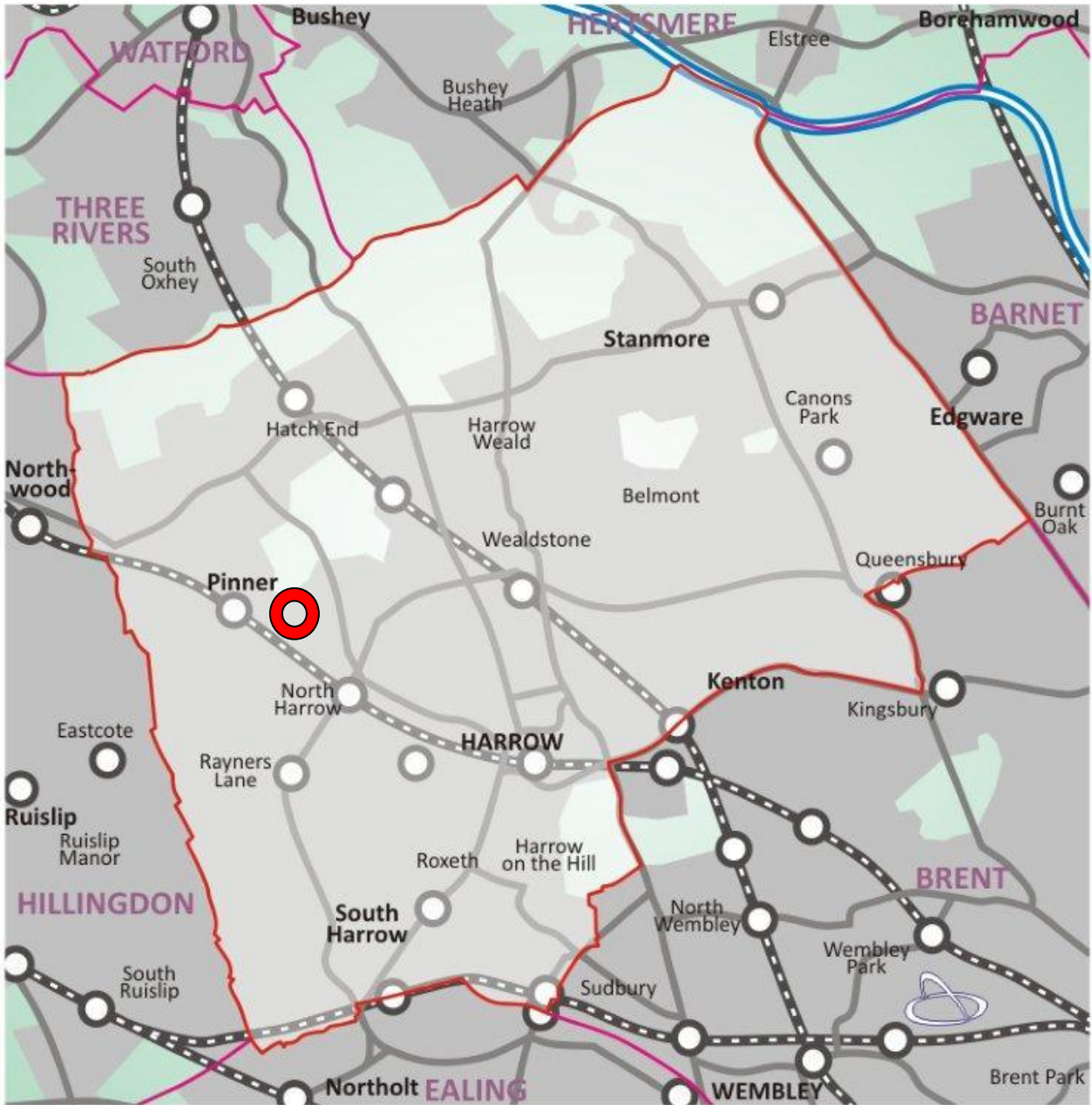
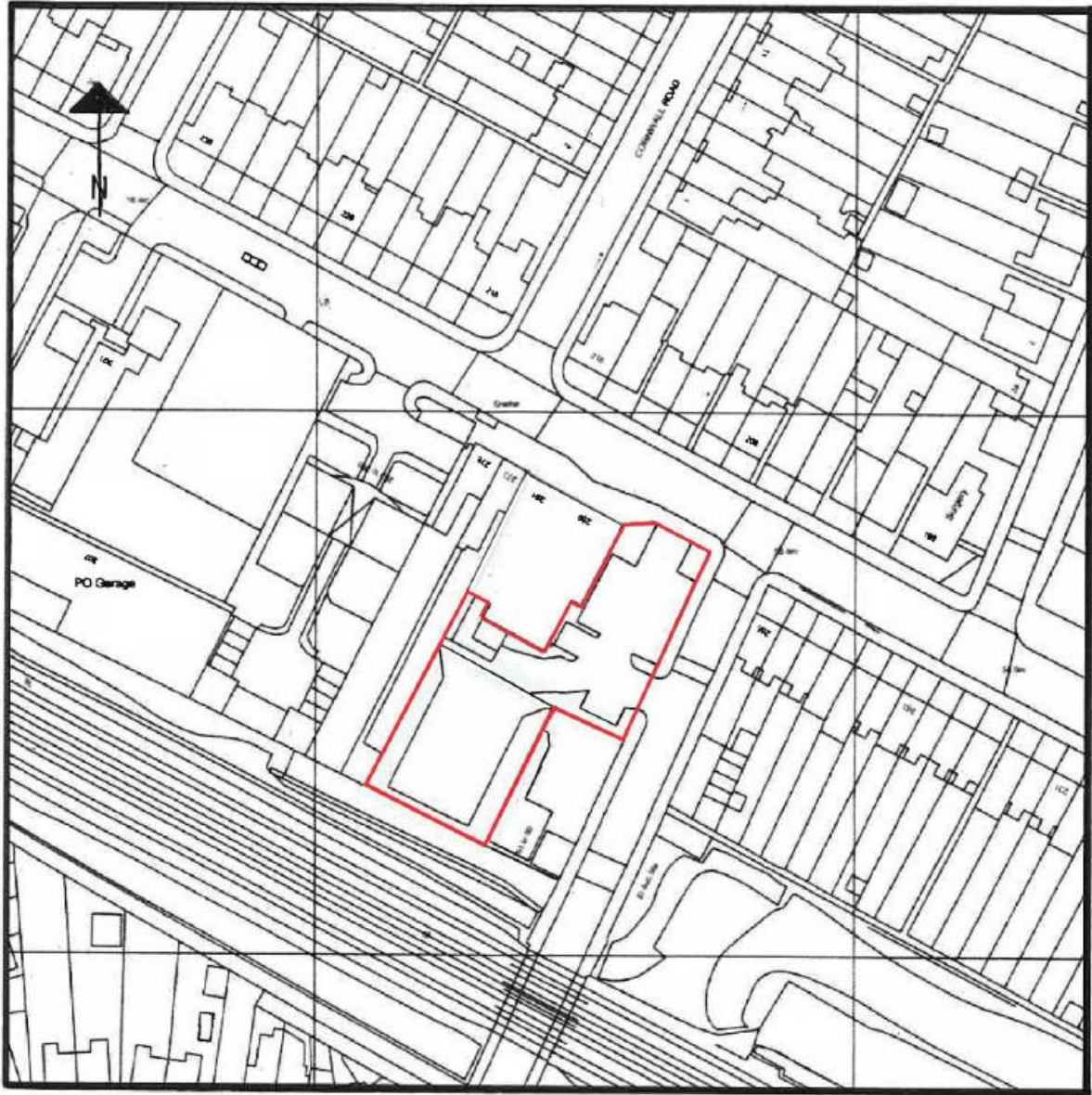


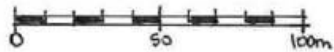
 = application site



Land at rear of 259 Pinner Road, Harrow, HA1 4HF	P/4355/19
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SITE LOCATION PLAN 1:1250



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/4355/19
VALIDATE DATE: 11/10/2020
LOCATION: LAND REAR OF 259 PINNER ROAD, HARROW
WARD: HEADSTONE SOUTH
POSTCODE: HA1 4HF
APPLICANT: PINNER DEVELOPERS LTD
AGENT: AKT PLANNING+ARCHITECTURE
CASE OFFICER: SELINA HOTWANI
EXTENDED EXPIRY DATE: 22nd SEPTEMBER 2020

PROPOSAL

Redevelopment to provide three storey building comprising of seven flats (6 X 2 bed and 1 X 1 bed); bin and cycle stores

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 Section 106 legal agreement The Section 106 Agreement Heads of Terms would cover the following matters:
 - i. Development to be Resident Permit Restricted: With the exception of disabled persons, no resident of the development shall obtain a residents' parking permit within the Controlled Parking Zone. An additional £1,500 contribution towards the cost of amending the traffic order.
 - ii. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if, by 22nd 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 Chief Planning Officer to **REFUSE** planning permission for the appropriate reason.

