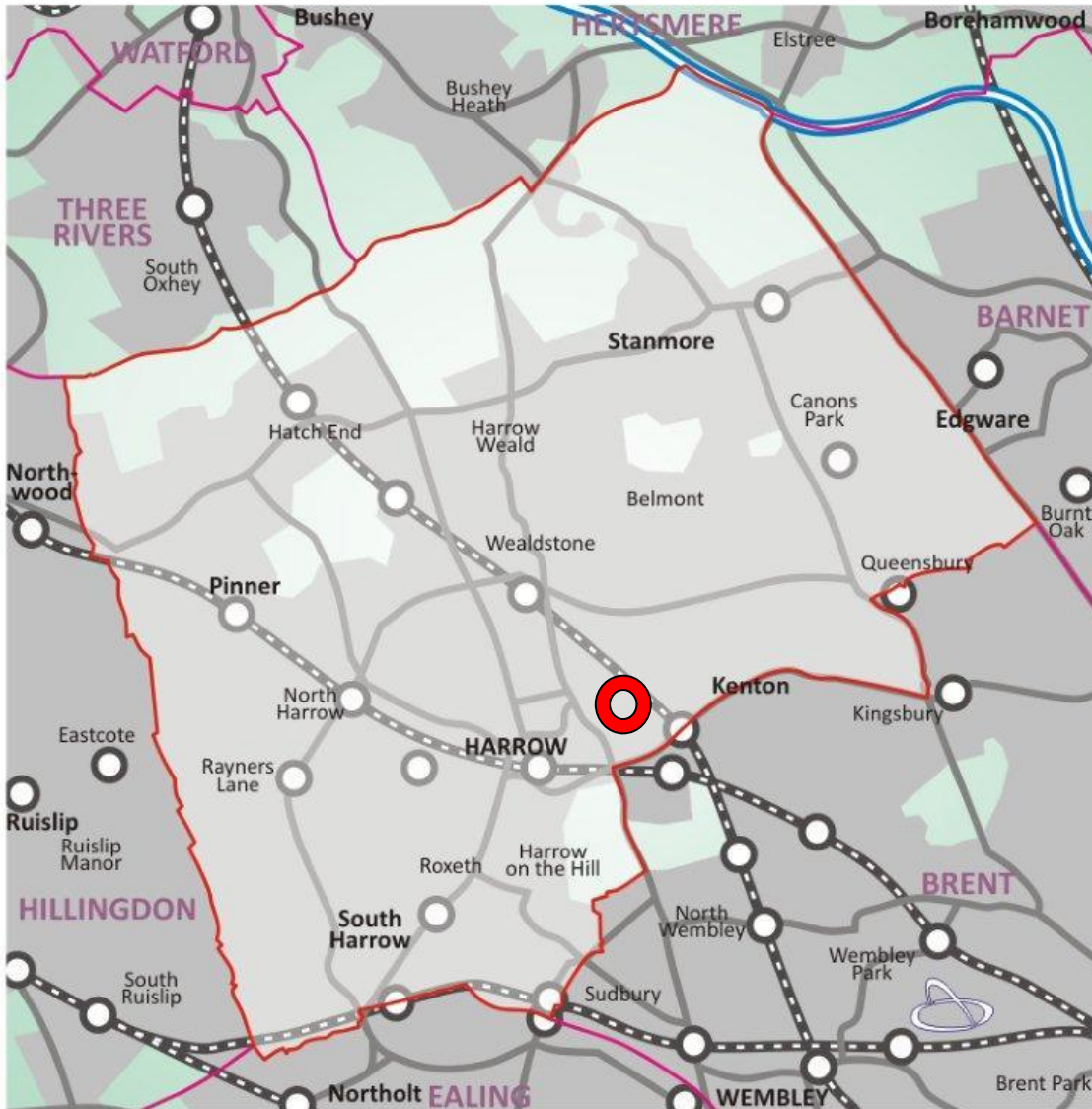


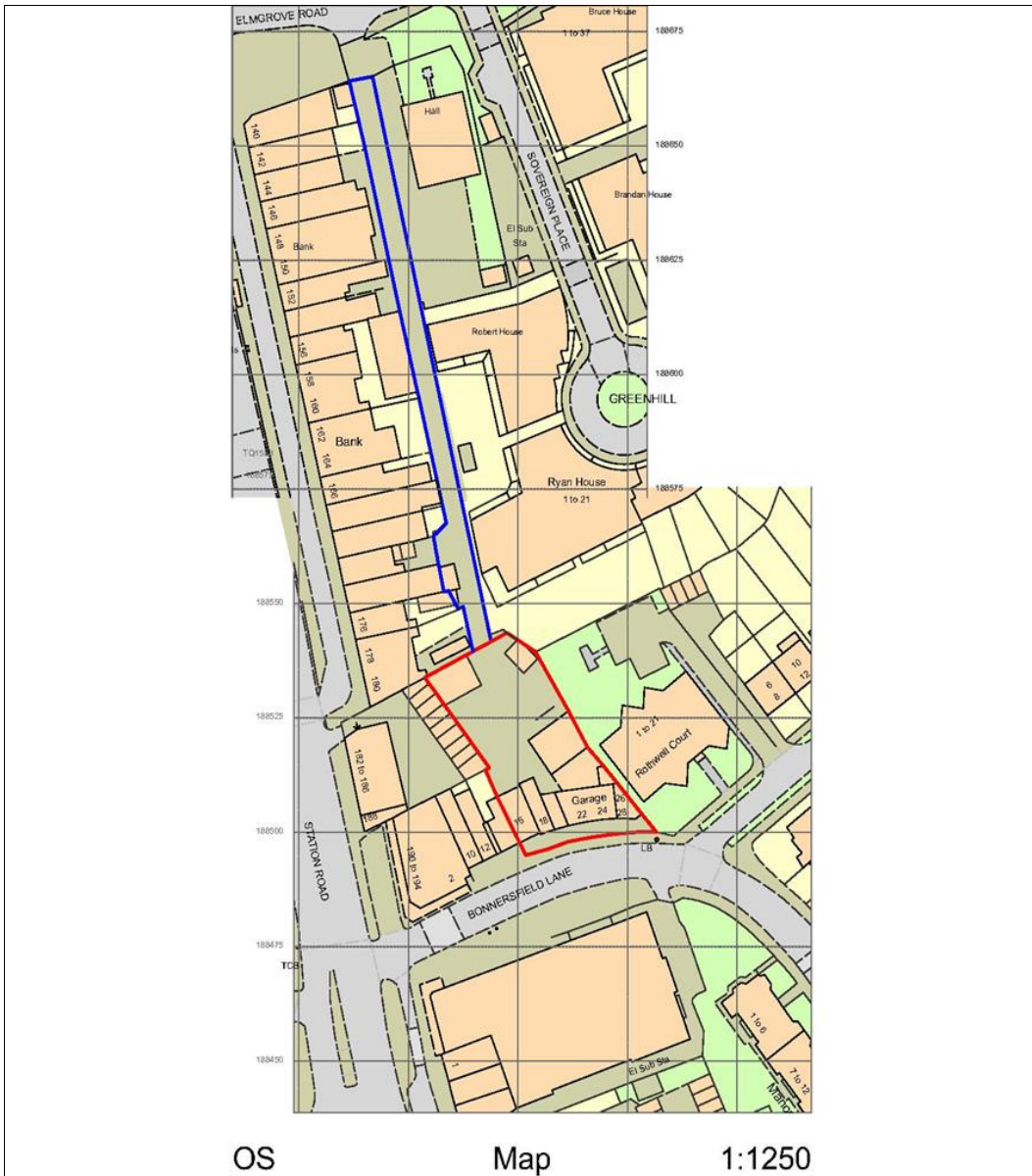
 = application site



16-28 Bonnersfield Lane, Harrow

P/0768/20

# 16-28 BONNERSFIELD LANE



OS Map 1:1250

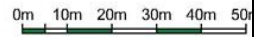


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SCALE 1:1250

Drawing	LOCATION PLAN		
Job	16-28 Bonnersfield Lane, Harrow, HA1 2JT		
Job No.	Date	Drn	Chk
2019/126	10/02/2020	A.S.	G.E.
Scale	Drawing No.	Revision	
1:1250	126/EX/001	C	

# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

14<sup>th</sup> October 2020

APPLICATION NUMBER: P/0768/20  
VALIDATE DATE: 26<sup>th</sup> FEBRUARY 2020  
LOCATION: 16-28 BONNERSFIELD LANE, HARROW  
WARD: GREENHILL  
POSTCODE: HA1 2JT  
APPLICANT: C/O Agent  
AGENT: RPS  
CASE OFFICER: KIMRY SCHLACTER  
EXPIRY DATE: 30<sup>th</sup> JULY 2020  
(EXTENDED EXPIRY DATE: 30<sup>th</sup> NOVEMBER 2020)

### PROPOSAL

Redevelopment to provide a five storey building comprising of twenty two flats (Use class C3) and commercial unit to ground floor (Use class B1); Six x three storey houses; landscaping; parking; bin and cycle stores; emergency vehicle access; associated works (demolition of existing buildings)

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

#### Affordable Housing

- Late stage review of the development as per the Mayor's SPG.

#### Transport and Highways

##### *Travel Plan:*

- A revised travel plan shall be submitted to the Council prior to the first occupation of the building), to be implemented as approved unless otherwise agreed in writing.
- A travel plan bond of £10,000 will be required to secure the implementation of all measures specified in the revised Travel Plan. In addition, a £5,000 monitoring fee is required to cover the cost of monitoring the travel plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site.
- Should the travel plan not fulfil its agreed targets by year 5, the life of the travel plan may be extended, the cost of which will be met by the developer.

##### *Resident Parking Permit Restrictions:*

- The development to be 'resident permit restricted' and the developer to ensure that: (i) all marketing/advertising material makes reference to the fact that; and (ii) all lettings

agreements contain a covenant to the effect that; future occupiers and tenants (other than those that are registered disabled) will not be entitled to apply for a residents parking permit or a visitor parking permit.

- Amendment to the relevant Traffic Management Order (contribution of £1500)

#### *Contribution to Road Works*

- Contribution of a £10,000 to improvements along Manor Parade as part of a planned cycle scheme, to support sustainable travel modes for the increased number of residential units on site and car-free proposal. The scheme intends to improve the cycling and walking facilities in the area including the crossing at Sheepcote Road/Station Road. The improvements would assist with travel to and from the site as it will most likely involve crossing at this junction and will enable users to connect to further destinations.

### **Employment and Training**

- The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan. The developer to implement the agreed Plan. The training and Employment plan will include:

- a) employment initiatives opportunities relating to the construction of the Development and details of sector delivery;
- b) the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;
- c) the timings and arrangements for implementation of such initiatives and
- d) suitable mechanisms for the monitoring of the effectiveness of such initiatives

- A financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This is usually calculated using the formula: £2500 per £1m build cost.
- The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.

### **Sustainability**

- A provision of carbon reduction on-site and payment of any off-set if zero carbon reduction is not achieved on-site, as determined by the final carbon reduction achieved on site as per Condition 25 of this permission. Based on the submitted Energy and Sustainability Statement – Option 1 Mixed Use Residential-led Scheme [6788 Rev 3.0 dated 05.03.2020], this is currently estimated at a financial contribution of (19.62 x £60 x 30 years) = £35,316 towards carbon offsetting measures.

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

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

## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 30th November 2020, or as such extended period as may be agreed by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer on the grounds that:

The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies 3.11, 3.13, 5.2, 6.3, 6.9 and 6.10 of The London Plan (2016), Core Strategy (2012) policy CS1, Harrow 7 Wealdstone Area Action Plan AAP10, AAP13, AAP19 and AAP20, and policies DM1, DM12, DM42, DM43 and DM 50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

## **REASON FOR THE RECOMMENDATIONS**

The proposed scheme seeks to provide a total of 28 residential units with replacement commercial floorspace, which are considered suitable uses within a town centre and compatible within the site. The proposed residential units would contribute to a strategically important part of the housing stock of the Borough. The layout of the site and provision of amenity space, waste management, and car parking and cycle storage has been satisfactorily addressed with amended plans.

