ground floor use is compatible with residential amenity

#### 23. Non-residential Delivery Hours

Deliveries to the non-residential use within the development shall take place only between the hours of 08:00 and 19:00 on Mondays to Fridays and between the hours of 08:30 and 13:00 on Saturdays. There shall be no deliveries on Sundays and Bank Holidays

REASON: To ensure that the noise impact of deliveries associated with nonresidential uses within the development is minimised and that the development achieves a high standard of amenity for future and the neighbouring occupiers

### **Informatives**

#### 1. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019) (NPPF)

London Plan (2016): 2.13, 3.3, 3.5, 3.8, 4.4, 5.12, 5.13, 5.14, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.19, 7.21, 8.2

Draft London Plan (2019) – intend to publish version: SD1, H1, H8, E4, E6, D1, D3, D4, D5, D6, D7, T4, T5, T6, T6.1, SI12, SI13, G6, DF1

Harrow Core Strategy (2012): CS1

Development Management Policies (2013): DM1, DM2, DM9, DM10, DM12, DM14, DM15, DM22, DM23, DM24, DM27, DM28, DM42, DM43, DM44, DM45, DM50

Harrow and Wealdstone Area Action Plan (2013) AAP2, AAP4, AAP9, AAP12, AAP14, AAP19

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Documents

Mayor of London, Housing Supplementary Planning Guidance (2016)

Supplementary Planning Document: Residential Design Guide (2010)

### 2. <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.

### 3. The Party Wall etc. Act 1996

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: Ucommunities@twoten.comU4T

#### 4. <u>Mayoral Community Infrastructure Levy (provisional)</u>

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 £29,760. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any inuse 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. <a href="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</a> https://ecab.planningportal.co.uk/uploads/1app/forms/cil\_questions.pdf
If you have a Commencement Date please also complete CIL Form 6: <a href="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</a>

The above forms should be emailed to <a href="https://example.com/Harrow.gov.uk">HarrowCIL@Harrow.gov.uk</a> 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. Harrow Community Infrastructure Levy (provisional)

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 £55,343

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

The CIL Liability is payable upon the commencement of development.

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

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

https://ecab.planningportal.co.uk/uploads/1app/forms/form\_1\_assumption\_of\_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil\_questions.pdf

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

https://ecab.planningportal.co.uk/uploads/1app/forms/form\_6\_commencement\_notice.pdf

The above forms should be emailed to <a href="mailto:HarrowCIL@Harrow.gov.uk">HarrowCIL@Harrow.gov.uk</a>

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

#### 6 <u>Pre-application engagement</u>

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

#### 7. Environment Agency

The Environmental Permitting (England and Wales) Regulations 2016 require a
permit to be obtained for any activities which will take place:
□ on or within 8 metres of a main river (16 metres if tidal)
□ on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
□ on or within 16 metres of a sea defence
□ involving quarrying or excavation within 16 metres of any main river, flood
defence (including a remote defence) or culvert
□ in a floodplain more than 8 metres from the river bank, culvert or flood defence
structure (16 metres if it's a tidal main river) and you don't already have planning
permission.

For further guidance please visit <a href="https://www.gov.uk/guidance/flood-risk-activities-environmental-permits">https://www.gov.uk/guidance/flood-risk-activities-environmental-permits</a> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity

#### 8. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of

surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information

### 9. <u>Compliance with conditions</u>

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.

#### 10. <u>Highways Interference</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 <a href="mailto:nrswa@harrow.gov.uk">nrswa@harrow.gov.uk</a> 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.