The proposed development, in the absence of a legal agreement to ensure a car-free development through the restriction of resident parking permits for future occupiers of the proposed dwellings, would result in increased parking stress in the locality, in a

sustainable location, to the detriment of the Councils aim to reduce reliance on the private motor car in sustainable locations. The proposal is therefore contrary to Policy 6.13 of the London Plan (2016), Policy T6 of the Draft London Plan (2019) Policy CS1.R of the Core Strategy (2012), and policies DM42, DM43 and DM50 of the Development Management Policies Local Plan (2013).

REASON FOR THE RECOMMENDATIONS

The principle of providing a residential development on the application site is considered acceptable. The proposed housing development would bring forward housing provision of a satisfactory mix to provide housing choice to the borough and of an adequate level to ensure suitable accommodation for future occupiers.

It is considered that the proposed buildings would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The proposal would provide appropriate living conditions for the future occupiers of the development.

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 the proposed development consists of construction of more than 3 new dwellings. The proposal therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	(E)13 Minor Dwellings
Council Interest:	No
Net Additional Floorspace:	514 sqm
Infrastructure Levy (CIL) Contribution:	£30,840 (with indexation)
Local CIL requirement:	£81,417.60 (with indexation)

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 Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the proposed access does not adversely affect crime risk.

1.0 SITE DESCRIPTION

- 1.1 The application site relates to a parcel of vacant land located to the south west rear of 259 Pinner Road formerly used as additional car parking associated with the Apollo Public House.
- 1.2 The subject site is located within a mixed commercial, retail and residential area. Directly north of the site are Tesco Express and Ladbroke's, including associated car parking for the Tesco customers. At first floor level of the rear part of the Tesco store are 2 x 1 bedroom flats. Access for this building is via The Gardens. The application site benefits from legal right of access via this same access point.
- 1.3 To the east of the site and also accessed off, The Gardens is an MOT, services and car sales garage. South of the site adjoins an access path which leads to the rear of No. 275 Pinner Road which separates the site from the embankment carrying the Railway Line providing tube and main line services including the Metropolitan Line.
- 1.4 To the west of the application site is the rear of No. 273 Pinner Road. Within this rear garden, abutting the shared boundary with the application site is the Tunnel (Shisha) Lounge. This extends the full depth of the site.
- 1.5 The wider area further east and north of Pinner Road comprises two storey terraced and semi-detached dwellinghouses. There are also larger flatted blocks to the west such as Adrian Court and Kotecha House which are three storey developments.
- 1.6 The site is not within a Conservation Area and is not statutorily listed. The site has a public transport accessibility level (PTAL) of 3.

2.0 PROPOSAL

- 2.1 The proposal seeks to construct a three storey building to accommodate 7 new flats. The ground and first floors would comprise three units on each (2 x 2 bedroom and 1 x 1 bedroom units) and the second floor would comprise 1 x 2 bedroom unit. The ground floor units would benefit from private garden space and the upper floors would be provided with private balconies. A roof garden to provide additional communal space is also proposed.
- 2.2 Three parking spaces located south of the Tesco vehicular access would be repositioned to accommodate a wider pedestrian footpath from The Gardens to the proposed development site. Boundary treatments are proposed to the front of the site.
- 2.3 A refuse store fronting the Tesco Service Yard and cycle storage for 14 cycle spaces within the forecourt of the development are proposed. Soft landscaping would be provided.

- 2.4 The materials proposed would comprise a mix of brickwork and render with aluminium casement windows and doors. The balcony balustrades would comprise 1.1m high steel railings and enclosed balconies with glass screening on the railway side.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status and date of decision
P/3128/19	Redevelopment to provide three storey building comprising of eight flats; parking; bin and cycle stores	Refused 26/11/2018
<p>1. The proposed application by virtue of their description and existing and proposed plans fail to demonstrate satisfactory and accurate information with regards to the proposed red line boundary and submitted land registry information associated with the subject application contrary to the provisions of the General Development Management Procedure Order 2015.</p> <p>2. The proposed development by reason of its poor siting fronting the Tesco Express service yard and poor legibility resulting in the lack of safe, sustainable and inclusive access arrangements would result in a conflict between residential and commercial traffic to the detriment highway and pedestrian safety and free flow of traffic contrary to the National Planning Policy Framework (2018), Policy 6.3 The London Plan (2016), Core Policy CS1 of the Harrow Core Strategy (2012), Policies DM1, DM22, DM44 and DM45 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document - Residential Design Guide (2010).</p> <p>3. The proposed ground floor flats by reason of their poor layout and proximity to the shared boundaries with surrounding commercial / industrial uses would give rise to poor levels of outlook, undue noise, vibration and disturbances to the detriment of the residential amenities of the future occupiers. Furthermore, the applicant has failed to satisfactorily demonstrate acceptable noise levels for all proposed residential units and private amenity spaces of the development, contrary to the National Planning Policy Framework (2012), Policies 3.5.B, 3.5.C, 7.6B, 7.15 of The London Plan (2016), Policies DM1 and DM27 of the Harrow Development Management Policies Local Plan (2013), Policies, Mayor of London's Housing Supplementary Planning Guidance (2016) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</p>		

Wider (Tesco) Site

Ref no.	Description	Status and date of decision
HAR/108014	Residential Development (Outline)	Granted 25/08/1955
LBH/1492/1	Erection of new licensed premises	Granted 02/11/1966
WEST/624/9 6/VAR	Variation of condition 5 LBH/1492/1 dated 2 Nov 66 to allow use of parking area as garden.	Refused 14/11/1996
<p>1. Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's minimum requirements in respect of the development, and the likely increase in parking on the neighbouring highways would be detrimental to the free flow and safety of traffic on the neighbouring highway and the amenity of neighbouring residents.</p> <p>2. The proposal would result in the loss of parking spaces, and a parking layout with inadequate manoeuvring space, that would be likely to lead to displaced car parking taking place on the neighbouring highway which would be detrimental to the free flow and safety of traffic and harmful to the amenity of local residents.</p> <p>3. The proposed use of the rear parking area as a beer garden would have an unacceptable impact on the occupiers of the flats at Adrian Court, giving rise to unacceptable levels of noise and disturbance, particularly at unsocial hours.</p>		
WEST/92/95/ CON	Continued use of part of car park as playground / patio without compliance with Condition 5 of LBH/1492/1 dated 2 Nov 1966	Refused 18/07/1995
<p>1. The unauthorised uses lead to displaced car parking taking place of the neighbouring highways which is detrimental to the free flow and safety of traffic and harmful to the amenity of local residents.</p> <p>2. The unauthorised uses cause unreasonable noise and disturbance for surrounding local residents which is harmful to their enjoyment of properties and thus detrimental to residential amenity.</p>		
P/0325/09	Single storey front extension to provide additional retail floor space with associated alterations to ground floor elevations	Granted 11/09/2009

P/0327/09	Alterations to existing car park to include two additional car parking spaces and landscaping	Granted 11/09/2009
P/0328/09	Conversion of first floor to provide 2x1 bedroom flats and 2 storey rear extension	Granted 11/09/2009
P/0361/12	Change of use from retail shop (use class A1) to financial and professional services (Use Class A2) or restaurant (Use Class A5); external alterations including installation of extract flue	Granted 16/05/2012

4.0 **CONSULTATION**

4.1 A total of 38 consultation letters were sent to neighbouring properties regarding this application. The public consultation period expired on 14 November 2019.