## **INFORMATION**

This application is reported to Planning Committee as the proposed development creates more than three residential units and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Major development
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£141,060
Local CIL requirement:	£344,556.81

## **HUMAN RIGHTS ACT**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

## **EQUALITIES**

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

## **S17 Crime & Disorder Act**

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

## **1.0 SITE DESCRIPTION**

- 1.1 The site is located on the northern side of Bonnersfield Lane near the junction with Station Road. The site is located on an outward curve to the road, which connects Harrow town centre to a primarily residential area.
- 1.2 The site comprises a set of properties on the northern side of Bonnersfield Lane, which currently contain a mix of commercial and residential uses including an MOT and vehicle repairs centre, storage and car showroom, with the rear yard space forming part of the employment use. One house is located at no. 16 and three flats are on the upper floors of nos. 18-28.
- 1.3 The rear yard is accessed via an under-croft passage in the front curtilage and via an existing service road accessed from Elmgrove Road.
- 1.4 The site is within the Harrow and Wealdstone Opportunity Area and Harrow Town Centre, but outside the Primary Shopping centre.
- 1.5 The site is also across from a listed building (Granada Cinema now known as Gold's Gym, Grade II).
- 1.6 The site is located within the Protected Views Setting (yellow) corridor and an RAF Northolt Safeguarding zone which requires consultation for development that involves flying activities.
- 1.7 The site is located in a critical drainage area.

## **2.0 PROPOSAL**

- 2.1 The application seeks full planning permission for redevelopment of the site to construct a 5-storey commercial and residential block at the front of the site, with 6 no. 3-storey mews houses in the rear.
- 2.2 The front of the building would be stepped to follow the flow of the curved street, with the five-storey sited along the front boundary. The main block of the development would have a maximum height of 15.4m; the mews houses would have a maximum height of 9m.
- 2.3 Primary access would be from Bonnerfield Lane for both the residential and commercial uses. A secondary access would be provided from the rear service road and would allow for emergency vehicle access. Deliveries and servicing including waste servicing would also be from Bonnersfield Lane.
- 2.4 The ground floor of the 5-storey building would comprise a B1 Use Class commercial space, divided into two units.
- 2.5 The proposed residential provision would be comprised of 22 no. flats on the upper floors of the 5-storey building, in addition to the 6 no. mews houses located in the rear of the site. Undercroft pedestrian access would connect the mews area with Bonnersfield Lane.

- 2.6 No car parking is proposed with the exception of 1 no. disabled space; while a total of 52 long-stay and 8 short-stay cycle parking spaces would be provided.

### 3.0 **RELEVANT PLANNING HISTORY**

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

Ref no.	Description	Status and date of decision
<u>Under 16 Bonnersfield Lane:</u>		
LBH/26782	Use of site for parking, display and sale of motor vehicles	Refused: 06/06/1985
LBH/27311	Change of use from residential to offices	Refused: 06/06/1985
<u>Under 18-28 Bonnersfield Lane:</u>		
LBH/9007/1	Demolition of existing premises & erection of 3-storied building to provide showroom & workshop w/2 floors of offices over 3-storied block of 9 flats with 9 lock-up garages & car parking (outline)	Granted: 26/04/1974
<u>Under 16-28 Bonnersfield Lane:</u>		
EAST/786/00/FUL	3/4 Storey building to provide 14 flats, access & parking (resident parking restricted)	Granted: 30/10/2000
P/2537/05/CRE	Renewal of permission EAST/786/00/FUL: 3/4 storey building to provide 14 flats, access and parking (resident permit restricted)	Granted: 08/12/2005
P/0769/20	Redevelopment to provide a part three/part five storey building with basement level comprising of commercial floorspace (Use class B1 and D1) and three X flats (Use class C3); bin and cycle stores; parking; landscaping; associated works (demolition of existing buildings) (This application is affecting setting of a Listed Building)	To be determined

## 4.0 CONSULTATION

- 4.1 A total of 203 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The initial public consultation period expired on 13<sup>th</sup> April 2020. Four (4) comments were received (summarised below). After the receipt of amended plans, a second consultation period was conducted and the overall consultation period expired 08<sup>th</sup> October 2020. At the time of writing this report, no further objections were received. Any further objections received will be reported to the committee via an addendum.
- 4.3 A summary of the matters of objection raised by surrounding property owners are below:

Neighbour objections	
i.	The rear service road to the rear has been neglected and urgently requires an upgrade; but unlike the concurrent application P/0769/20 there is no proposal to upgrade the service road, including for pedestrian access which would be used for large deliveries and emergency access. Request that conditions be attached to ensure upgrading of this road; and that it should not be used for construction traffic.
ii.	Request clarification on rights of access for existing tenants and businesses; and whether parking restrictions / monitoring of illegal parking will come into effect.
iii.	Request clarification on access to service road for other users for waste servicing and emergency vehicles.
iv.	Existing issues with congestion and parking and associated pollution, which the development will exacerbate. <i>Addressed in Section 6.6</i>
v.	Prefer this proposal to concurrent application P/0769/20 as it is residential in nature. Brick finish preferable.
vi.	Scale of building will overshadow and engulf the listed "Grenada" building.
vii.	The development is in a residential area and too much for the area. <i>Addressed in Section 6.3</i>
viii.	Would result in an increase in noise for the surrounding residential area.
ix.	The five storey building would result in overlooking of some properties (from the rear of the proposal). <i>Addressed in Section 6.5</i>
x.	Request for management of on-going fly tipping and vermin issues. <i>This matter lies under the purview of Environmental Health and is outside the purview of the local planning authority.</i>



4.4 Statutory and Non Statutory Consultation

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

**Planning Policy**

Whilst it is desirable to re-provide the industrial floorspace, it is also noted that the application site is located within the Harrow Metropolitan Town Centre. The replacement of the B2 in this case is not necessarily desired, given the town centre location of the site, and Use Class B2 is not identified as an appropriate town centre use (as per the NPPF 2019). Office space (Use Class B1a) is identified as an appropriate use within this location. However, the applicant has proposed a flexible use of either B1a/b/c. It is noted that B1b/c could be considered as an industrial use, and therefore would assist in mitigating the loss of the B2 floorspace. Whilst not explicitly identified as a town centre use, Use Class B1b/c are still employment generators which are not, by their very nature, nuisance uses. In this specific case, whilst the application site is located within the designated town centre, it also immediately adjacent to the boundary and also residential uses. By reason of this, the replacement of the existing B2 use, with either B1a/b/c would be appropriate in this instance.

*Residential Replacement*

Currently, there are four residential dwellings located on the site. The draft New London Plan (2019)(Intend to Publish Version) make it clear by way of Policy H8A that any loss of existing housing should be replaced by new housing at existing of higher densities with at least the equivalent level of overall floorspace. It is noted that the proposed development would replace the quantum of housing substantially on the site, and therefore complies with this policy.

*Energy*

The proposed development is required to provide carbon savings in line with the new London Plan (2019)(Intend to Publish Version). The submitted energy statement makes reference to the latest London Plan, however only follows the London Plan (2016) policy. As such it sets out that the proposed development would provide a carbon saving of 35% on site. It is recommended that a condition be added to require a revised energy statement that is updated to reflect the draft New London Plan (Intend Publish Version)(2019). Whilst the submitted document is not in accordance with the up to date policy, this would not be a reasonable reason to refuse the scheme.

Subject to appropriate S.106 obligations and safeguarding conditions, the proposed development is able to be supported in principle.

**Housing**

No comments submitted as no affordable housing is proposed.

## **LBH Urban Design Officer**

### *Public Realm & Landscape*

- Concern as to the formulaic nature of the play space, with standard play equipment restricting a multiplicity of uses by different age groups and limiting the use of this space as recreation. High quality and flexible public realm play space such as schemes developed by muf architecture/art are recommended for these spaces.
- Cycle storage, refuse locations and planting strategy are well addressed.
- Use of permeable paving is welcomed and highly successful for mews elements.

### *Orientation, Aspect & Internal Layout*

- Some concern as to the outlook for north-western mews units and northern ground floor windows. The narrow space behind units B2 and B3 should be serviceable, but it is welcome to see that these will have a gravel covering which limits plant growth.
- Concern with the internal layout of some apartment units, notably unit 02 with a high amount of internal corridor space and no natural light to kitchen. Incorporation of kitchen within living/dining space and relocation of bathroom to kitchen location is recommended.
- Concern regarding the inconsistency of internal layouts across apartments, with unit 01 having a rationalised and generous plan with a highly usable living/dining/kitchen layout, while units 02 and 03 have narrow living/dining/kitchen spaces.
- Mews units are generous and interesting with well-considered plans and generally, private amenity space is well-addressed across the scheme. Fourth floor units have well-considered internal layouts and amenity spaces.
- The rear of the apartment block makes limited use of the roof space of ground floor commercial units, with a staggered plan and elevation having limited spatial logic. Increased window sizes and private amenity spaces should be considered to maximise dual-aspect nature of rear units.

### *Architectural Form, Composition & Materiality*

- Bonnersfield Lane street elevation is simple and well-considered with a complimentary choice of external materials. The use of white brick is considered and successful but could be bolder to emphasise the wall returns to frontage.
- Concern remains regarding the undercroft arched gating and its overall appropriateness and relationship to the rest of the development and front and rear elevations.
- Generally the design and external appearance of mews blocks is well-considered and the use of white brick welcome.
- There is concern as to the use of a frosted film on part of the return windows for street-facing units. The applicant is encouraged to develop a more architectural solution which retains full outlook from windows, such as louvres or a privacy screen, maintaining the dual aspect nature of these units.

## **Economic Development**

Economic Development will be seeking construction employment opportunities on site in line with Policy E11 Skills And Opportunities For All of the London Plan.

This will be secured through

- (i) a training and employment plan that will be agreed between the council and the developer prior to start on site and
- (ii) a financial contribution towards the management and delivery of the construction training programme based on the build cost of the development. This is usually charged based on a formula of £2500 per £1m build cost.

It's difficult to grasp the quantum of workspace being provided under the options, but our preference would be for the option providing the greatest employment space

## **LBH Highways**

### *Parking*

The proposal includes 1 disabled car parking space at the Bonnersfield Lane frontage. As the development is considered to be within a ptal 6a location, it should be car free apart from provision of disabled parking. The location of the disabled bay is not ideal for the mews houses as it is at the front of the site whilst they are at the rear.

To meet the requirements of Policy T6.5, the site should provide a maximum of 1 further disabled parking space (based on 1 space per 600sqm) for the commercial element. These bays must have active EV charging.

The residential element will require a restriction for residents from being able to purchase permits for the surrounding CPZ which will be achieved via s106 agreement and amendment to the relevant Traffic Management Order (contribution of £1500). This will help to encourage sustainable travel and reduce on-street parking demand.

### *Cycle Parking*

Details of the type of stands and storage can be secured by pre-occupation condition.

### *Site access*

servicing arrangements to load/unload from Bonnersfield Lane may be acceptable provided there are few daily visits.

### *Trip generation*

The high number of sustainable trips anticipated is achievable in this location as there are so many public transport options and little opportunity to park private cars easily.

*Active Travel Zone assessment*

The healthy streets indicators are considered to be key to encouraging modal shift, therefore, improvements to provide the requirements of the indicators are thought to be needed specifically to achieve this goal. However, it is not necessary to revise this document.

*Construction Management Plan*

A pre-commencement condition for a detailed CLP is required. The applicant is advised that should the proposal proceed, they should liaise with Highway Network Management to discuss temporary traffic management arrangements and include details in the CLP.

*Comments to revised details:*

2.1.3 – the requirements for parking are based on the ITP London Plan standards. The commercial and residential are required to provide car parking for disabled people where possible. The commercial disabled bay could be used by disabled staff, therefore it is more appropriate for this to be provided on-site rather than expect staff to park on-street as availability cannot be guaranteed. The site is just within the opportunity area therefore the rate of parking provision is up to 1 space per 600 sqm (GIA); based on the 235.6 sqm proposed, a single space is considered appropriate.

2.3.2 – the issue of waste collection needs to be reviewed by the waste team.

The trip generation comparison demonstrates that this proposal will almost double the total daily number of trips and if it is correct that the site is currently operating below capacity, the impact is likely to be more noticeable. The main increases are indicated to be in relation to pedestrian and public transport journeys which are not likely to adversely impact the highway but does mean that we need to be confident that good facilities are in place and will be going forward. As previously mentioned we do have a pedestrian and cycle scheme planned for this area which should help to achieve this.

**LBH Vehicle Crossing Officer**

There is a dropped kerb in existence which will in turn serve part of the bins store and be modified; and there is a requirement for a crossing for the disabled bay that needs to be applied for. They need to liaise with the Highways Authority before works commenced if granted.

**TfL**

Having assessed the proposals, TfL Spatial Planning has no specific comments to make on this planning application.

**Travel Planner**

The submitted Travel Plan would require revisions (details provided) however these could be conditioned.

### **LBH Waste**

A few issues to raise. Including insufficient number/type of bins for flats and clarification required on some other details. The proposal is not considered adequate.

