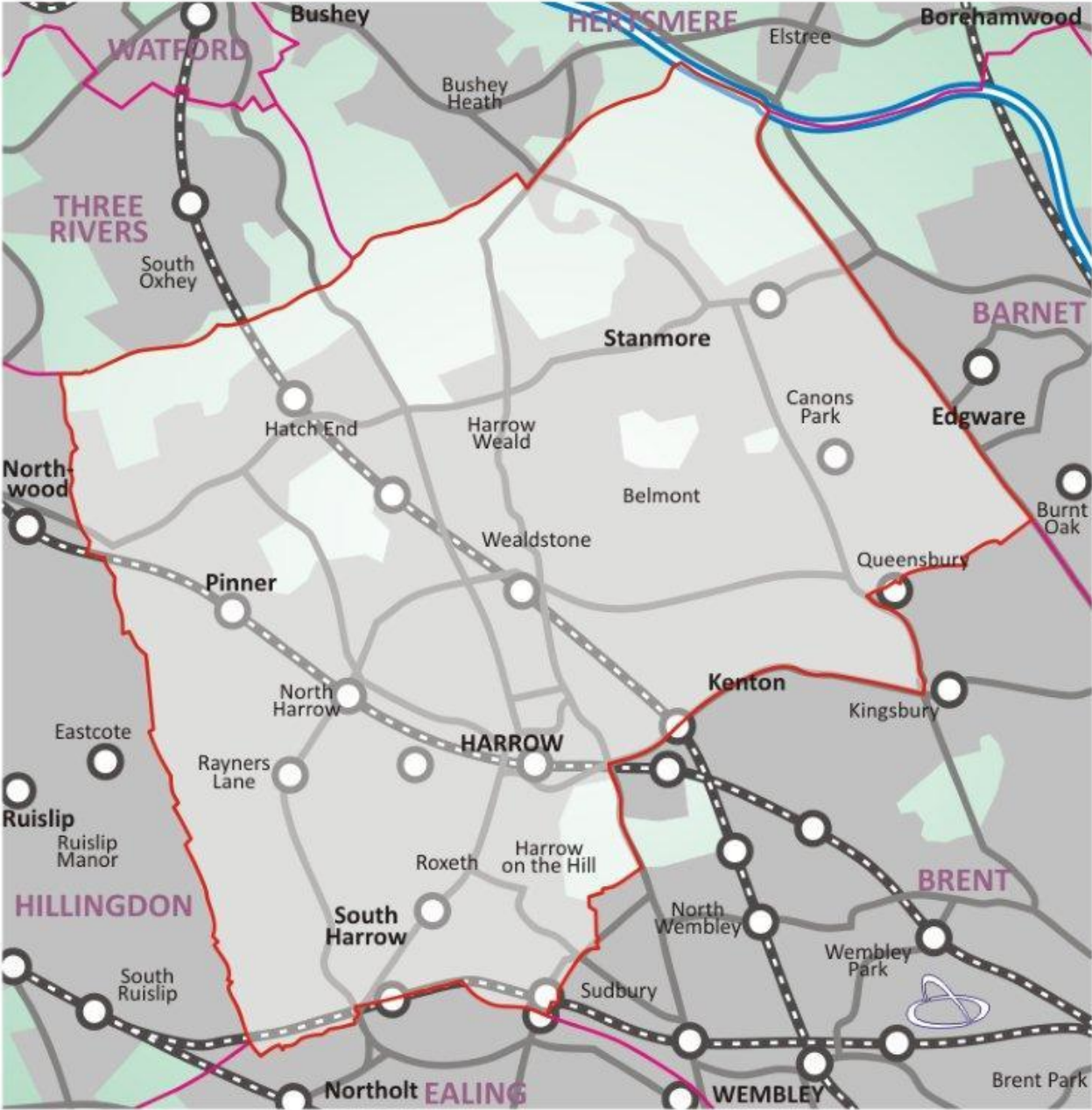


 = application site





Prince Edward Playing Fields Camrose Avenue	P/1564/20
--	------------------

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

9th December 2020

APPLICATION NUMBER: P/1564/20
VALID DATE: 8th JUNE 2020
LOCATION: PRINCE EDWARD PLAYING FIELDS, CAMROSE AVENUE, EDGWARE (The HIVE FOOTBALL CENTRE)
WARD: QUEENSBURY
POSTCODE: HA8 6AG
APPLICANT: FOOTBALL FIRST LTD
AGENT: WSP INDIGO
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 7th SEPTEMBER 2020 Agreed Extension 31st December 2020