4.2 Revisions made to the current application include:

- Floor to ceiling heights have been increased to 2.5m on all levels.
- Front facing balconies have been relocated at first and second floor levels to provide enclosed (sound proof) inset balconies facing Tunnel Lounge.
- The stairwell wall on the front elevation now includes a glazed panel / curtain walling;
- The floor areas for Flats 1 & 4 have been reduced from 78 to 76sq.m. and Flat 7 has been reduced from 88 to 86 sqm.
- All flats include over 2sqm of internal storage space.

4.3 Having regard to the comments made below it is not considered that the above amendments would either overcome or frustrate the matters raised and as such it was not considered necessary to conduct a further re-consultation. Following the initial consultation 3 objections were received.

4.4 A summary of the responses received are set out below with officer comments in *Italics*:

Summary of Comments (Objections)
<p>Character & Appearance: All the buildings and housing in the area are 1930 builds this modern atrocity will devalue the area as it won't suit it and will stand out.</p> <p><i>The immediate surrounding area is mixed in character and the buildings vary from traditional 1930s buildings to more modern development along Pinner Road with buildings varying to up to 3 storeys. Within this context, it is not considered that the development would appear at odds with the varied pattern of development in the locality.</i></p>

With Tesco and the area already being a high flowing pedestrian area (many shops in the area) there are issues of littering. With 7 more flats there will be an increase of littering in the area.

The proposed development has a dedicated refuse area for future occupiers, contained within a secure refuse store. As such, it is not considered that the development would result in additional litter.

Car Parking:

This proposed development has zero parking provision and there are not enough parking spaces to accommodate current residents' vehicles this is only going to increase pressure on spaces.

It is highly unlikely in this day and age that the new occupants of all seven flats will be 'car free' and it is questionable whether a ban on the residents of these flats gaining parking permits can be practically enforced.

Although no car parking spots will be allocated in a suburban area like Harrow we would expect visitors to come with cars and residents with children in the future to look for car parking spots to drop off their kids/go shopping etc hence this new proposal is poorly thought out and doesn't have the best interest of the future occupiers.

The Councils Highways Officer has indicated that in order for a car free proposal to be considered acceptable, it is necessary for the applicant to demonstrate that residents have good access to public transport and measures will be put in place to encourage car free living. The transport statement details the public transport facilities available within the area surrounding the site and furthermore the applicant commits to enter into an agreement that would restrict future residents from obtaining parking permits for the surrounding CPZ. As this is a legally binding document, any breach would result in an injunction against the person/s entered into the obligation and is therefore enforceable.

Amenity:

The privacy from the back window of No. 273 Pinner Road will be exposed with the proposed layout especially as it is three storey high building.

There are no windows which directly face No. 273 Pinner Road, furthermore this property is sited approximately 28m North-West of the site and it is therefore not considered that any detrimental harm in terms of overlooking or arising loss of privacy would occur to an unacceptable degree.

Amenity for future occupiers:

In addition to this the flats will need to have sufficient soundproofing especially due to trains and lorries. They are claiming they will put the maximum thickness of glass allowed but due to noise from the surrounding area residents wouldn't be happy.

Building flats in this location would cause issues for the future occupiers as the proposed site would give rise to poor level of outlook undue noise vibration and disturbances.

A Noise & Vibration Assessment was submitted with the application and appropriate mitigation measures incorporated as part of the design have been put in place to ensure that it would not cause detrimental harm to future occupiers as a result. This has been reviewed by the Council's Environmental Health Officer and is considered acceptable.

The proposed balconies overlook a railway and shops/commercial area. This is not an ideal area for residential flats.

The flats are surrounded by 3 businesses and a railway this is not a location for housing it's a preposterous location to build a block of flats. This is not a location for a block of flats.

There are no policy restrictions precluding this site for residential use and it is considered that given the acceptable design and mitigation measures in place to minimise the impact of noise and vibration from the railway and surrounding uses the proposed development would be appropriately located. The outlook from these units not considered uncommon in dense urban environments such as this.

Currently there is a rat infestation in the area adding more flats will amplify this issue with more rubbish in the area.

The refuse would be contained within a dedicated refuse store.

Other Issues:

There have been numerous power cuts in the area and an additional 7 flats would put more stress on the network.

The access point to build the flats will be adjacent to the rail way line. This land is owned by Lift & Engineering Services Ltd - 275 Pinner Road Harrow. Permission should be requested if this access point can be used as they control the entrance/exit gate.

These are not material planning considerations and have therefore not been included as part of the assessment of this application.

Drainage:

There has been a lot of drainage issues on Pinner Road where Thames Water have had to come and unblock drainage. With the addition of 7 flats this will increase the drainage problems. The last problem occurred week commencing 21st October.

A condition requiring the applicant to contact and attain Thames Water Consent. Furthermore, the Council's Drainage Engineer has requested the submission of a Drainage Strategy via condition, to ensure the applicant makes use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the management and maintenance of the measures used.

4.5 Statutory and Non-Statutory Consultation

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

4.6

Consultee and Summary of Comments
<p>LBH Drainage Engineer No objections subject to pre-commencement conditions.</p> <p>Environmental Health Officer: Initial concerns raised particularly in relation to impact of adjacent Tunnel (Shisha) Lounge use at the shared boundary. Following the submission of additional mitigation measures and subject to conditions relating to the submission of MVHR system details and an operational condition ensuring the development is carried out in accordance with the information provided within this application, the Officer raises no objection.</p> <p>Highways Officer: The transport statement is acceptable. In order for a car free proposal to be considered acceptable, it is necessary for the applicant to demonstrate that residents have good access to public transport and measures will be put in place to encourage car free living. The transport statement details the public transport facilities available within the area surrounding the site and furthermore the applicant commits to enter into an agreement that would restrict future residents from obtaining parking permits for the surrounding CPZ. Policy T6 of the draft London Plan states that developments that are car free should still provide disabled persons parking. However a non-provision of disabled parking could be justified given that Policy T6.1 G requires for 1 disabled space per unit (for 3% of the total) but refers to 10 or more units. T6 B/E require disabled parking to be provided but in line with T6.1 Although from a highways perspective, the provision of disabled parking is an important element of a residential development that should not be undervalued, it is not necessarily required by policy.</p> <p>Details of the cycle store should be secured by pre-occupation condition. A construction logistics plan following guidance at www.constructionlogistics.org should be secured by pre-commencement condition.</p> <p>A legal agreement is required for the restriction on parking permits.</p> <p>Waste Officer: No objections</p>

Landscape Officer:

Subject to conditions, no objections.

Secure By Design:

Fence should be lowered to avoid obstructing the view of the main entrance of the building. Secure by Design accreditation should be attained.

Transport for London:

No objection in principle, subject to pre-commencement conditions requiring a design and method statement and associated informatives.

5 **POLICIES**

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

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

5.2 The National Planning Policy Framework (NPPF) 2019 sets out the Government's planning policies for England and how these should be applied; it is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises the London Plan (2016) and the Local Plan. The Local Plan comprises the Harrow Core Strategy (2012), Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and the accompanying policies map.

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough. The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP), with the Panel's report published in October 2019. The Plan (Consolidated Suggested Changes Version published in July 2019) holds some weight in the determination of planning applications, although lesser weight will be given to those areas of the plan that are recommended to be amended in the Panel's report.

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

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Character and Appearance of the area
- Housing Supply, Mix and Density
- Residential Amenity
- Transport and Parking
- Flood Risk and Development
- Accessibility

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.4 and 3.8
- The draft London Plan (2019): CG2, H1 and H2
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

6.2.2 The subject site was formerly part of the Apollo Public House, which has been converted into an A1 retail unit (currently occupied by Tesco supermarket). The previous use of this building was Use Class A4. Planning permission was not sought for the change of use from A4 to A1 as such a change can occur under permitted development and the Town and Country Planning (General Permitted Development Order) 1995 (as amended). Permission was subsequently granted for alterations to the existing car park to facilitate the change to a Tesco store under application P/0327/09. Within the submission, the subject site was not included in the approved plans as forming part of the customer car park. This evidence suggests that the subject site ceased to operate as associated car parking for the A1 unit and has remained vacant since. On this basis, the proposal is not considered to result in a loss of car parking and is considered to be previously developed land as defined by the National Planning Policy Framework (2019).