#### *Comment to revised plans:*

The collection points all look good and allows access from along Bonnersfield so we are happy with that.

The small bins for the households will be alternative weeks but the bulk bins will be weekly so all bulk will be out each week and the household will be general one week and blue bins the following week. Although not mentioned earlier, there has been no allocation of bin space for food collections including caddies for the households, which would need to be provided. They wouldn't need a garden service if there are no private gardens.

For commercial use they've assumed they would need 4 small bins. Bin requirements for businesses depend on the type of business; however as this is for private collection that is not an issue for the Council.

Each week it would be necessary to have 6 bulk bins out and 6 x 240 litre bins out at one time; looking at both the plans and the reality of the road it does not appear there will be too many issues.

### **LBH Landscape Architect**

Recommended Landscape Conditions provided.

### **Aboricultural Officer:**

of natural screen they provide – and they're proposed for retention in any case  
No further comments and no conditions relating to tree protection will be required in this instance

### **Biodiversity Officer**

The application(s) site is within a largely urban area in close proximity to a main shopping centre.

The closest SINC's are Harrow Cemetery (c. 1KM to the west) and the narrow green corridor of Bonnersfield Lane (c. 480m to the ESE), both of which are of local importance and the much larger, Borough Grade I Harrow on the Hill (c. 625 m to the south) are far enough from the site not to be impacted by the construction and subsequent use of either development scheme, although it will be important to ensure that any CEMP takes account of the handling of waste and materials and the route by which these are transported.

As a result of the presence of the Harrow on the Hill SINC, the site lies just outside the edge of a major area in deficiency of access to wildlife but is in an area noticeably lacking in small pockets of open space. Any development on the site will need to help address this, whether by providing accessible green space

within or in the near vicinity of the site and/or providing enhancement for biodiversity. This should be in line with addressing the requirements of the London Plan in accordance with the Mayor's Urban Greening Factor in which the provision of biodiversity gain should be emphasised.

I have reviewed the comments from the Landscape and Tree Officers and note that there is a general commonality of view respecting trees and other environmental landscaping elements, both at and above ground level

If, having weighed the available evidence, you are minded to recommend approval, recommended conditions are provided.

**Conservation Officer**

This proposal is in the setting of the grade II listed former Granada Cinema.

The heritage statement particularly appendix E illustrates how this proposal would preserve the setting of the listed building. The proposal would be set away from the listed building, its height would sit neatly in the traditional residential scale of its immediate surroundings and its contemporary design would sit as a good quality addition to the streetscene.

It would be important that notwithstanding the details provided, details are conditioned to ensure the proposal would preserve the setting of the listed building. Subject to the above the proposal would preserve the setting of the listed building.

**LBH Drainage**

No objections subject to conditions.

**Designing out Crime Officer:**

Given the location, serious consideration must be given to crime and anti-social behaviour around the proposed development site.

I would strongly advise that a Secured by Design accreditation be part of the planning conditions for this development. If planning permission is given for this development the developers should contact myself as soon as possible, in order to achieve a safe standard of security for the future residence, and achieve a secured by design accreditation.

**Thames Water**

No Comments Received

**MOD (Northolt Safeguarding)**

No Comments Received

**Environment Agency**

No Comments Received

<p><b><u>Natural England</u></b></p> <p>No Comments Received</p>
<p><b><u>NHS Harrow</u></b></p> <p>No Comments Received</p>
<p><b><u>Campaign for a Better Harrow Environment</u></b></p> <p>No Comments Received</p>

## 5.0 **POLICIES**

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

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

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

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.

## 6.0 **ASSESSMENT**

6.1 The main issues are:

- Principle of the Development
- Character of the Area and Impact on Listed Building
- Residential Amenity for Future Occupiers
- Residential Amenity (Neighbouring Residents)
- Traffic, Parking and Servicing
- Sustainability, Drainage and Biodiversity

## 6.2 **Principle of Development**

6.2.1 The relevant policies are 2.13, 3.3, 4.2 and 4.7 of The London Plan (2016), Policies E3, E11 of the DLP, Harrow & Wealdstone Area Action Plan (2013), Policies DM31, DM32 and DM40 of the Harrow Development Management Policies Local Plan (2013).

6.2.2 The existing property is comprised of a mix of uses, with the existing ground floor of the building and the service yard considered to comprise industrial land. The application site is situated within the Harrow town centre and the Harrow and Wealdstone Intensification Area, as set out in the Harrow Core Strategy (2012) and The London Plan (2016). Whilst the site is not an allocated development site as defined within the adopted Site Allocations Local Plan (2013), the site is regarded as previously developed land for the purposes of the policies contained within the National Planning Policy Framework and the Harrow Core Strategy.

6.2.3 The existing building site contains, according to the submitted application form, 430.3sqm of B2 commercial space and sui generis car showroom, which would be replaced by 243sqm of B1 commercial space, as well as residential space. The proposal would result in the loss of all of the existing employment space under its current use class, and the existing 3 FTE jobs. The London Plan and new Draft London Plan require, in LB Harrow specifically, the retention of industrial land. The evidence base underpinning the London Plan (as well as the West London Economic Land Review 2019) indicates that LB Harrow is not in a position to lose any further industrial land from its stock. Although the proposal would provide 243sqm of the replacement employment floorspace (estimated to support a minimum of 4 FTE jobs), this is within a different Use Class. It is noted that B1 does include B1b/c which can be considered as light industrial.

6.2.4 The submitted economic statement states that there would not be a viable demand for the property as it currently stands, citing a number of reasons why. However, it is noted that the premise, including the two different use classes, are currently in operation. Nevertheless, the replacement of the B2 in this case is not necessarily desired, given the town centre location of the site (as per the NPPF 2019). Office space (Use Class B1a) is identified as an appropriate use within this location. The proposed flexible use could consist of either B1a/b/c. It is noted that B1b/c could be considered as an industrial use, and therefore would assist in mitigating the loss of the B2 floorspace. Whilst not explicitly identified as a town centre use, Use Class B1b/c are still employment generators which are not, by



their very nature, nuisance uses. In this respect, the proposal would be expected to comply with Policy D12 (Agent of Change) of the Draft London Plan. In this specific case, whilst the application site is located within the designated town centre, it also immediately adjacent to the boundary and also residential uses, as well as including residential uses within the development itself. By reason of this, the replacement of the existing B2 use, with either B1a/b/c would be appropriate and justifiable in this instance. In addition, as the proposal comprises a major development, the S106 would include a requirement to ensure construction employment opportunities for the local area, in compliance with London Plan and Draft London Plan policies.

### Housing Mix

- 6.2.5 The relevant policies are 3.5 and 3.8 of The London Plan (2016), , Draft London Plan (2019), Harrow & Wealdstone Area Action Plan (2013), and DM24 of the Development Management Policies Local Plan (2013).
- 6.2.6 The proposal would result in the loss of the existing house and flats, totalling 229.5sqm. The draft New London Plan (2019) make it clear by way of Policy H8A (Loss of existing housing and estate redevelopment) that any loss of existing housing should be replaced by new housing at existing of higher densities with at least the equivalent level of overall floorspace. In this case, the proposal would result in a significant uplift in residential units and floorspace. Additionally, the site is located within the Harrow & Wealdstone Opportunity Area, which is where growth within the borough is directed. It is further noted that the proposal would include a good variety in terms of housing sizes. The increase in residential and residential mix proposed in this location can therefore be supported.
- 6.2.7 The application has been accompanied by a Financial Viability Assessment. The conclusion of the applicant's Assessment is that the provision of affordable housing on site would render the development unviable. The applicant's FVA has been reviewed by an independent assessor, and, with minor adjustments to the details, the overall conclusion has been supported. A late stage review has been recommended, and this mechanism is included in the S106 Heads of Terms. Subject to such a clause within a S106 agreement to be attached to this permission, it is concluded that the proposal would comply with the relevant policies regarding affordable housing provision.
- 6.2.8 In summary, the proposal would result in the loss of existing industrial floorspace but would include a satisfactory quantum and type of new floorspace, appropriate to the town centre location. The residential floorspace would be amply replaced; and the applicant has provided robust evidence to demonstrate that affordable housing would not be viable as part of this development. As such, the proposed development is considered acceptable in principle.

## **6.3 Character of the Area and Impact on Listed Building**

- 6.3.1 The relevant policies are 7.4, 7.6, 7.8 of the London Plan (2106), Draft London Plan (2019), Harrow & Wealdstone Area Action Plan (2013), Core Policy CS1 of the Harrow Core Strategy (2012), and DM1, DM7 of the Development Management Policies Local Plan (2013) and the SPD – Residential Design Guide.

6.3.2 The application site is in the Harrow town centre, which is mixed in character. The site is visible in views from Station Road but is set a reasonable distance away from the junction so that it is not an immediate presence. Given its siting along the curve of the road, it is prominent once one rounds the corner and begins proceeding down Bonnersfield Lane; and it serves as a gateway leading into the residential area. Additionally, it is sited across from a Grade II listed building. Given the surrounding context, a contemporary approach to design is considered suitable.

#### Massing & Scale

6.3.3 The development would be composed of three buildings of distinct massing, one large building at the front along Bonnersfield Lane, and two smaller blocks at the rear of 3 no. mews houses each. The overall density of development and typology of housing would be appropriate for a town centre location. The mews have a tighter urban grain, with a square in the central space which connects the mews to each other as well as to the main building. The concentration of higher sections at the front and lower sections at the rear is suitable given the site context.

6.3.4 The frontage of the main building is stepped to respond to the curve of the road along which it sits and helps break up the massing along the front façade. This building, although 5 storeys in height, has a visible set-back on the top floor. The surrounding buildings along Station Road are up to four storeys in height, including the Grade II listed former Granada Cinema. To the east, Rothwell Court is 3 storeys high, while two-storey houses are sited further away. To the north, Ryan House is 2-3 storeys high. Given this context, the proposed height, with set-back top floor, would be acceptable. It is noted the site is also located within the Protected views Setting (yellow) Corridor and an RAF Safeguarding zone. No objections have been received from MOD Northolt; and given the proposal's relative height to surrounding buildings and siting relative to key protected viewpoint locations, it is not considered that the proposal would negatively affect protected views. Taking these factors into account, it is considered that the proposal would also be consistent with policies DM3 and AAP6, relating to appropriate heights in the protected views corridors.

6.3.5 The smaller mews houses at the back are more consistent with the lower heights of surrounding buildings including Ryan House and the more residential character toward the north and east. Although the blocks are relatively close together, this is reflective of typical mews arrangements. Subject to considerations of residential amenity (as per below), the scale and massing of the development is broadly acceptable.

#### Overall Design

6.3.6 The front elevation of the large building is simple and well-considered with a complimentary choice of external materials. The detailing at the front creates a clear distinction between the height of the commercial ground floor and the upper floor residential areas. The ground floor front façade is activated with large glazed windows serving the commercial units; while the proposed undercroft area provides a visual corridor connecting the front of the sit with the mews houses in addition to an active pedestrian pathway. This design is considered superior to the initial considered design which did not include an undercroft area. The

undercroft is overlooked with natural surveillance during working hours by windows from Commercial Unit 1. Detailed patterns in the bricks increase the visual interest along all sides. From within the rear courtyard area, the rear of the main building includes some more recessed areas and balconies serving the upper floor flats, thus also creating good articulation and interest, with good levels of natural surveillance overlooking the courtyard.

- 6.3.7 Given the nature and character of mews housing types, more uniformity and a “flatter” frontage would be expected. The design and external appearance of mews blocks is well considered and the use of white brick again is welcome. The set-back third floor with balconies and the projecting bay windows provides a suitable level of definition and interest. The area around the front entrance of the mews has designed in defensible space which demarcates the entrance and semi-private space to the immediate front of each house, though pavement patterning and planters. The paved shared spaces of paving are considered successful in their design.
- 6.3.8 The shared area sited between the main block and the mews houses also includes soft landscaped areas to either side of the hard-surfaced central corridor. Although somewhat small, these areas are sufficiently large to serve as communal amenity and play space. Both the Design Advisor and the Landscape Architect expressed a desire to see improved and fuller details for the soft landscaped areas and play equipment. As the proposal would be subject to conditions requiring complete details on hard and soft landscaping, this would be addressed.
- 6.3.9 The interior layout of the residential elements are considered below. Regarding the commercial units, the overall layouts of the units appear to be functional with suitable interior heights, and the applicant’s revised information indicates that there would be some capacity for flexible arrangements and subdivision if required, with consideration given to the placement of windows to help facilitate this. Adequate space is provided for fascia signage at front.