#### 11. Street Naming and Numbering

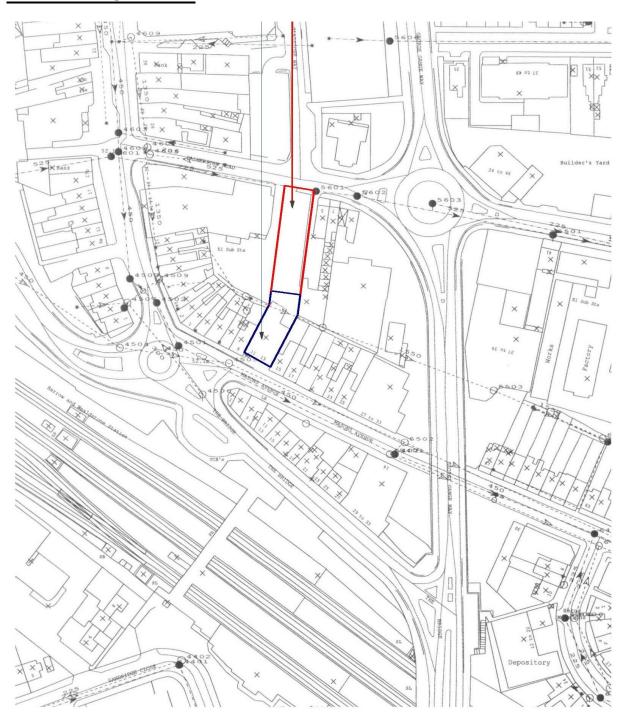
Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. <a href="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</a>

### **CHECKED**

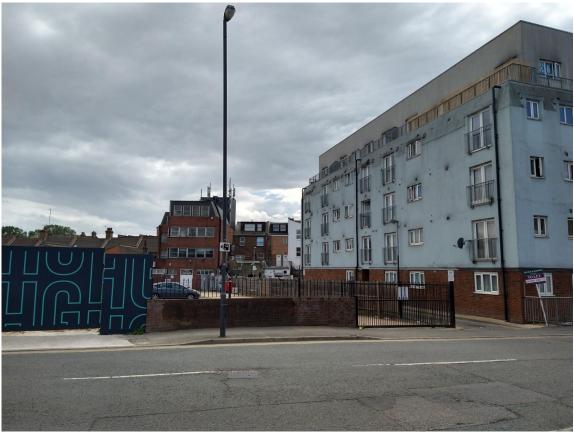
Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9.7.2020

# **APPENDIX 2: SITE PLAN**

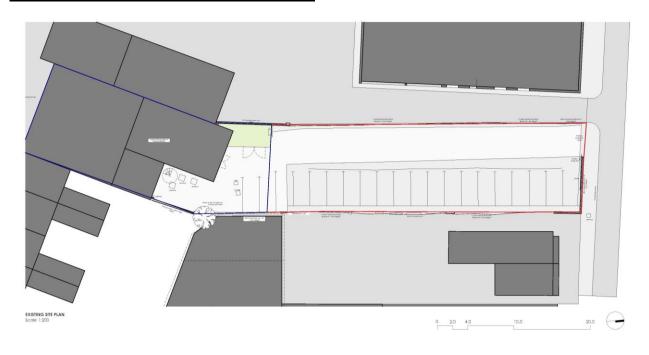


# **APPENDIX 3: SITE PHOTOGRAPHS**

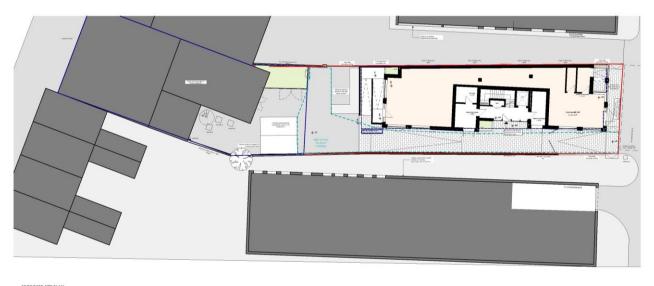




# **APPENDIX 4: PLANS AND ELEVATIONS**

















Gight grey bricks	<ol> <li>Recessed pre-cost concrete cladding</li> </ol>	(6) Steel railing (RAL 7012)	<ul> <li>Dark grey bricks</li> </ul>			
Pre-cost concrete cornice	(4) Aluminium frame windows (RAL 7012)	Steel gate (RAL 7012)		0 1.0 2.0	5.0	10.0





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