6.2.3 Having regard to the planning designations on the site, the site lies outside of a designated parade or metropolitan, district or local centre and there are no development plan policies that specifically preclude the provision of residential dwellings here. The application site is not an identified site within the Sites Allocation Local Plan (2013), but is a previously-developed site. This site can be considered to be a windfall site for the provision of new housing insofar as it is not an identified site, but the provision of housing on this site would contribute to the strategic vision of Policy 3.3 of The London Plan (2016) which recognises the need for more homes throughout Greater London and Policy CS1 of the Harrow Core Strategy (2012) with regards to the provision of additional housing within the borough. Some weight should also be afforded to the Draft London Plan "Intend to Publish" version (2019) and policy H2 which supports well-designed new homes

on small sites (below 0.25 hectares in size) and reinforces the need for small sites to contribute to meeting London's housing needs. The subject site is 0.16 hectares and is considered to fall within this category. Accordingly, both adopted and emerging policies support sites such as this for residential use.

6.2.4 Policy DM 24 of the Harrow Development Management Policies Local Plan (2013) requires that proposals secure an appropriate mix of housing on the site and contribute to the creation of inclusive and mixed communities. The appropriate mix of housing should have regard to the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land. It is considered that the proposed 2, 3 and 4 persons dwellinghouses would provide a high quality mix of housing for both smaller and family sized households and would therefore be appropriate. Given the scale of the proposal, no affordable housing is required; and this would be considered satisfactory.

6.2.5 On the basis of the above, the use of the land for residential uses is supported in principle and would make a contribution to the housing stock in the borough. For these reasons it is considered that the principle of the use of this site for the provision of housing is acceptable, subject to consideration of further policy requirements as detailed below.

6.3 Character & Appearance of the area

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 3.3, 3.5, 3.8, 6.9, 6.13, 7.4 and 7.6
- The Draft London Plan 2019: D1, D2, and D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM24, DM27, DM42, DM44 and DM45

6.3.2 Since the scheme was refused in 2018 (P/3128/18), the following modifications have been made:

- Site location plan amended to include footpath works;
- Removal of a blue badge parking space;
- Reduction in one unit and overall mass at third floor level and creation of a roof garden with obscure 1.8m high obscure acoustic glazing;
- increase in the number of 2 bedroom units from 5 to 6;
- Additional landscaping to the frontage of the site;
- Detailed Noise Report and Daylight/Sunlight Assessment included;
- Enclosed balconies to the rear of the site; and
- Changes to materials on the elevations.

6.3.3 The application site is currently vacant and located to the rear of the motor garage fronting The Gardens and set back from Pinner Road by some 38m and is largely screened by the existing two storey Tesco Express. The rear of the site is characterised by the railway line. The subject site is therefore not considered to

occupy a prominent location. The wider area comprises two storey dwellinghouses on the northern side of Pinner Road and a mix of retail and residential on the southern side directly in front of the subject site. In close proximity to the application site to the north east are flatted developments between two and three storeys including Kotecha House and Adrian Court.

- 6.3.4 The proposed building would be a maximum of three storeys although the third storey would not be highly prominent given that this element would be set in from the edges of the building and would not occupy the entirety of the building footprint. Notwithstanding this, the part two / three storey building would be compatible with the scale of development in the locality. The development is also visually contained within the site and set in from adjacent boundaries by between 3.5m at its narrowest point and 5m at its widest point. As such, it would sit comfortably within the site and would not appear unduly large or bulky in mass. To add, the building footprint comprises approximately 40% of the overall site and would not constitute an overdevelopment. It is therefore considered that the scale and mass of the proposed development would be acceptable in the context of the wider area.
- 6.3.5 In terms of design and appearance, the development would comprise contemporary design using high quality materials. The external facades of the building would comprise a mix of light and dark grey stock facing brickwork to differentiate between the second floor and lower levels. The use of brickwork on the second floor level is welcomed and is considered an improvement from the previously proposed zinc. It would also include 'pewter grey' render to highlight the main entrance and core of the building which is considered acceptable and would create some architectural interest. The front facing balconies would comprise 1.1m high steel balustrades which would appear lightweight not adding to the bulk of the development. Similarly, the fully enclosed balconies to the rear are provided with sliding glass screens to minimise any noise impacts from the adjacent railway line. Whilst generally acceptable, exact details of the materials and their appearance, including the location, design and appearance of any external flues or rainwater goods would be secured by condition.

Refuse Storage

- 6.3.6 Policy DM26 states that part of the requirements for good design are that bin and refuse storage must be provided in such a way as to minimise its visual impact and that adequate arrangements for the storage and collection of waste, which would not give rise to nuisance to future occupiers is required. Policy DM45 states that waste storage must be located and screened to avoid nuisance to occupiers and adverse visual impact.
- 6.3.7 The Councils Waste Officer has confirmed that the provision of two large waste bins and an organic waste bin is acceptable. The location of refuse to the front of the property to integrate with the existing servicing arrangement with Tesco is also considered acceptable. The double frontage doors also enable residents to access the store from the southern side and allow for collection on the northern side. Subject, to details of the design and appearance of the refuse store, this element

would not detract from the character and appearance of the proposed development or wider area.

Landscaping

- 6.3.8 Policy DM22 requires proposals to include hard and soft landscaping to be provided as part of new development. The proposal was referred to the Council's Landscape Officer who was supportive in principle subject to conditions requiring details of the boundary treatments including the railings and wall proposed alongside the pathway leading to the site from The Gardens. Design details for the climber supports, green roofs and communal amenity roof terrace area together with and landscape management and maintenance plans for all the communal external landscaped areas are required. The cycle store proposes a green roof, which is also welcomed, and details are required for this as well as all the other green roofs proposed. Accordingly, subject to the aforementioned conditions the proposal complies with policy DM22 in respect of landscaping. Furthermore, to ensure safety across the site a condition to provide adequate access control management and secure by design accreditation must be achieved.

Access

- 6.3.9 The proposal seeks to adjust three existing Tesco parking spaces located adjacent to the main access of the site to create a larger pedestrian footpath from The Gardens directly to the proposal site between 1.2-1.5m wide and railings either side. The deed of easement submitted as part of the application confirms the developers right of access to use and alter the footpath as proposed. This is considered acceptable from a highways perspective and would not cause harm to the accessibility in and out of the site. Concerns were raised previously in relation to the access from the proposed development to the Tesco unit, however a dropped kerb from the site for pedestrians to safely access the supermarket is proposed and coupled with the widened footpath this is considered to incorporate safe access in and out of the site. Although residents may be required to cross the service yard to reach the store, the transport statement notes that this is not dissimilar from the existing arrangement whereby the store is accessed via the car park. Alternatively, there is a footpath via The Gardens to the main entrance on Pinner Road. On this basis, it is considered that the proposed arrangement would be acceptable.
- 6.3.10 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 and guidance are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.2, 7.6, and 7.14
- The Draft London Plan (2019): D4, D5, D6, D7 and SI 1

- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1, DM2, DM24 and DM27
- Mayor's Housing SPG (2016)
- Residential Design Guide SPD (2010)

Residential Amenity for future occupiers

6.4.2 The proposed development would provide seven units comprising 1 x 1 bed two person; 5 x 2 bedroom three person and 1 x 2 bedroom four person units. This would be consistent with the larger unit sizes advocated by Policy DM24 of the DMPD (2013). The proposed units would comply with the minimum space standards and would benefit from private amenity gardens or balconies, thereby providing the appropriate quantum of private amenity space for the future occupiers. Outdoor amenity is also provided by virtue of a 44.3sqm roof garden. The proposed units would be dual aspect and are sufficiently set in and buffered by planting from the surrounding uses and would therefore benefit from acceptable levels of light and outlook. A daylight assessment was also submitted which concluded that all 19 rooms would benefit from good levels of daylight. Officers consider that the proposed units would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

Layout & stacking

6.4.5 Paragraph 4.55 of the Residential Design Guide SPD specifies that 'the vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. Where possible, the horizontal arrangement of rooms between flats in a block should also avoid bedrooms adjoining neighbouring living rooms, kitchens and bathrooms, as well as communal areas such as halls and stairs'.