#### Impact on Listed Building

- 6.3.10 The Grade II listed Granada Cinema building is directly opposite. A heritage statement has been submitted with the application. The Conservation Officer considered that the heritage statement adequately illustrates how this proposal would preserve the setting of the listed building, as it would be set away from the listed building, its height would sit neatly in the traditional residential scale of its immediate surroundings, and its contemporary design would sit as a good quality addition to the street scene. As such, the subject to a condition for materials details, the proposal would preserve the setting of the listed building in accordance with the provisions of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 6.3.11 In summary, the proposed revised design is considered to be appropriate for the proposed development, subject to a high standard of detailing and materials is required. Conditions are attached to this effect.

## **6.4 Residential Amenity for Future Occupiers**

- 6.4.1 The relevant policies are 3.5, 7.2 and 7.4 of London Plan (2016), the Mayor's Housing SPG (2016), the DCLG's Technical Housing Standards – nationally described space standard (March 2015), policies DM1 and DM2 of the Development Management Policies Local Plan (2103), and the SPD – Residential Design Guide.
- 6.4.2 The proposed 5 storey block would contain 14 no. 1-bed units and 8 no.2-bed units. In the rear of the site would be located 6 no. 3-storey, 3-bedroom/4-person mews houses. All of the flats and houses would meet the minimum require GIA as set out in the national and London Plan standards; as well as meeting the minimum standards for required private amenity space and internal purpose-built storage. One bedroom in Flat 19 is below the minimum room width for part of its length; however on balance this would be acceptable in light of the overall acceptability of this flat otherwise in terms of space standards and given that its circulation room and layout are not unreasonable. The floor to ceiling height on each floor of flats would be a minimum of 2.5 metres; while the mews houses would have less than 25% of floorspace under 2.5m, all in compliance with Draft London Plan standards.
- 6.4.3 It is noted that some of the flats and the houses have very good layout and circulating area; while a few of the flats do have somewhat narrow spaces and constrained layouts. Particular concern was raised with regard to the narrow living/dining/kitchen layouts of units 02/08/14 and 03/09/15 have narrow living/dining/kitchen space; and the high amount of internal corridor space and no natural light to the kitchen of units 02/08/14. Incorporation of kitchens within living/dining space and relocation of bathroom to kitchen location is recommended for units 02/08/14 to help address this. Whilst the narrowness of these rooms and the overall layout is recognised and is not ideal, they do meet the minimum widths set out for bedrooms in the nationally described space standards. In addition, units to the rear of the first floor could expand the size of the amenity areas to be more generous. Subject to a condition requiring the amendments of plans for units 02/08/14 to relocate the kitchen area to provide for natural light and increase the rear balcony areas for units 6 and 06, the internal layouts would, on balance be acceptable.
- 6.4.4 Floors 1-3 of the flats are identical in layout so the stacking is good. Between the third and fourth floors there are some overlaps between bedrooms and living areas, but stacking is largely good, and the development would be subject to Building Control Regulations. In addition, the Application has submitted a Noise Report. This report concludes that with suitable mitigation measures (double glazing and trickle ventilation to the front and sides of the larger building) the proposal would be acceptable with regard to noise for residential occupiers. A condition to ensure the implementation of the mitigations measures is recommended.
- 6.4.5 All habitable rooms for mews and flats are serviced with windows for a suitable outlook. The application has been accompanied by an Internal Daylight & Sunlight study, which indicates that the purposed development would meet the minimum requirements for BRE standards in terms of the Average Daylight Factor for a selection of the proposed residential units (both flats and mews

house). The studio flats have only a small window on the flank, but are otherwise single aspect; however they do have a relatively large expanse of glazed patio door leading onto the private amenity space. Similarly, some of the front-facing flats are technically not single aspect due to slim windows on the side of the projecting sections; these are to be obscure glazed to reduce overlooking to neighbouring balconies. The design advisor has recommended a more architectural solution which retains full outlook from windows, such as louvres or a privacy screen, maintaining the dual aspect nature of these units. This has also been included as part of the condition for amended plans.

- 6.4.6 The front facing windows on the mews houses have been designed to be staggered or angled to avoid mutual overlooking. The gap between the front elevations of the mews houses would be 8.5m; however it is noted that a vertical 45-degree angle taken from the bottom sill of any of the houses would not be interrupted by the opposing buildings. Similarly, the mews houses would not interrupt a vertical 45-degree angle taken from the bottom sill of the closest facing first floor flats, and so also meet the Council's 45-degree code in this respect. It is noted that the windows on the flanks of the mews houses do not serve habitable rooms, or in the case of unit A3, is a secondary window to a habitable room, and so it is not necessary for them to meet the 45-degree code. The windows on the flanks can be condition to be obscure glazed to protect the privacy of future occupiers. As all of these windows are secondary to their rooms they serve, this would not compromise outlook for future occupiers.
- 6.4.7 The layout of the communal internal areas of the main building are again constrained, but corridor widths have been increased to 1.2m, and most of the layout is acceptable. However, the "lobby" areas on the fourth floor in particular are constrained and one of the doors opens into the lift waiting area with less than 1m clearance. The lobby areas should therefore be amended, and this is included in the condition for amended plans. The core serves less than 8 units per floor and includes a lift and stairs. The main entrance for the flats is not located on the front elevation but rather within the undercroft area. Although this is less of a clear arrival point, it would be acceptable within the overall design of the ground floor and integration with the commercial space.
- 6.4.8 The proposal includes a large undercroft, which can give rise to Secure by Design issues if not well design and managed. The proposed ironmongery gates would help provide an adequate level of security, and the undercroft is overlooked by the office space. The proposal also includes several details including space for post boxes and secure entrance details; and defensive space for the mews houses. The Secure by Design officer has recommended a secure gate and adequate lighting for the undercroft, and a condition to ensure Secure by Design accreditation. Such a condition has been attached.
- 6.4.9 For all the reasons set out above, the proposed accommodation would be considered acceptable on balance, subject to appropriate conditions.

#### Landscaping and Play Space

- 6.4.10 The overall layout of the site and proportion of hard and soft landscaping is broadly acceptable, and the revised plans provided some improvements to these details. Although there is a limited amount of soft landscaping, the existing site is wholly hard surfaced so this does represent an improvement. The shared surface

area which sits between the mews and also connects it with the main building is appropriate and successful. The narrow space behind units B2 and B3 is awkward, but should be serviceable, but it is welcome to see that these will have a gravel covering which limits plant growth. Further work is required to the full details of the hard and soft landscaping, including requested changes by the Landscape Architect; however this would be dealt with through standard conditions attached to this permission.

- 6.4.11 Policy 3.6 of the London Plan requires that development proposals that include housing should make provision for play and informal recreation; Mayor's Supplementary Planning Guidance Providing for Children and Young People's Play and Informal Recreation (2012) A total of approximately 60sqm (excluding hardstanding and borders) has been provided for children's play space, in two sections sited between the 5-storey building and the mews houses. The GLA's play space calculator indicates that, based on the proposed mix of units, 51.4sqm of play space should be provided, for an estimated average of 5.1 children, consistent with the information provided by the applicant. Further amendments and details to the play space and equipment has been requested. Subject to approval of details of the play space equipment and landscaping, the proposed provision would be satisfactory.
- 6.4.12 It is therefore considered that the proposed landscaping and play space would be satisfactory, subject to detailed considerations via appropriate conditions.

#### Accessibility

- 6.4.13 Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2016), seek to ensure that all new housing is built to 'Lifetime Homes' standards. This has been replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. Furthermore, The London Plan policy 7.2 and policies D5 and D7 of The Draft Loon Plan requires all future development to meet the highest standards of accessibility and inclusion.
- 6.4.14 One disabled parking space is included, which is addressed in more detail below. The proposal includes 3 no. flats intended to be wheelchair-ready units, which represent 10% of the units (although it is acknowledged this does not include any mews houses). The main 5-storey block has a lift. The proposal includes 3 no. flats intended to be wheelchair-ready units. The applicant's revised information indicates that the commercial units would have level access. Some other doorways for the main building and the mews houses all have small steps from street level for partial reasons, but these are minimal and building control regulations would ensure access would be wheelchair friendly for both residential and commercial uses. Although some of the flats have somewhat narrow rooms and corridors, the flats overall meet the required space standards. As such and given that the proposal would be subject to Building Regulations M4 (2), it is considered that the proposal would be capable of meeting the requirements.
- 6.4.15 Based on the above, the proposed development would be satisfactory in terms of accessibility, subject to compliance with Building Regulations M4 (2).

## **6.5 Residential Amenity (Neighbouring Residents)**

- 6.5.1 The relevant policies are 7.6 of The London Plan (2016), policies DM1 and DM27 of the Development Management Policies Local Plan (2103), and the SPD – Residential Design Guide.
- 6.5.2 The proposed building would be immediately adjacent no. 14 (which appears to be in residential use), and 1.65m from flank of Rothwell Court (given that property's set-back from the boundary. Although the ground floor would project approximately 6m to the rear of both properties, the upper floors are set back and staggered to allow for more space with neighbouring properties. The mews houses would be sited immediately adjacent the rearmost part of Rothwell Court's communal amenity space, and part of the communal garden of Ryan House. The nearest point of Ryan House's rear elevation is approximately 9m distant. The mews houses would also be a minimum of 12m distance from the nearest rear elevation of the (primary) buildings fronting Station Road (excluding the adjoining garages).
- 6.5.3 The proposed development would reflect the existing mix of residential and commercial uses on site, and the proposed commercial uses on the ground floor would potentially be compatible with the surrounding residences. Given the mixed character of the surrounding area, the location of the site within the town centre and the scale of the proposal, it is considered that the proposed development would not unacceptably exacerbate any existing levels of noise and disturbance experienced within the area.
- 6.5.4 Both of the proposed buildings would reasonably meet the vertical and horizontal 45-degree code from all neighbouring properties, in accord with the Residential Design Guide SPD. An external Daylight & Sunlight report was also submitted, which indicates that the proposal's impacts to daylight and sunlight on neighbouring properties are within acceptable levels, with the exception of one window, #8 (Adjacent ground floor of 14 Bonnersfield Lane). However, the impact to this window would be classified as "minor", as reductions in light would be within 20-35% of BRE values. Planning history indicates that the affected window for no. 14 is likely a bedroom (see ref: P1236/03/DFU). In addition, the proposed development would maintain a reasonable degree of openness in the central part of the plot, similar to the existing arrangement.
- 6.5.5 As a general guideline, back-to-back (or window-to-window) relationships between neighbouring residential properties, particularly above ground level, are normally acceptable at 20m distance; although there is flexibility to consider site circumstances and the specifics of how two buildings relate to each other. The mews houses would be closer than this to the rear of Ryan House. However, the windows of the primary section of Ryan House (not counting the stairwell along the western side) would not align with the proposal, so residents of Ryan House would view the proposed development at an angle. In addition, the facing flank of the nearest mews house is 6.5m wide, with a significant open gap between the two sets of mews. For these reasons, the proposal would be acceptable in terms of sunlight/daylight and outlook for neighbouring occupiers. With regard to the rear of flats along Station Road, the gap with the development would be 12m. However, the flats would be site at first floor level and above, and as noted already, the proposal would meet the vertical 45-degree code from these

windows. The area between the proposal and these neighbouring windows is comprised primarily of the shops' service yard and garages; while the existing site contains a high sheet-metal garage structure in part of the area where the closest of the mews would be sited. Given these factors, the proposal would not give rise to undue impacts on these flats.

- 6.5.6 All windows on the rear elevations of both sets of the mews houses would be obscure glazed, to avoid overlooking with neighbouring properties. The windows on the flank of Rothwell House appear not to be primary windows to habitable rooms, although this is not fully confirmed. On balance of probabilities, it is considered that the windows are not likely to be protected and the impacts to them would therefore be acceptable. Other windows of all neighbouring properties would not directly overlook or be overlooked by the proposal, other than by the balconies to the rear of the main building. The applicant has proposed privacy screens to prevent overlooking to the properties on either side from the flats. These can be conditioned. Although the proposed balconies would look towards the communal gardens and rear windows of Ryan House, these would be a minimum of 24m from the common boundary.
- 6.5.7 In conclusion, for these reasons and with consideration to the town centre location, and acceptable in terms of privacy and overlooking, sunlight/daylight and outlook for neighbouring occupiers.

