

**HARROW COUNCIL**

**ADDENDUM**

**PLANNING COMMITTEE**

**DATE: 14<sup>th</sup> October 2020**

<p><b>1/01</b></p>	<p><b>Addendum Item 1:</b></p> <p>It has been clarified that the fees originally set out for the S.106 excluded a monitoring fee.</p> <p>The section of the proposed heads of terms relating to legal fees for the S.106 has therefore been amended as follows:</p> <p><b>Legal Costs, Administration and Monitoring</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• The Developer to be responsible for the Council’s legal costs associated with the negotiation and preparation of the s.106 planning agreement and a further financial contribution to be paid to reimburse the Council’s administrative costs associated with monitoring compliance with the obligation terms of the agreement.</li> </ul> <p><b>Addendum Item 2:</b></p> <p>It is noted that the applicant has submitted supplementary biodiversity information and suggested conditions, which has now been reviewed by the Council’s Biodiversity Officer. The Biodiversity Officer’s comments are as follows:</p> <p>The applicant’s consultant have sought to employ the Biodiversity Metric 2.0 to undertake a before and after assessment of biodiversity value of the site, using a ‘fudge factor’ to get beyond the fact that, based on the consultants’ assessment – and what is taken into account by the Metric - the site currently has nil value.</p> <p>Unfortunately, this misses the point. It is up to the local planning authority to determine what will represent appropriate biodiversity enhancement and in cases where an already heavily developed site with no remaining biodiversity features the expectation of the Mayor of London and of the borough planning authority that a development will meet or exceed the requirements of the Mayor’s Urban Greening Factor.</p> <p>The applicant should check but given that what is proposed is a residential development this means that it should provide a UGF of at least 0.4. This should</p>
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also be implemented so as to maximise biodiversity benefits. One obvious way of achieving this in heavily developed areas is via the provision of biodiverse green roofs and green walls.

At the present time the applicant has failed to address these requirements, which have previously been raised with them. Accordingly, conditions have been set such that if the design is otherwise acceptable, they will not only be required to carry out the works to avoid/minimise impacts on biodiversity but to agree to measures that will satisfy the UGF and biodiversity requirements including rest/roost provision which also take account of the context of the site and the objectives of the Harrow BAP.

The agent's proposed changes to the conditions therefore won't be acceptable in relation to ensuring that the scheme will provide sustainable development.

The submitted scheme should already have addressed the UGF requirements.

Accordingly, the current scheme will either need to be modified via condition as originally set out, withdrawn and resubmitted once it is acceptable or refused on the basis that what has been submitted fails to comply with the UGF requirement and the applicant has chosen not to remedy this failing.

I've not set out exactly what green roof design or what wildlife shelters should be incorporated into the building. It is the responsibility of the applicant to seek expert guidance in this regard and to incorporate their recommendations into the design once they are certain that the proposals will be acceptable.

Based on the Biodiversity Officer's response, the conditions as originally proposed in the submitted report, with no further modification, are recommended.

### **Addendum Item 3:**

The following condition is recommended to be added to the permission:

31. The commercial premises on the ground floor shall be used for the purpose specified in the application (Use Class B1a/b/c) and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

#### **REASON:**

- a: To safeguard the amenity of neighbouring residents and the character of the locality.
- b: To ensure that appropriate employment floorspace is provided in this location

### **Addendum Item 4:**

The following corrections to proposed conditions are to be made:

#### **Condition 28. Removal of Permitted Development Rights**

The residential 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.

*This has been amended to be specific to the residential portion of the development, for clarity.*

Condition 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) 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;
- c) Details of the flank window treatments on units 01-03, 07-09, and 13-15;
- d) Obscure glazing on all southern flank windows to mews houses;
- e) Privacy screens to balconies on the rear of the main building;
- f) 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.

*This has been amended to be remove a requirement to enlarge the rear balconies for two units as this would not be an essential change to make the development acceptable and would require re-consultation with neighbouring properties.*

1/02

**Addendum Item 1:**

The Council's Highways Authority have confirmed that it would be appropriate to include a legal obligation to restrict future occupiers of the development from attaining a parking permit in the surrounding Controlled Parking Zone (CPZ) in order to safeguard against any potential parking stress in the surrounding area.

Accordingly, the following restriction is proposed:

Residential Permit Restriction

*Development to be Resident Permit Restricted: With the exception of disabled persons, no resident of the development shall obtain a residents' parking permit within the Controlled Parking Zone. An additional £1,500 contribution towards the cost of amending the traffic order.*

**AGENDA ITEM 10**

**REPRESENTATION ON PLANNING APPLICATIONS**

**NONE NOTIFIED**