6.4.6 The vertical stacking arrangements are generally acceptable, although there are some marginal encroachments between the first and second floor units namely units 4, 6 and 7. However, the Noise consultant has stated that in order to comply with Building Regulations a precast wide plank floor slab for all intermediate floors with 65mm sand cement screed on a layer of 25 acoustic insulation would be provided. The ceiling would be 15mm Fireline board on a suspended metal framing. Whilst these measures are considered generally acceptable, this aspect will be covered at the Building Control Stage to ensure that sound transmission is minimised.

Noise & Disturbance

6.4.7 The development site is landlocked between various commercial uses and a railway line which has the potential to create undue noise and disturbance for future occupiers. The Noise Assessment submitted in support of the application considers the main sources of noise:

- Train noise from the railway line to the south;
- Plant noise associated with Tesco to the north;

- Delivery noise associated Tesco to the north;
- Noise associated with the garage to the east; and
- Noise from the Tunnel Lounge to the west.

6.4.8 The table below summarises the source of noise and the mitigation measures proposed to overcome these:

Source of Noise	Impact to future occupiers	Mitigation
Train noise and vibration from railway	<ul style="list-style-type: none"> • Outdoor amenity space • Internal noise and disturbance. 	<ul style="list-style-type: none"> • Enclosed balconies to the rear units; • Communal terrace incorporating glass parapet. • Suitable double glazed windows coupled with a mechanical ventilation system, such that windows will not need to be opened.
Tesco plant noise	<ul style="list-style-type: none"> • Outdoor amenity space • Internal noise and disturbance 	<ul style="list-style-type: none"> • Suitable double glazed windows coupled with a mechanical ventilation system, such that windows will not need to be opened. • Ambient noise would generally mask the noise generated from the plant. • On-going maintenance checks should be made in discussion with Tesco on the plant.
Tesco delivery noise - Small deliveries - Larger deliveries - Local deliveries for residents	<ul style="list-style-type: none"> • Outdoor amenity space • Internal noise and disturbance 	<ul style="list-style-type: none"> • Considered that the mitigation noted above would adequately deal with the infrequent larger deliveries and daily deliveries (duration of 5 minutes).
Noise from MOT garage - Air Ratchets - Car Sales - MOT / Service centre	<ul style="list-style-type: none"> • Outdoor amenity space • Internal noise and disturbance 	<ul style="list-style-type: none"> • The garage mainly used for car sales with a small service and MOT centre. • Car sales do not generate noise above traffic levels and it is not considered that noise from the service / MOT bays can be distinguished between existing background noise levels.
Noise from Tunnel Lounge	<ul style="list-style-type: none"> • Outdoor amenity space; • Internal noise and disturbance. 	<ul style="list-style-type: none"> • 3m high masonry wall on western boundary; • Standard double glazed window unit with sound attenuation exceeding minimum recommended specification; • Mechanical ventilation system, so windows do not need to be opened.

6.4.9 The noise report does state that the results of the vibration monitoring show no adverse impact to the proposed development as a result and therefore no mitigation in this respect have been applied.

6.4.10 The Environmental Health Officer has reviewed all the Noise documentation within the report and an additional note supplied by the Acoustic Consultant and considers that subject to conditions, requiring the development to be carried out in accordance with the proposed mitigation measures, the proposed development would not cause detrimental harm to future occupiers in terms of noise and disturbance. Furthermore, a request for details relating to the mechanical ventilation and heat recovery system will also be requested by condition.

Air Quality

6.4.11 The applicant has submitted an Air Quality Assessment (Hawkins Environmental) which assess the impact of the existing air quality on future occupiers of the proposed development. Harrow is within an 'Air Quality Management Area (AQMA) due to the exceedance of the annual and hourly mean Nitrogen Dioxide and the 24 hours mean small airborne particles.

6.4.12 Overall it is considered that the proposed development meets the guidance within the Technical Guidance on Local Air Quality Management (LAQM) (TG16), IAQMEPUKs Land Use Planning & Development Control: Planning for Air Quality and IAQMs Guidance on the assessment of dust from demolition and construction. With regards to the impacts of construction on air quality, dust and other pollutant emissions from the construction and demolition phases of the construction of the proposed development, the site is designated a 'Low Risk Site.' Accordingly, the site will not generate any likely significant effects, either during the construction or operational phases with the implementation of the mitigation measures. As such, there are no air quality constraints arising from the proposed development and there would be no conflict with the policies listed under paragraph 6.4.1 of this appraisal.

Residential Amenity for neighbouring occupiers

Impact to Nos. 259a and 259b Pinner Road

6.4.13 The proposed development would be set back from all shared boundaries by at least 3.5m at their closest points. The nearest residential properties are first floor flats above the Tesco Express (No. 259 Pinner Road). There are protected dormer windows which directly face the site. However, the proposed building would be approximately 16m away from the proposed building and as such it is unlikely that the scheme would cause significant harm in terms of loss of daylight to these occupiers. Furthermore, this distance and set back of the third storey would reduce the visual impact of the development from the windows directly facing the site and are therefore not considered to result in a detrimental loss of outlook. The first and second floor level balconies were revised so that they would face Tunnel Lounge to the west so as to mitigate against issues of overlooking. It is therefore considered that there would not be a loss of privacy or overlooking as a result.

Impact to No. 273 Pinner Road

6.4.14 The development would be set in by approximately 4.5m from the shared boundary with No. 273 and the residential units at first floor level would only have oblique views of the proposed development, some 27m away. As such, it is not considered that these units would experience a loss of daylight, outlook or overlooking as a result. Whilst there are flank facing windows which face the rear garden of No. 273, this area is used for commercial uses and covered almost in its entirety by Tunnel (Shisha) Lounge, a plywood structure covered in black sheets. Whilst no permission was sought for this operation, the use is immune from enforcement action and is considered to be a permanent fixture and is therefore considered to be material to this planning application. On this basis it is not considered that the proposed development would result in adverse amenity impacts to this property.

Overlooking from rear balconies

6.4.15 The proposed balconies on the rear elevation would overlook the railway line and embankment however the passengers using the trains would only experience fleeting views of the development.

6.4.16 In summary, it is considered that the proposal would not give rise to detrimental harm to future or existing residents and would accord with the development plan policies.

6.5 Transport and Parking

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9 and 6.13
- The Draft London Plan (2019): T4, T5, T6 and T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42 and DM44

6.5.2 This proposal is within a PTAL 3 location which is considered to be moderate. As noted within the submitted Transport Statement, the site is located within walking distance from North Harrow and Harrow Town Centres, as well as being in close proximity to local amenities. Furthermore, there are six bus routes located approximately 20m away on Pinner Road and two Underground Stations West Harrow and North Harrow some 400m and 750m. On this basis and given the stringent parking restrictions in place by virtue of the Controlled Parking Zone (CPZ) it is considered that 'car free' proposal is considered acceptable at this location. This is consistent with the approach taken at No. 249 Pinner Road where permission was granted for three, two storey dwellinghouses (P/5703/15).

6.5.3 The study of parking demand in the Transport Statement indicates that there may be a need for about 4-5 parking spaces based on Census car ownership levels (68% of flats in this area have access to at least one car or van) however the site is intended to be car free. The Council's Highways Officer has reviewed the information and states that given that it has been demonstrated that there are public transport facilities available within the area surrounding the site and as the

developer has confirmed commitment to enter into a legal agreement that would restrict future residents from obtaining parking permits for the surrounding CPZ, the car free element is considered acceptable.

- 6.5.4 It is however noted that Policy T6 of the draft London Plan states developments that are car free should provide disabled persons parking. Concerns surrounding conflict with deliveries to the Tesco store and servicing have resulted in disabled parking being removed from the design. Notwithstanding this, Policy T6B and E require disabled parking to be in line with T6.1 which specifically relates to parking in new residential development. Policy T6.1G states that where as disabled persons parking should be provided for new residential developments, but makes reference to those developments delivering ten or more units. The proposed development proposes seven. On this basis and given the servicing concerns raised it is considered on balance that the non-provision of a disabled space is acceptable in this instance.
- 6.5.5 The design and access statement indicates that refuse would be collected using the arrangement in place for the Tesco store and flats above, the Highways Authority considers this to be acceptable as it minimises the number of trips to/from the site. The scheme proposes 14 cycle spaces located at the front of the site. The quantum and siting of the cycle stands would be appropriate and are considered to be accessible. Further detail would be required showing the type of store, type of stands and their dimensions as such a condition to this effect is recommended. The Highways Authority has also requested that a construction logistics plan following guidance at www.constructionlogistics.org should be secured by pre-commencement condition.
- 6.5.6 In conclusion, it is considered that subject to the above conditions and legal agreement required for the restriction on parking permits, the proposal would accord with the above stated policies.