## **6.6 Traffic, Parking and Servicing**

- 6.6.1 The relevant policies are 6.9, 6.12 and 6.13 of The London Plan (2016), and policies DM42, DM44, DM45 and DM45 of the Development Management Policies Local Plan (2103), and the SPD – Residential Design Guide
- 6.6.2 The application site is located within an area within a PTAL (Public transport Accessibility Level) area showing as 3 bordering on 6a. In the opinion of Harrow's Highways Authority, however, as this location is very close to the town centre and Harrow and Wealdstone Opportunity area and its excellent public transport opportunities, they would consider this in the context of the 6a rating and expect draft London Plan standards relating to the higher PTAL to be applied. The location of the development would be accessible for existing local amenities and public transport, and would provide additional accommodation in the area to support local shops and services. In addition, the development would have the potential to offer a greater range of accommodation to the town centre area.

### Transportation Assessment and Travel Plan

- 6.6.3 The application is accompanied by a Healthy Streets Transport Assessment and Active Travel Zone assessment. As submitted, the documents were not considered satisfactory by the Highways officer; and the Transport Assessment methodology was incomplete. Subsequent supplementary information was submitted. Based on this, there would be an uplift in trips on site with the proposal, of almost double the total daily number of trips. The main increases are indicated to be in relation to pedestrian and public transport journeys which are not likely to adversely impact the highway; however it does mean that it is imperative to ensure adequate and good quality facilities are in place. For this reason, a contribution towards a planned pedestrian and cycle scheme for the area is recommended to be secured via a S106. The high number of sustainable trips anticipated is



achievable in this location as there are so many public transport options and little opportunity to park private cars easily.

- 6.6.4 A Framework Travel Plan has been provided; however the details contained therein would require some amendments. Were the proposal otherwise acceptable, this could be dealt with via a condition and/or S106 to secure the revisions and ensure the details would be acceptable and the Travel Plan would be implemented on site with appropriate monitoring measures.
- 6.6.5 A Construction Management Plan was also provided. Again, this document would require revisions to be made acceptable. The Highways officer confirmed a pre-commencement condition would be sufficient. The applicant is also advised to liaise with Highway Network Management to discuss temporary traffic management arrangements and appropriate measure to reinstate dropped curbs as needed.

#### Access and Servicing

- 6.6.6 Access to the site would be altered, with an existing dropped curb at front and vehicular access to the service yard to be removed; and one disabled parking bay retained along the front curtilage with a new dropped curb. The existing access to the rear service road would be retained for emergency and ad-hoc use only. Primary servicing would be from the front, off Bonnersfield Lane. These arrangements are considered broadly acceptable by the Highways and Vehicle Crossing officers. Although a concurrent application proposed use of the rear service road for a significant amount of traffic, this proposal includes very limited the use of the service road. For this reason, no improvements are proposed to the service road, while rights of access are outside the purview of planning.
- 6.6.7 The waste storage details have been revised and improved with the amended plans. These would now be reasonably sited for the use of future occupiers and businesses, and commercial and residential waste is kept separate. Commercial waste would be privately serviced. The residential waste would be collected from Bonnersfield Lane. A sufficient number of bins has been provided for recycling and general waste for the mews and flats, although the mews would operate on a different bin system than the flats. The mews houses would have waste and recycling collected on different days; this has been accounted for in the curb side spaces provided for leaving bins on collection days. However, a small amount of additional space would be required for food caddies and food waste. A condition or revised details for the bin collection layout is therefore attached.

#### Cycle and Car Parking

- 6.6.8 The amended proposal would include 8 short-stay cycle parking spaces for the whole of the development; and a total of 52 long-stay spaces. Four-long stay spaces would be allocated to the commercial use, 12 for the mews houses and 36 for the flats. The long-stay spaces for each category are separated from each other and all area secure and sheltered, with good access. The quantum of space complies with the Draft London Plan, however full details will be required and 5% of the long-stay provision must be accessible. . Subject to full details to be considered by condition, this is satisfactory.

- 6.6.9 The proposal includes 1 blue badge size space, indicated for the residential use; but is otherwise car free. Given the site's town centre location a car-free development is considered appropriate; however the development would still need to ensure provision for the needs of the disabled, in accord with the requirements of Policy T6. As such, 1 no. disabled space is required for each of the residential and commercial, particularly where a site is to be redeveloped. The applicant has suggested that this requirement could be fulfilled through the use of existing on-street public parking; however the required provision is intended to be dedicated to the exclusive use of the development. Other alternatives have been discussed with the applicant and the Highways officer. It would not be feasible to convert an on-street space for the use of the development exclusively. Consideration has been given to potential revisions to the ground floor plan to accommodate the required provision. Although normally it would be required for the applicant to find such accommodation within the site itself, in this case it is acknowledged that the constraints of the site and the information provided for the purposes of the Financial Viability Assessment indicate that accommodating such a space would likely result in the loss of some of the proposed employment space, and/or would likely have a significant impact on the viability of the scheme. The loss of additional employment space would make the proposal less acceptable to the local planning authority in terms of the principle of the development; while the impact on viability could potentially result in the scheme as a whole becoming unviable. Therefore, although the lack of provision would normally be considered unacceptable, in this case specifically and with regard to the site specific circumstances and weighing all matters in the planning balance, it is considered that the lack of disabled parking for the commercial element would not in itself be sufficient to justify refusal of the scheme.
- 6.6.10 In order to ensure the proposal would not result in additional pressure on the surrounding permit restricted parking spaces, the Council are seeking to restrict parking permits for future occupiers via a S106 agreement.
- 6.6.11 In summary, the proposed development would not unacceptably harm the safety and free flow of the highway subject to conditions and relevant terms of a S106 agreement; while the car parking arrangements would be insufficient to justify a refusal. The proposal is therefore, on balance, considered acceptable.

## **6.7 Sustainability, Drainage and Biodiversity**

- 6.7.1 The relevant policies are 6.9, 6.12 and 6.13 of The London Plan (2016), and policies DM42, DM44, DM45 and DM45 of the Development Management Policies Local Plan (2103), and the SPD – Residential Design Guide.

### Trees and Biodiversity

- 6.7.2 Although there are no trees or significant vegetation within the site boundaries, there are trees immediately adjacent the boundary towards the rear and in the communal garden of Rothwell Court. The site, and the proposed development, would benefit from the visual amenity and screening provided by these neighbouring trees. As the mews houses would be sited in close proximity to these trees, a preliminary arboricultural report was requested and provided. This notes that many of the trees are likely self-seeded and potentially vulnerable to Ash dieback disease; and that given the extent of hard-surfacing on site (which

would restrict root growth), it is unlikely that the proposed development would result in consequential direct impacts to adjoining trees. This has been reviewed by the Arboricultural officer, who is satisfied with the conclusion; and has not recommended conditions relating to tree protection will be required in this instance.

- 6.7.3 The site is located a minimum of approximately 480m from the nearest Site of Importance for Nature Conservation (SINC), and so the development would not result in impacts directly on any protected or designated areas. However, the potential for the presence of species of material consideration on site must be considered; and the emerging Draft London Plan requires development to ensure a net gain in biodiversity on site. A Preliminary Environmental Assessment (PEA) was submitted by the applicant. The Biodiversity Officer found that some of the submitted information was inadequate; however it was nevertheless considered to be sufficient of approval, subject to conditions for additional and revised information. Supplementary information was subsequently submitted and this information is in the process of being reviewed by the Biodiversity Officer; and any subsequent amendment to the condition required will be reported by addendum to the Committee.

#### Drainage

- 6.7.4 The site is located in a critical drainage area but not in any flood zones. The use of permeable paving is welcomed, and full details are conditioned. The proposal will introduce soft landscaping to the site, which will increase the potential resiliency of the site with regard to surface water drainage. In addition, Harrow Drainage Authority have requested conditions relating to surface and foul water drainage and emergency planning measures which have been duly attached.

#### Air Quality and Ground Contamination

- 6.7.5 The application has been accompanied by an Air Quality Assessment, which states that the projected increase in NO<sub>2</sub> and PM<sub>10</sub> would be less than 0.1µg/m<sup>3</sup> and within the air quality objectives and can be considered “air quality neutral”. Therefore, no mitigation would be required, other than dust management measures as part of a Construction and Logistics Plan.
- 6.7.6 The site has been assessed as having a low potential for contamination, as per the supporting preliminary ground investigation report. However, the report also states that a more intrusive investigation is necessary to quantify potential risks and remaining uncertainties that have been identified. Therefore, a pre-commencement condition is recommended for the submission of an investigation and risk assessment.

#### Energy and Sustainability

- 6.7.7 All major applications are required to achieve a 35% reduction (on site) in carbon dioxide emissions over the Building Regulations 2013; and 0% overall. Development should follow the hierarchy and policy guidance within the Draft New London Plan (2019). In addition, Policy 5.7 (Renewable Energy) of the current London Plan requires new development to provide a reduction in expected carbon emissions through on-site renewable energy, where feasible. The supporting text to the policy indicates there is a presumption that the reduction achieved through on-site renewable energy will be at least 20%.

- 6.7.8 The application has been accompanied by an Energy and Sustainability Statement. The proposed sustainability measures include photovoltaic panels as a renewable energy source, combined with high energy efficiency standards in the built fabric, with a projected reduction of 40.62% in CO2 emission. The remainder of the balance would normally be sought as a carbon off-set payment. As the submitted information demonstrates that the proposal should be capable of meeting the policy requirements noted above. The required sustainability measures are to be secured via a S.106 agreement.
- 6.7.9 Given the relatively small scale of the development (for a major application) and recent developments in Mayor of London policies, it has been agreed that in these circumstances the provision of and/or safeguarding of a future connection to a CHP network would not be required.
- 6.7.10 Proposed Roof Plan proposes a flat roof with 44 no. PV panels. The PV's could be easily combined with a green roof in between the PV panels, to enhance the biodiversity of the local area and assist with climate change mitigation, temperature regulation. PV panels also indicated on roofs of mews houses. As per above, the combination of PV panels with biodiverse roofs are an appropriate enhancement for schemes such as this, and the full details can be conditions.
- 6.7.11 In summary, the proposal would not be considered to adversely impact adjoining trees; and biodiversity and drainage matters can be satisfactorily address through conditions. Sustainability measures and the required carbon off-set would be subject to a S106 agreement, but are otherwise satisfactory.

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

- 7.1 The proposed scheme for mixed commercial and residential development would contribute to a strategically important part of the housing stock of the borough within the Harrow and Wealdstone Opportunity Area. Furthermore, the proposed development would have a satisfactory impact on the character of the area and the setting of the listed building, the amenities of existing neighbouring occupiers, and of future occupiers of the development. Although the proposal would lack 1 no. disabled parking space, it would otherwise comply with the requirements for car and cycle parking and would not unduly impact the highways network.
- 7.2 For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

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

### **Conditions**

#### 1 Time Limit 3 years - Full Permission

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

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

#### 2. Approved Drawings and Documents

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

Air Quality Assessment report [dated February 2020, Ref: AQ\_assessment/2020/Bonnorsfield\_Harrow v.3]; Preliminary Investigations Report on contaminated land [ref: 18021/PIR\_R26\_rev1.02, dated February 2020]; Landscape Management and Maintenance Plan [Ref: MSG22713Man Rev B, dated February 2020]; Soft Landscape Specification [Ref: MSG22713Spec, dated February 2020]; Preliminary Ecological Appraisal [Ref: MSG22713\_PEAR Rev A, dated 12/02/2020]; Biodiversity Impact Calculator letter dated 24<sup>th</sup> August 202 with additional calculation charts; Flood Risk Assessment & SUDS Strategy Residential-led development [HLEF75706, 12 February 2020]; Economic Statement [dated 20<sup>th</sup> February 2020]; Internal Average Daylight Study – Option 1 Mixed Use Residential Scheme [dated 11.02.2020]; External Daylight Study – Option 1 Mixed Use Residential Scheme [dated 11.02.2020]; Archaeological Desk-based Assessment [Ref: RSP/26124 v3, dated 11 February 2020]; Built Heritage Statement [v 1.1, dated February 2020]; Planning Statement [v 1.0, dated February 2020]; Design & Access Statement [Revision dated 01/92/2020]; Supplementary Information Provided [dated 2 September 2020]; Statement of Community Involvement [dated February 2020]; Financial Viability Assessment [dated February 2020]; Financial Viability response letter dated 10 August 2020; Healthy Streets Transport Assessment for Residential-led Mixed Use Scheme [Job: 19262 Rev C, February 2020]; Healthy Streets Framework Construction Management Plan for Residential-Led Mixed-Use Scheme [Ref: 19262 Rev B, dated February 2020]; Framework Travel Plan [Job: 19262 Rev B, February 2020]; Energy and Sustainability Statement – Option 1 Mixed Use Residential-led Scheme [6788 Rev 3.0 dated 05.03.2020]; External/Internal Noise Report [ref: PWH/js/1437R/4697/Residential/Mixed Use/A, dated 19 February 2020]; Applicant's Response to Consultation Comments dated 28-Apr-20; 126/EX/001 Rev C; 126/EX/002 Rev C; 126/EX/100 Rev E; 126/EX/101 Rev E; 126/EX/102 Rev A; 126/EX/120 Rev A; 126/EX/121 Rev A; 074/PR/200 Rev AL; 074/PR/201 Rev W; 074/PR/202 Rev W; 074/PR/203 Rev W; 074/PR/204 Rev W; 074/PR/205 Rev R; 074/PR/209 Rev F; 074/PR/210 Rev D; 074/PR/214 Rev B; 074/PR/220 Rev P; 074/PR/221 Rev N; 074/PR/222 Rev L; 074/PR/241 Rev K; 074/PR/261 Rev G; 074/PR/262 Rev G; 074/PR/264 Rev B; 074/PR/265 Bedroom Corner Windows; MSG22713-11C; MSG22713-12B; MSG22713-50A;

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

### **Pre-Commencement Conditions**

#### **3. Demolition and Construction Logistics Plan (Pre-commencement)**

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

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in construction the development;
- d) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- e) wheel washing facilities; and
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- g) measures for the control and reduction of dust
- h) measures for the control and reduction of noise and vibration
- i) How traffic would be managed to minimise disruption
- j) Air quality management measures in line wit Air Quality Assessment report [dated February 2020, Ref: AQ\_assessment/2020/Bonnorsfield\_Harrow v.3];

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

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

#### 4. Biodiversity Protection 1 (Pre-commencement)

No site works, including demolition, shall commence until the following has been submitted, provided at the application site, and approved in writing by, the local planning authority:

- (a) an updated Construction Environment Management Plan (CEMP), to ensure the safeguarding of protected and priority species and to protect animal welfare and a Materials Management Plan (MMP) to ensure that there will be no impact on designated features for biodiversity in the wider area including the safe handling of contaminants and other harmful materials as may be present.