6.6 Flood Risk and Development

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13 and 5.14
- The Draft London Plan (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.6.2 The application site is not located within a critical drainage area nor within an area of high flood risk. However, the Council's drainage officer has recommended that a surface water drainage strategy and the submission of full construction details of permeable paving with their maintenance plan is submitted to and approved by the Local Planning Authority. This would ensure the development makes use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the management and maintenance of

the measures used in line with Development Management Policy DM10. Furthermore, details for the use of permeable paving have also been requested.

- 6.6.3 Subject to the above conditions and informatives it is therefore considered that the proposed development would be acceptable in terms of flood risk and would accord with relevant drainage policies

6.7 Accessibility

6.7.1 The relevant policies are:

- The London Plan 2016: 3.5 and 3.8
- The Draft London Plan 2019:D5
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM2

6.7.2 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. As this is a new build development there is the opportunity to make the ground floor units accessible for wheel chair users. Furthermore, the agent stated that the intention is for intermediate floors to be of concrete slab construction which would be ideal for hoist mounting and that bathrooms have been laid out to the requirements of Lifetime Homes, namely with wheelchair turning and flush floor gully provision. It is noted that proposed internal lift provision also provides wheel chair accessibility to all three floors as well as level access at ground floor. As the applicant is required to comply with Part M of Building Regulations, it is considered that the applicant has provided sufficient information to demonstrate that the accessible and adaptable homes standards can be achieved.

6.7.3 Notwithstanding the above, a condition of approval is required to ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, including comments received in response to notification and consultation as set out above, this application is recommended for approval given that it is considered that the proposal would contribute to the housing stock within the Borough and would make a positive contribution to an otherwise vacant parcel of land, consistent with the national and local guidance. The development would provide a good quality of accommodation for the occupiers of the property, whilst not unduly impinge on neighbouring amenities. Accordingly, the development would accord with development plan policies and is recommended for approval.

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

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

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

2. Approved Plans and Documents

The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document: 1906-S1, 1906-13 Rev F, 1906-14 Rev C, 1906-15 Rev D, 1906-16 Rev B, 1906-17 Rev B, 2349-001, 2349-002, (90)200, Air Quality Assessment (25th March 2020), Noise and Vibration Assessment (Dated 24th January 2020), Transport Statement (Reference: ITR/5266/TS.6), Deed of easement (Dated 11 November 2019), Design and Access (Dated 9th October 2019), Internal Daylight Assessment (23rd September 2019), Heating/Ventilation System (prepared by MPS, dated 6th October 2019), Addendum letter from Hawkins Environmental dated the 2nd July 2020.

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

3. Site Levels

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

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.

4. Foul Water Disposal

The development hereby permitted shall not be commenced until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details as agreed and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption.

5. Surface Water Disposal and Attenuation

The development hereby permitted shall not be commenced until works for the disposal of surface water, surface water attenuation and storage works have

been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details as agreed and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

6. Construction Logistics Statement

No development shall take place, including any works of demolition, until a Construction Method Statement & Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The Method Statement shall provide for:

- a) Detailed timeline for the phases and implementation of the development
- b) Demolition method statement
- c) The parking of vehicles of site operatives and visitors;
- d) Loading and unloading of materials;
- e) Storage of plant and materials used in constructing the development;
- f) Measures to control the emission of dust and dirt during the construction; and
- g) Scheme for recycling/disposing of waste resulting from demolition and construction works.

The development shall be carried out in accordance with the approved Method Statement & Logistics Plan, or any amendment or variation to it as may be agreed in writing by the Local Planning Authority.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development.

7. Materials

Notwithstanding the submitted details and 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 approved in writing by, the local planning authority:

- a) Facing materials and roof;
- b) Windows and doors
- c) Rainwater goods;
- d) Hardsurfacing; and
- e) All boundary treatment including either side of the footpath access The Gardens

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

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

8. Mechanical Ventilation and Heat Recovery

The development hereby permitted shall not progress beyond damp proof course level until details of the Mechanical Ventilation Heat Recovery (MVHR) system has been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the details as agreed and shall be retained for the life of the development thereafter.

REASON: To safeguard the amenity of future occupiers.

9. Communal Television Equipment

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

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

10. Permeable Paving

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level until, full details of the permeable paving and details relating to the long term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with details as agreed and shall be retained thereafter.

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

11. Refuse Storage Details

The flats hereby approved shall not be first occupied until refuse storage details showing a layout plan and elevations of the storage area, types of enclosure and access doorways with dimensions 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 the refuse store shall be in place prior to the first occupation of the development and thereafter retained in that form. The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To ensure that adequate, secure and accessible refuse storage is provided and to safeguard the appearance of the development.

12. Secure by Design

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

REASON: In the interest of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

13. Cycle Storage

The flats hereby approved shall not be first occupied until cycle parking details showing a layout plan and elevations of the storage area, types of stands and access doorways with dimensions 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 the cycle stores shall be in place prior to the first occupation of the development and thereafter retained in that form.

REASON: To ensure that adequate, secure and acceptable form of cycle parking is provided.

14. Sound Mitigation Measures

The works and mitigation measures outlined in the Noise and Vibration Assessment (Dated 24th January 2020) prepared by Hawkins Environmental hereby approved shall be carried out to the required specifications. This will also include such acoustic glazing as stated and the 3m masonry boundary wall with “the Tunnel Lounge” as specified in the addendum letter from Hawkins Environmental dated the 2nd July, unless otherwise agreed by the Local Planning Authority.

REASON: To minimise noise disturbance to the future residents of the development.

15. Landscape Plan

The development hereby approved shall not be occupied until a landscape masterplan comprising hard and soft landscape details, shall be submitted to, and approved in writing by, the Local Planning Authority. The soft and hard landscaping details should include:

- Planting plans (at a scale not less than 1:100);
- Schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities;
- Design details are required for the climber supports, green roofs and communal amenity roof terrace area together with and landscape management and maintenance plans for all the communal external landscaped areas.
- Details of landscaping and planting specifications for the communal roof terrace;
- Details for all green roofs proposed;
- Written specification of planting and cultivation works to be undertaken;
- A landscape implementation programme;
- Hard Landscape Material Details; and

- Landscaping scheme including proposed implementation.

The landscape works shall be carried out in accordance with the details agreed.

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

16. Accessibility

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 as far as possible and thereafter retained in that form.

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

17. Landscape Implementation

All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the occupation 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 development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

18. Private amenity space

Notwithstanding the submitted details, the sub-division of private rear garden areas for the ground floor flats (but excluding the boundaries adjoining No. 273 Pinner Road and the railway tracks) shall be bounded by close-boarded timber fencing to a maximum height of 1.8metres prior to the first occupation of the development and shall be retained thereafter.

REASON: To protect the residential amenities of the existing and future occupiers of the development.

19. Removal of permitted development rights

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

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity.

INFORMATIVES:

1. The following policies and guidance are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2016)

3.1, 3.3, 3.4, 3.5, 3.6, 3.8, 5.12, 5.13, 5.14, 6.3, 6.9 6.10, 6.13, 7.2, 7.4B, 7.5, 7.6B

Draft London Plan (2019)

GG1; GG2; CG4; SD1; D1, D4; D5; D6; D7; D12; H1; H2; H10; SI 1; SI 5; T1; T2; T4; T5; T6.1; DF.1

Harrow Core Strategy (2012)

CS1 Overarching Policy

Harrow Development Management Policies Local Plan (2013)

DM1, DM2, DM3, DM10, DM22, DM24, DM27, DM42, DM45, DM50

Supplementary Planning Documents

Supplementary Planning Document: Residential Design Guide (2010)

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

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

Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings

2. London Underground

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; tall plant and scaffolding.

3. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

4. Compliance with planning conditions

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

commence the development within the time permitted.- Beginning development in breach of a planning condition will invalidate your planning permission.

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

5. Considerate Contractor Code of Practice

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

6. 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

7. Liability for Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk 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.

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. Construction Design and Management Regulations

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

10. Street Numbering

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

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

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

11. Mayoral Community Infrastructure Levy (provisional)

Please be advised that this application attracts a liability payment of £14,280 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority upon the grant of planning permission will be collecting the Mayoral Community Infrastructure Levy (CIL). Your proposal is subject to a CIL Liability Notice indicating a levy of £14,280 for the application, based on the levy rate for Harrow of £60/sqm

12. Harrow Community Infrastructure Levy (provisional)

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

Harrow's Charges are:

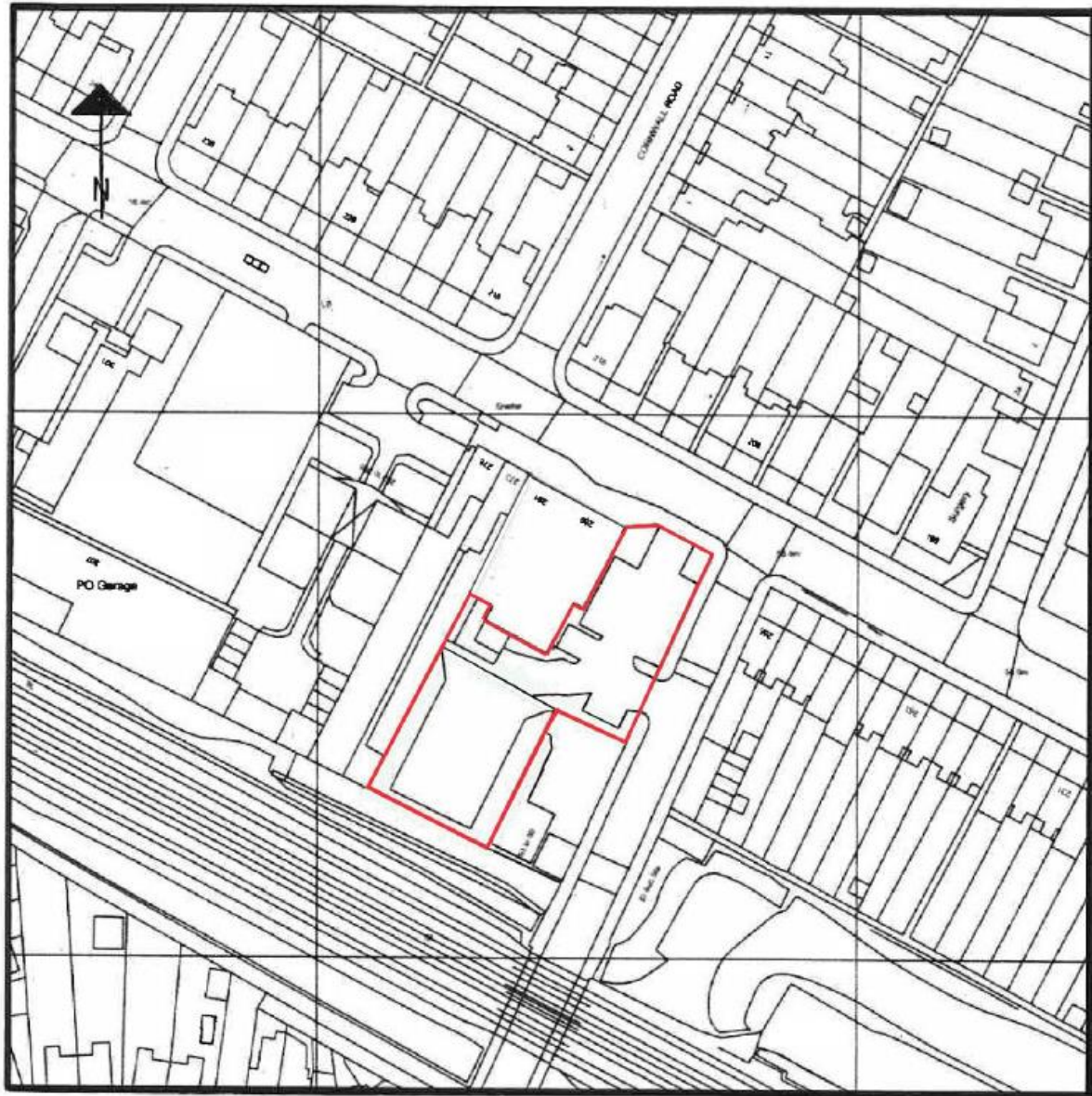
Residential (Use Class C3) - £110 per sqm; Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm; Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3)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

The Harrow estimated CIL Liability for this development is: £37,699.20

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar	20.8.20
Corporate Director	Hugh Peart pp Paul Walker	20.8.20

APPENDIX 2: Existing and Proposed Drawings

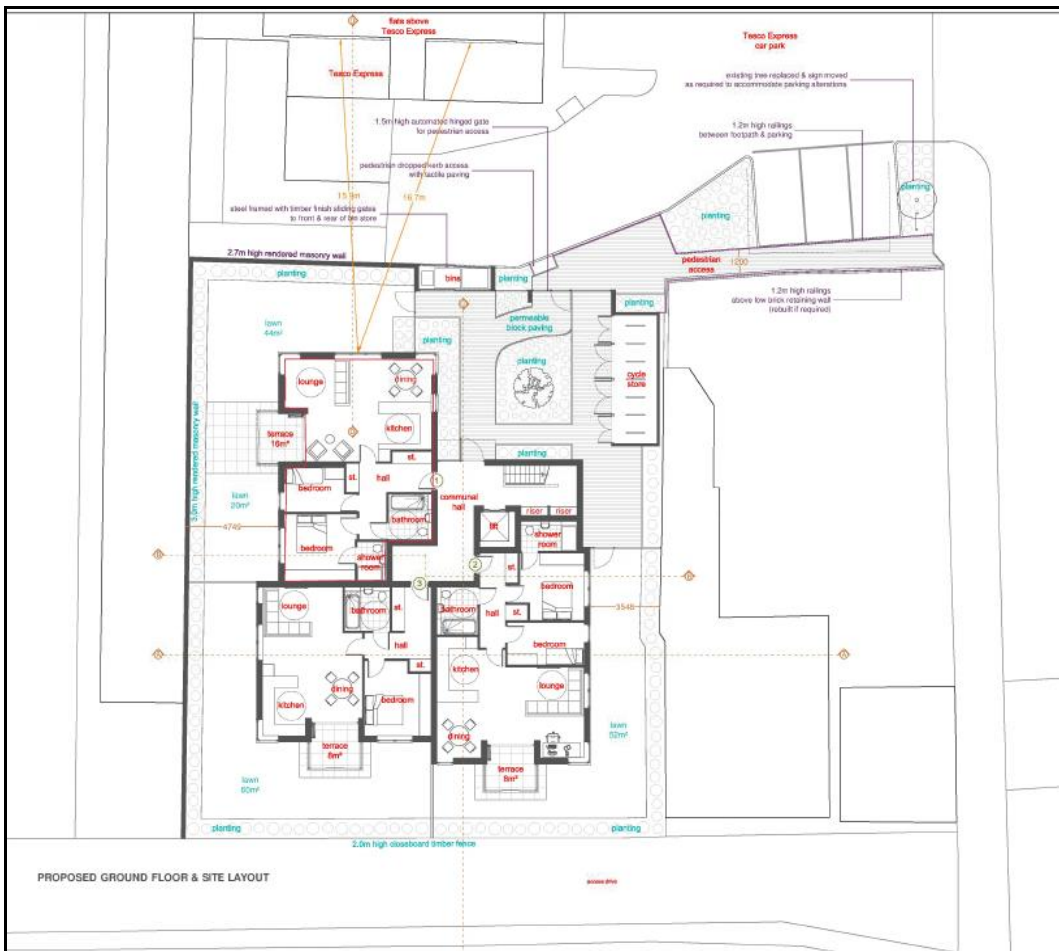
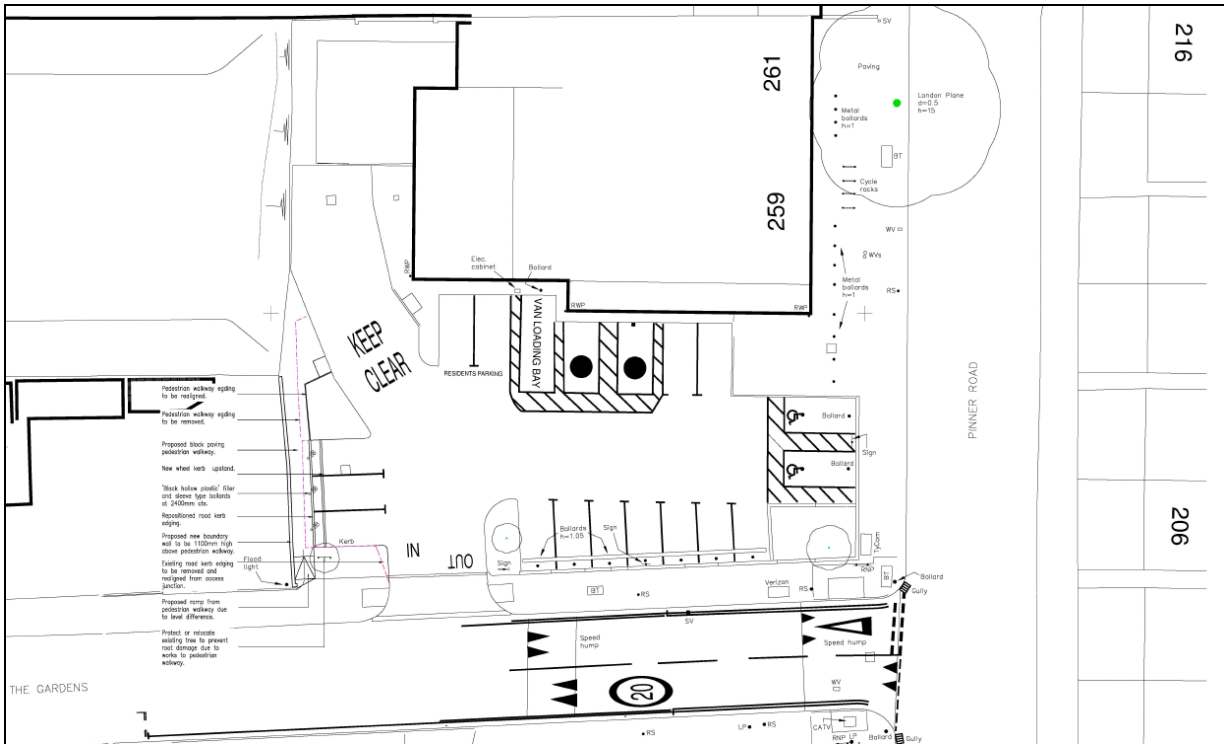
SITE PLAN