The works shall be completed in accordance with the approved details.

REASON: To ensure that the development makes appropriate provision for the protection of biodiversity.

#### 5. Ground Contamination (Pre-commencement)

Notwithstanding the approved details, no demolition shall take place until a scheme for identifying, managing and disposing of any potential contamination hazards found during demolition of the existing buildings and structures on the site has first been submitted to, and agreed in writing by, the local planning authority. No development other than demolition shall take place until a scheme ("the second scheme") for the management of contamination risk at the site has first been submitted to, and agreed in writing by, the local planning authority. The second scheme shall include the following:

- (a) details of a site investigation to provide information for a detailed assessment of the risks to all receptors that may be affected, including those off site;
- (b) the results of the site investigation and an options appraisal and remediation strategy giving full details of remediation measures and how they are to be undertaken; and
- (c) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant leakages, maintenance and arrangements for contingency action.

The demolition shall be carried out in accordance with the first scheme so agreed. The development other than demolition shall be carried out in accordance with the second scheme so agreed.

REASON: To ensure that the development does not activate or spread potential contamination at the site and that the land is appropriately remediated for the approved uses.

## Demolition works only

### 6. Biodiversity Protection 2

Prior to commencement of any construction works, other than works of demolition, the applicant will submit to the Council for approval in writing a fully detailed plan, complete with any necessary illustrations, elevations, plans and specifications, for

- (a) the avoidance and minimisation of and compensation for direct and indirect negative impacts and
- (b) the provision of biodiversity gain within the development, to encompass built structures and soft landscaping elements, including but not limited to the outline suggestions within the approved PEA.
- (c) the applicant or their consultants will provide to Greenspace Information for Greater London for their future use, in a format to be agree with Harrow Council, all species records (including recorder(s) names, scientific species name, abundance information, date, and full resolution location data etc.) and Phase 1/UKHab mapping information collected in support of this application.

This document, which should be prepared by a suitable qualified and experienced ecologist, shall take account of the context of the local area, the Harrow biodiversity action plan, and priority species found within the borough. It shall include shelter provision for bats, swifts, house sparrows and other urban/suburban bird species, as well as for invertebrates; the provision of green/blue roofs, sections of green wall and other 3D structures at ground and roof level, ensuring that landscaping elements maximise the benefits they provide for pollinators and other wildlife within or likely to be attracted to the local area as a result of improvements to green infrastructure via this and other development schemes. The document will include a time plan in order to ensure the effective incorporation of the identified measures within the overall delivery of the approved scheme in accordance with this and other conditions as may be set, and provide for monitoring or operations and outcomes as appropriate. The works shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the development makes appropriate provision for the protection of biodiversity.

### 7. Levels

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement .



## 8. Surface Water Drainage Strategy

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

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited. To ensure that measures are agreed and development to manage and reduce surface water run-off.

## 9. Foul Water Drainage Strategy

The development hereby permitted shall not be commenced, other than works of demolition, until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. Thames Water consent for connections to the public sewers is required.

The works shall thereafter be retained. The applicant should contact Thames Water Utilities Limited and the Harrow Infrastructure Team at the earliest opportunity

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, and to ensure that the development would be resistant and resilient to foul water flooding. To ensure that measures are agreed and put in place to dispose of foul water arising from the development.

## 10. Landscaping

No development shall take place other than works of demolition until there has been submitted to, and approved by, the local planning authority, a landscape masterplan, hard and soft landscape details:

- a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, green roofs, any living wall / climbing plant supports and, including the any raised planters, external seating, outside structures, tree pits, tree planting and support, growing medium, Strata cells under the hard surfacing, drainage, and so on.
- b) Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities and an implementation programme.
- c) Green roofs including written specification of the planting and the biodiverse roof detail, build-up of the material layers, including the drainage and planting substrate and schedules of plants, noting species, plant sizes or types (all at

time of planting) proposed numbers / densities for the landscaped areas and maintenance.

- d) Details of PV panels to be installed on roofs
- e) The hard surfacing details shall include samples to show the texture, colour of the materials to be used and dimensions of the hard surfacing products and information about their sourcing/manufacturer.
- f) Full details of permeable paving for all hard landscaped areas
- g) Details of all furniture, boundary treatment, specification for any proposed supports and fixings for plants, including proposed material, source and irrigation for plants and detailed drawings of such; details of the communal area, any raised beds and any hard landscape elements or furniture.
- h) Details of the play equipment products and safety surfacing, including manufacturer and the setting out of the play equipment.
- i) Landscaping Scheme – Implementation and implementation programme, including a period of 5 year period for replacements of soft landscape; and
- j) Landscape Management Plan and Landscape Maintenance including long term design objectives, management responsibilities and maintenance schedules for all the communal landscape areas and communal garden.

The development shall be carried out in accordance with the details so agreed prior to the first occupation of the development and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm, and to ensure a high standard of design, layout and amenity.

### **Damp Proof Course**

#### **11. Materials**

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

- a) External finishing materials
- b) Window / door detailing including privacy screens
- c) Balcony / railing details including undercroft gate
- d) boundary treatment including all pedestrian/ access gates

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

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

#### **12. Window and Door Reveals**

Notwithstanding the details shown on the approved drawings, the construction of the buildings hereby approved shall not commence beyond damp proof course level until there has been submitted to and approved in writing by the Local Planning Authority detailed sections at metric scale 1:20

through all external reveals of the windows and doors on each of the elevations. In the event that the depth of the reveals is not shown to be sufficient, a modification showing deeper reveals shall be submitted for approval in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

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

### 13. Cycle Parking Details

Notwithstanding the details shown on the approved drawing, the development hereby permitted shall not progress beyond damp proof course level until full details of the cycle parking spaces on the site have been submitted to the Local Planning Authority in writing to be agreed. The details shall include:

- a) A minimum total of 52 long stay and 8 short stay secure, sheltered long-stay cycle parking spaces, with sufficient numbers provided for each use implemented on site;
- b) At that least 5% of the long stay cycle parking spaces be designed for adopted/ cargo bikes in line with the LCDS

The cycle parking shall be implemented on site for the sole use of the development in accordance with the details so agreed and shall be retained for the lifetime of the development.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport.

### 14. Amended Plans

Notwithstanding the details shown on the approved drawing, the development hereby permitted shall not progress beyond damp proof course level until revised details of the proposal have been submitted to the Local Planning Authority in writing to be agreed. The revised details shall include:

- a) Amended layout to units 02, 08 and 14 to relocate the kitchen area to provide for natural light;
- b) Increase the rear balcony areas for units 04 and 06;
- c) Revised details to lobby areas to ensure clear and reasonable passage for all users and ensure doors do not obstruct or conflict with the use of lobbies and elevators;
- d) Details of the flank window treatments on units 01-03, 07-09, and 13-15;
- e) Obscure glazing on all southern flank windows to mews houses;
- f) Privacy screens to balconies on the rear of the main building;
- g) Revised details to bin collection areas to ensure space for food waste caddies in addition to waste and recycling bins

The approved details shall be implemented on site in accordance with the details so agreed and shall be retained for the lifetime of the development.

REASON: To ensure the satisfactory quality of accommodation for future occupiers, protection of the amenities neighbouring occupiers, and satisfactory servicing arrangements.

15. External Lighting

The development hereby approved shall not progress beyond damp proof course level until details of the lighting of all external areas (including the undercroft area) within the site, including locations, lighting design, lighting details, specification, elevations, light spillage and lighting levels has been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of residential quality.

16. Extraction Flues, Ventilation Systems, Rainwater Disposal

The development hereby approved shall not progress beyond damp proof course level until details of any extraction flues, ventilation systems, and rainwater disposal systems (including downpipes) have been submitted to and approved in writing by the Local Planning Authority. The application shall be implemented in full accordance with such details and be maintained thereafter. 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 ensure that the development is carried out to the highest standards of architecture and materials.

17. Communal Television Equipment

The development hereby permitted shall not progress beyond damp course level until additional details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) has 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

## **Pre-Occupation**

### 18. Revised Travel Plan

The development hereby permitted shall not be occupied until there has been first submitted to, and approved in writing by, the local planning authority a revised full Travel Plan to include targets to promote modal shift towards active travel. Details should include:

- a) Travel plan background and policies;
- b) Site Audit;
- c) Proposed development description;
- d) Clear objectives;
- e) Management – Provide a TPC in 3 months prior first occupation and contact details submitted to the council;
- f) A baseline survey should be undertaken within 6 months of first occupation of 75% of occupation, whichever comes first;
- g) Targets should be in agreement with the council after the baseline survey;
- h) Measures – initiatives that will be introduced to achieve the targets;
- i) Funding – expression of commitment from the developer that the travel plan will be secured through its life;
- j) Monitoring and review – monitoring surveys should be undertaken at years 1, 3 and 5 and review reports submitted to the council within 1 month after the surveys; and
- k) A comprehensive action plan.

The travel plan shall be implemented as agreed unless otherwise agreed in writing by the local planning authority.

REASON: To promote sustainable modes of travel for the future occupiers of the development

### 19. Secure by Design Accreditation

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 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.

### 20. Noise Mitigation

The development hereby permitted shall not be occupied until mitigation measures for noise have been implemented on site, in accordance with the approved report External/Internal Noise Report [ref: PWH/js/1437R/4697/Residential/Mixed Use/A, dated 19 February 2020]. The sound insulation measures shall thereafter be retained.

REASON: To safeguard the amenities of the future occupiers of the flats from undue noise and vibration transmission.

## 21. Implementation of Hard and Soft Landscaping

All hard landscaping shall be carried out prior to the occupation of any part of the development or in accordance with a programme first agreed in writing by the local planning authority. All soft landscaping works including planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out no later than the first planting and seeding season following the final occupation of the residential parts of the buildings, 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, diseased or defective, 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 makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity within the Heart of Harrow.

## 22. Landscape Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the hard and soft landscaping within the development, to include a landscape management plan for the whole of the proposed development, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including the ground level hard and soft landscape, green roofs and green living wall structure and pergola structures for plant growth and a programme of maintenance / plant replacement for the life time of the development specifically for the living walls structures / pergolas and green roofs, has been submitted to the Local Planning Authority in writing to be agreed,. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development. To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity within the Heart of Harrow.

## 23. Ecological Management Plan

The development hereby approved shall not progress beyond damp proof course level until detailed proposals for ongoing management, monitoring and reporting of onsite biodiversity features based on the format of the establishment phase plan, to cover a period of at least five years following the first occupation of the last completed residential building, and approved in writing by the Local Planning Authority. Between 6 and 3 months prior to the end of the first maintenance, management and monitoring plan period, the applicant, or whatever body then has responsibility for the development site, shall provide to the Council for approval in writing an update to the first management plan, to run for at least five years from the end date of the plan which it replaces. The development shall be carried out in accordance with the proposals so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the site and surrounding area.