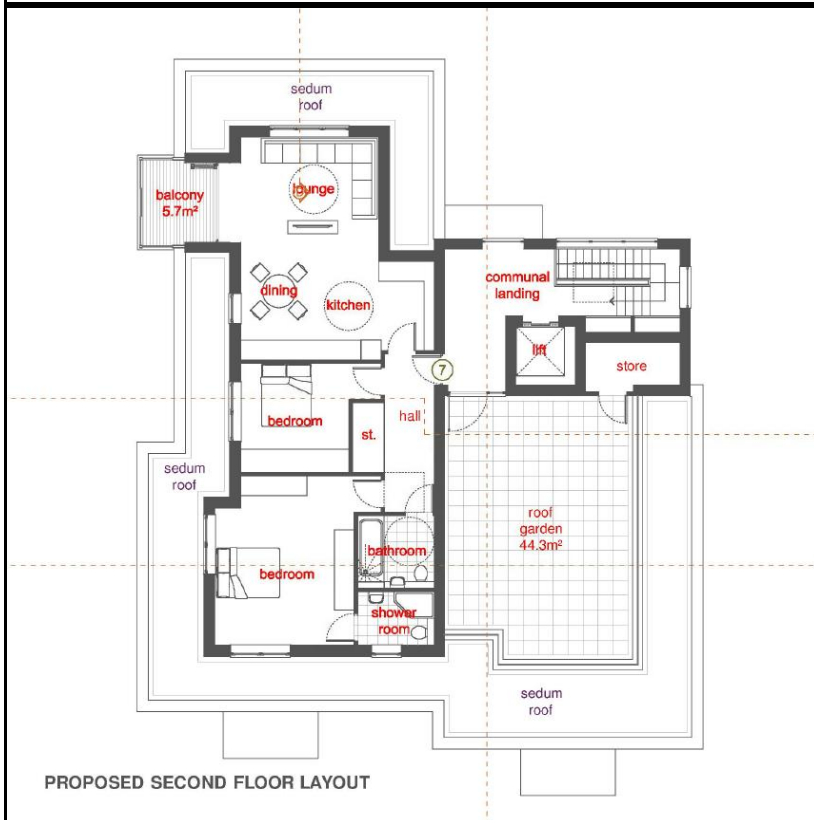
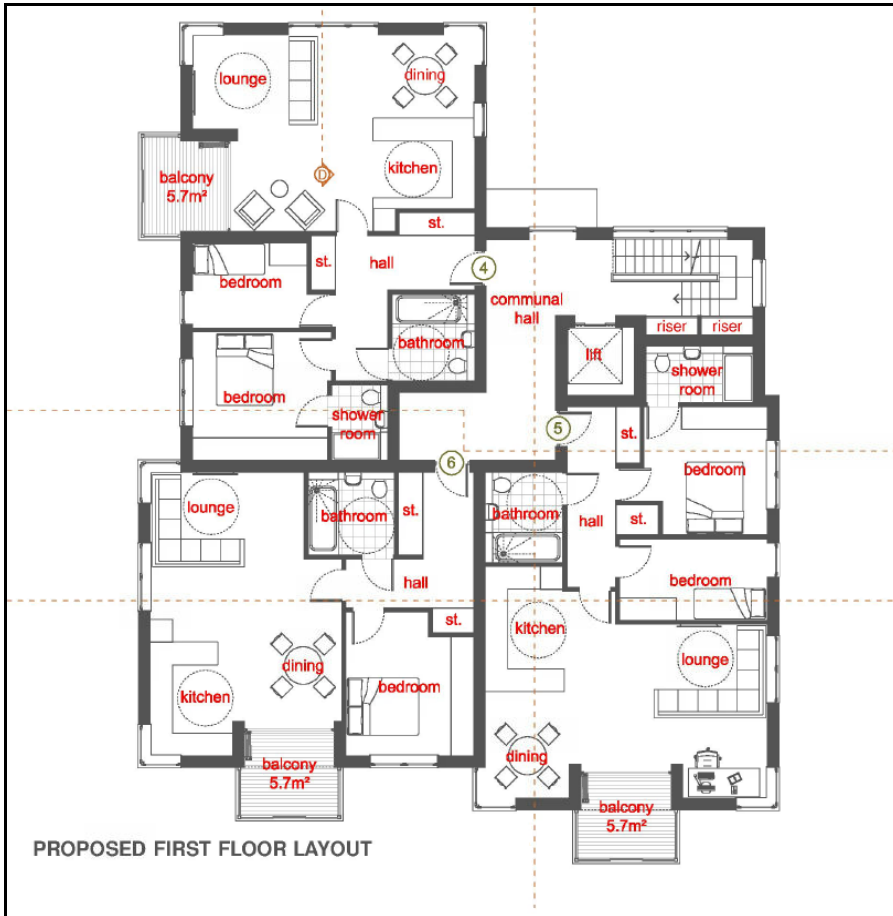
SITE LOCATION PLAN 1:1250



PROPOSED SITE PLAN



PROPOSED PLANS & ELEVATIONS





APPENDIX 3: SITE PHOTOGRAPHS



Application site (above) looking towards the railway and (below) towards the MOT garage





View from within the site towards residential properties above Tesco Store (above) and from The Gardens, existing vehicle and footpath access (below)



View from The Gardens looking towards the site



View from Pinner Road looking towards main entrance to Tesco and retail parade



Nearby flatted development north west of the site fronting Pinner Road. Adrian Court (left) and Kotecha House (right)