#### 24. Emergency Planning

The flats hereby approved shall not be first occupied until a document outlining Emergency Planning for future occupiers of the site has been submitted to, and agreed in writing by, the local planning authority. The development hereby approved shall be operated in accordance with the Plan so agreed, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure the safety of future occupiers on site.

### **Operational**

#### 25. Energy and Sustainability

The development shall be undertaken in accordance with the Energy & Sustainability Statement. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Energy and Sustainability Statement – Option 1 Mixed Use Residential-led Scheme [6788 Rev 3.0 dated 05.03.2020], which thereafter shall be submitted to the Local Planning Authority in writing to be agreed the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework 2012 and local policies..

#### 26. Part M Dwellings

A minimum of 10% of the units shall be built in accordance with Building Regulation standard M4(3) 'Wheelchair User Dwellings'. All other residential units in this development, as detailed in the submitted and approved drawings, shall be built to Building Regulation Standard M4 (2) 'Accessible and adaptable dwellings'. The development shall be thereafter retained to those standards.

REASON: To ensure provision of 'Wheelchair and Accessible and adaptable' housing.

#### 27. Refuse Bins

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 plans.

REASON: To safeguard the appearance and character of the surrounding area.

28. 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.

29. Plant Machinery

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

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

30. Permitted Development

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

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



## Informatives

### 1. Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2019)

The London Plan (2016):

Policies 2.13, 3.4, 3.5, 3.8, 3.10, 3.12, 3.14, 4.3, 4.4, 4.7, 4.12, 5.1, 5.2, 5.3, 5.6, 5.7, 5.9, 5.10, 5.13, 5.14, 5.1, 6.3 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.8, 8.2

Draft New London Plan (Intend to Publish Version December 2019):

Policies GG1, GG2, GG3, GG4, GG5, GG6, SD1, SD6, SD7, D2, D3, D4, D5, D6, D7, D11, D12, D13, D14, H1, H2, H4, H5, H6, H7, H8, H10, SD1, S4, E1, E2, E3, E4, E7, E11, H1, HC3, G5, SI 1, SI 2, SI 3, SI 4, SI 5, SI 6, SI 7, SI 12, SI 13, T1, T2, T4, T5, T6, T6.1, T6.2, T6.5, T7, T9, DF1

Harrow Core Strategy (February 2012):

Core Policies CS1, CS2

Harrow & Wealdstone Area Action Plan (2013):

Policies AAP1, AAP4, AAP5, AAP6, AAP7, AAP8, AAP10, AAP13, AAP15, AAP16, AAP18, AAP19, AAP20

Harrow Development Management Policies (July 2013):

Policies DM1, DM2, DM3, DM7, DM10, DM13, DM14, DM22, DM23, DM24, DM27, DM28, DM31, DM32, DM35, DM38, DM40, DM42, DM43, DM44, DM45, DM50

Other Guidance:

Mayor of London, Housing Supplementary Planning Guidance (March 2016)

Mayor of London Play and Informal Recreation Supplementary Planning Guidance (September 2012)

Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (February 2016)

Supplementary Planning Document: Residential Design Guide (2010)

Historic England Good Practice Advice in Planning Note 3: The setting of heritage assets

Technical Housing Standards- nationally described space standards (2015)

### 2. Pre-application engagement

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

### 3. Mayoral CIL

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

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £141,060

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

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

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

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

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

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

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

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

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

### 4. Harrow CIL

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

Harrow's Charges are:

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

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

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £344,556.81

This amount includes indexation which is 326/224. 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](https://ecab.planningportal.co.uk) website where you can download the relevant CIL Forms.

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

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

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

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

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

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

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

#### 5. Considerate Contractor Code of Practice

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

#### 6. Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

#### 7. Compliance with Planning Conditions

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

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

8. Liability for Damage to Highway

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

9. Construction Design 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. Run-off rates

The applicant is advised that the development is subject to a limitation on a discharge to no more than 5 l/s/ha from all impermeable areas, consequently there will be a storage implication and the system should be checked for no flooding for a storm of critical duration and period of 1 in 100 years. These storage calculations should include all details of inputs and outputs together with impermeable and permeable areas drained. Please note that the M5-60(mm) is 21 and the Ratio "r" should read 0.43 for this region. Similarly the Volumetric Run-off Coefficient should be substantiated by calculations (Reference to Chapter 13 of The Wallingford Procedure) or a figure of 0.95 should be used for winter and summer. Please note that a value for UCWI of 150 is appropriate when calculating Percentage Runoff (PR) for storage purposes. Please include 40% allowance for climate change. Proposals must comply with the councils Local Flood Risk Management Strategy.

11. Vehicle Crossing

The applicant is advised that the pre-existing vehicle crossing may require additional works to be brought back into use; and that any alterations to existing/pre-existing crossings will require separate agreement (s50 agreements) directly with Highway Network Management. Any new crossing construction should be constructed in line with Harrow's New Vehicle Crossing Policy, dated September 2017. A Temporary and/ or Permanent Traffic Order will be required. Please contact the Vehicle Crossings Team on [VehicleCrossings@harrow.gov.uk](mailto:VehicleCrossings@harrow.gov.uk) for further details/estimate.

12. Street Numbering

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

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

You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link.

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

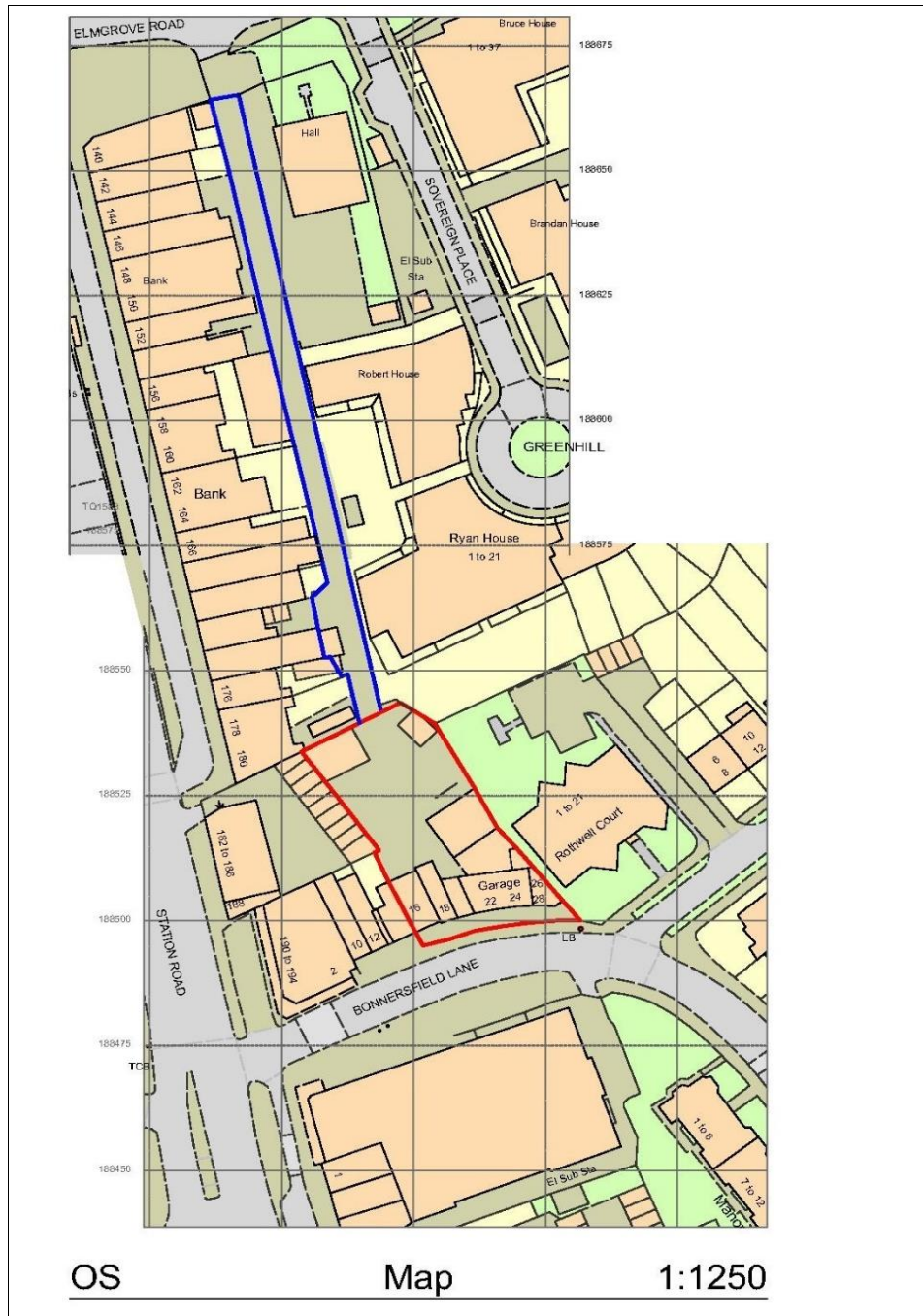
13. Design out crime

The applicant is advised to engage with the Designing Out Crime Officer at an early stage of the detailed design stage in respect of meeting the requirement of Secured by Design condition.

Checked

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Paul Walker 1.10.2020

# APPENDIX 2: SITE PLAN



Existing Site Plan

## APPENDIX 3: SITE PHOTOGRAPHS



Front of site



Looking towards site from Station Road



With no. 10-14



With Roswell Court





Service yard from front entrance



Looking to rear of existing property



Looking towards Ryan Court



Looking towards rear of shops /flats on Station Road



Rear of no. 14

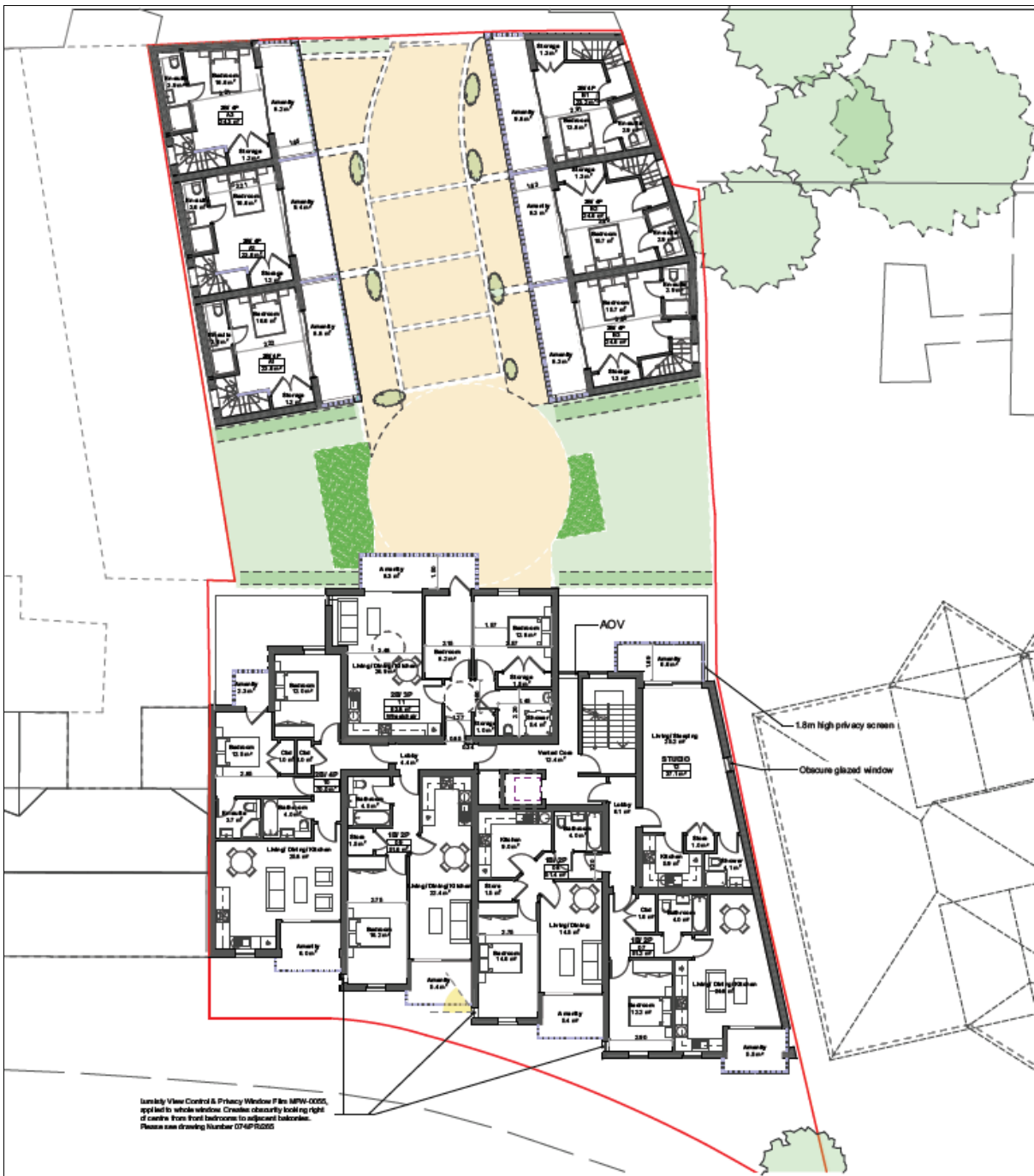


Rear of Rothwell Court

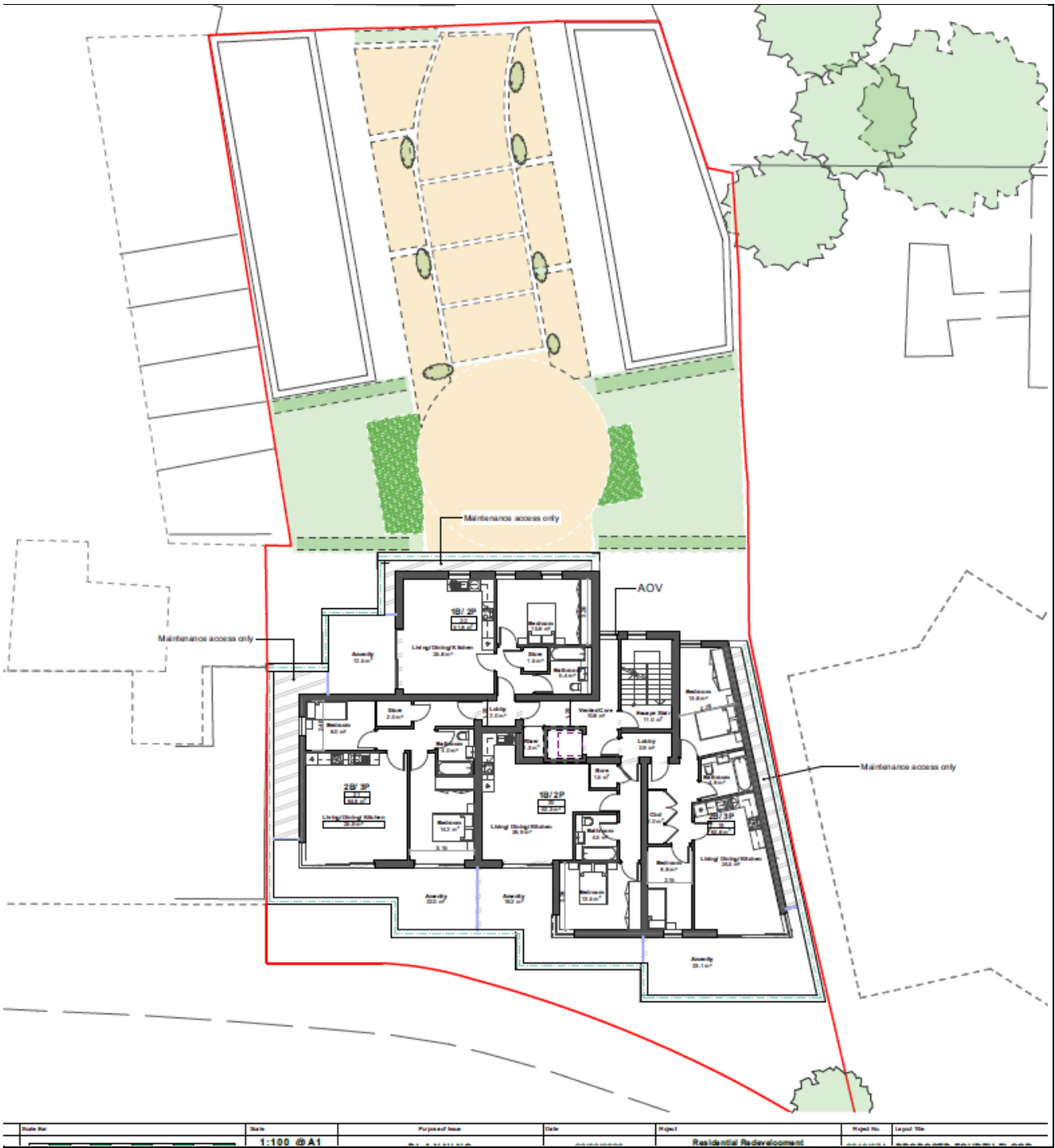
# APPENDIX 4: PLANS AND ELEVATIONS



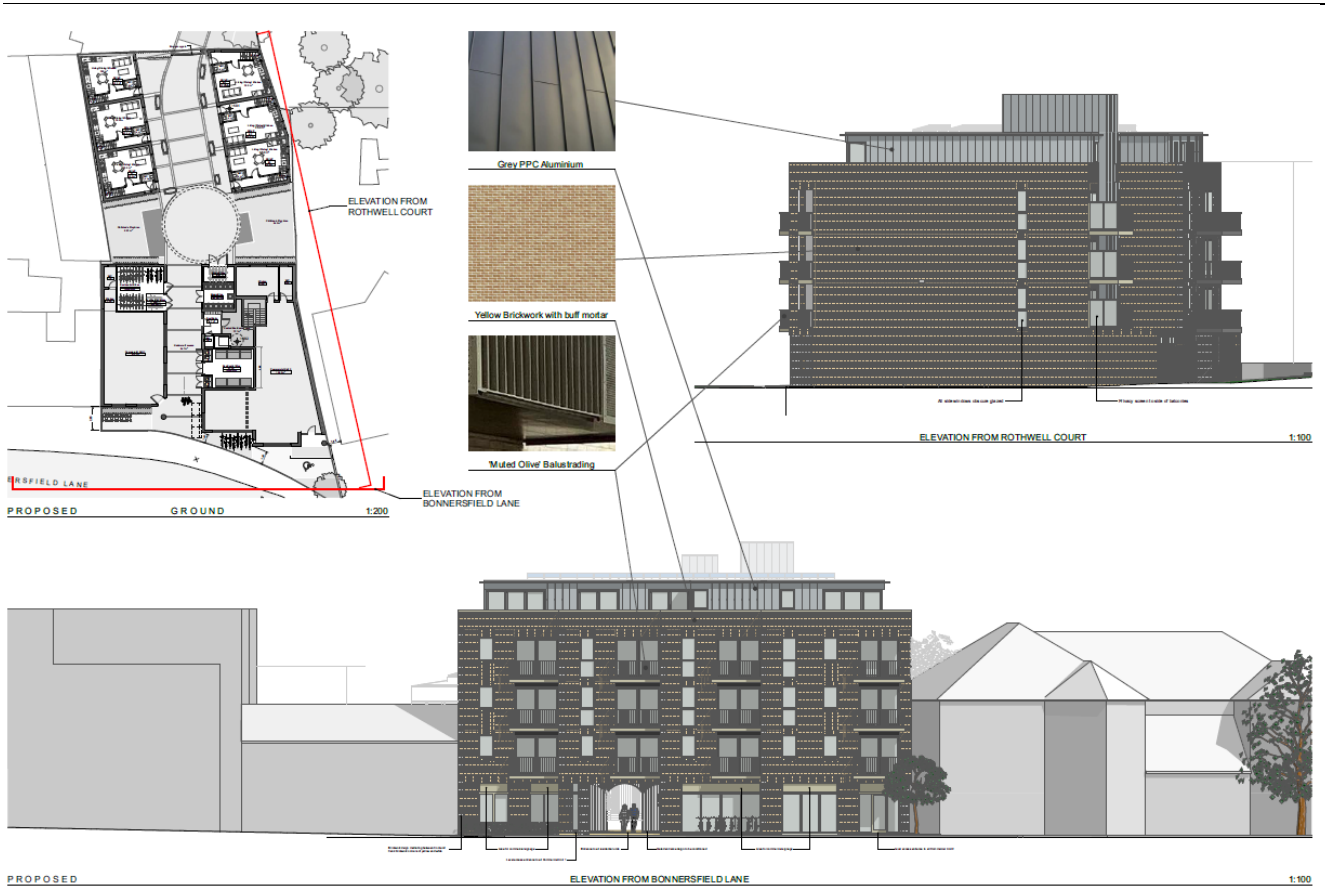
Proposed Site and Ground Floor Plan



Proposed Second Floor Plan (Floors 1-3 of apartments have same layout)

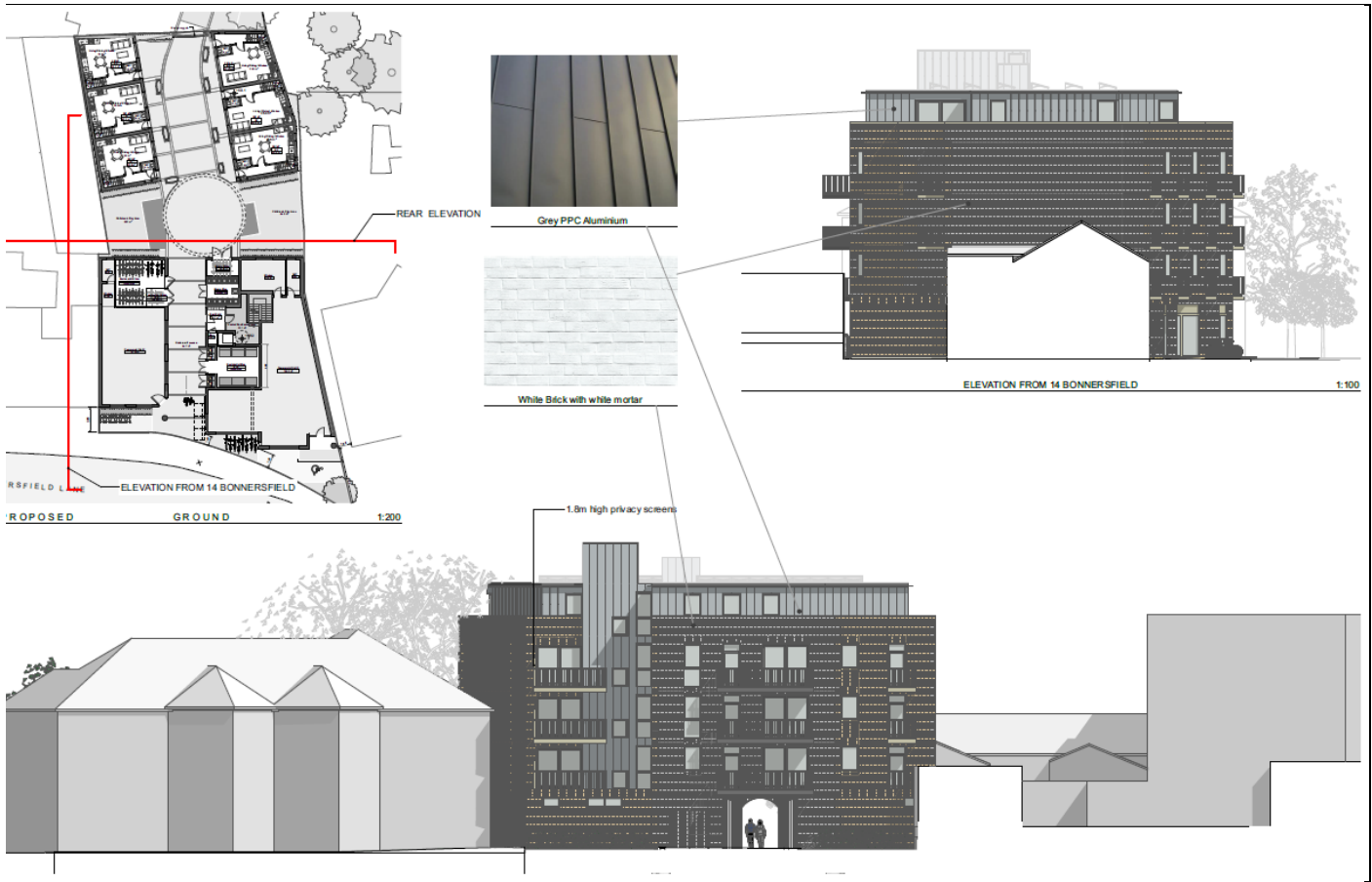


Proposed Fourth Floor Plan



Front and side elevation proposed





Rear and side elevation proposed



## Mews Elevations



## Sections