PROPOSAL

Outline application for Access Only: Redevelopment to provide four storey building with basement comprising of sporting higher education facility, student accommodation, hotel, medical diagnostic centre; plant and associated works

RECOMMENDATION A

The Planning Committee is asked to:

Refuse the application for the following reasons:

- 1) The proposed uses comprising of a hotel, sporting higher education facility including student accommodation and medical diagnostics centre would give rise to inappropriate uses on the site which would be in direct conflict with the site's allocation for community outdoor sport development and by reason of the site's low accessibility, siting outside of a Town Centre or Opportunity Area and insufficient evidence to demonstrate the need for the uses proposed, would give rise to an unsustainable development in a strategically poor and inappropriate location, contrary to the National Planning Policy Framework (2019), policies 3.16, 3.19 and 4.5 of The London Plan (2016), policies S5, E10G, SD7, S1 and S3B of The Draft London Plan - Intend to Publish (2019), core policies CS1 Z, F and L of the Harrow Core Strategy (2012), policies DM 34, DM 46 and DM 48B of the Harrow Development Management Policies Local Plan (2013) and Site MOS5 of the Harrow Site Allocations (2013).

- 2) The proposed development would result in a direct loss of protected designated open space and would not provide a use which is ancillary or appropriate to the existing open space, contrary to the National Planning Policy Framework (2019), policy 7.18 of The London Plan (2016), policy G4 of The Draft London Plan - Intend to Publish (2019), core policy CS1 F of the Harrow Core Strategy (2012) and Policy DM18 of the Harrow Development Management Policies Local Plan (2013).
- 3) The proposed development, in the absence of a Transport Assessment and Travel Plan, fails to demonstrate the impacts of the development on the surrounding highway network, and to propose measures to promote sustainable travel modes and to reduce the effects of travel by car. Insufficient information has therefore been provided to demonstrate that the proposals would not result in unacceptable harm to the surrounding highway network through increased pressure on local parking amenity and on local transport infrastructure from excessive vehicle trips, contrary to the National Planning Policy Framework (2019), policies 6.3, 6.10 and 6.13 of The London Plan (2016), policies T1, T2, T4, and T6, T6.4 of the Draft London Plan – Intend to Publish (2019), policy 1 of the Mayor’s Transport Strategy, policy CS1 R of the Harrow Core Strategy (2012) and policies DM 42 and DM 43 of the Harrow Development Management Policies Local Plan (2013).
- 4) The proposed development, in the absence of an acceptable Preliminary Ecological Assessment and the site’s close proximity to the adjoining Borough Grade I Site of Importance for Nature Conservation and the Edgware Brook, fails to demonstrate that biodiversity value of the surrounding area would not be harmed, protected or enhanced, contrary to the National Planning Policy Framework (2019), policy 7.19 of The London Plan (2019), policy G6 of the Draft London Plan - Intend to Publish (2019), and policies DM 48 A b, DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).
- 5) The proposal, by reason of an unsatisfactory Flood Risk Assessment, fails to demonstrate that the proposed development would result in a net reduction in flood risk, be resistant and resilient to flooding, would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere or provide a dry means of escape for the future users, to the detriment of the safety of the adjoining occupiers and the future users of the development, contrary to the National Planning Policy Framework (2019), policies 5.12 and 5.13 of The London Plan (2016), policies SI12 and SI 13 of the Draft London Plan (2019), Core Policy CS1 U of Harrow Core Strategy (2012) and policies DM 9 and DM 10 of the Harrow Development Management Policies Local Plan (2013).

- 6) The proposed development, by reason of the indicated heights and conflicting floorspace figures proposed, would be likely to result in a harmful, bulky and unduly dominant addition to the site which would significantly detract from the open character of the site and the surroundings, and would fail to respect the existing development on the site or contribute positively to the site's setting and the quality of the open space, contrary to the National Planning Policy Framework (2019), policies 7.4 B and 7.6 B of The London Plan (2017), policies D1 and D3 of the Draft London Plan (2019), core policy CS 1 B and F of the Harrow Core Strategy (2012) and policy DM 18 C/D of the Harrow Development Management Policies Local Plan (2013).
- 7) The proposed development, by reason of the excessive amount of development proposed and the nature of the proposed uses and their relationship with residential properties coupled with an inadequate Lighting Impact Assessment, would give rise to unacceptable harmful outlook and visual impacts, light pollution as well as potential unreasonable noise and disturbance impacts from the increased intensity of use of the site, to the detriment of the residential and visual amenities of the adjacent neighbouring occupiers, contrary to the National Planning Policy Framework (2019), policies 7.4 B, 7.6B and 7.15 of The London Plan (2016), policies D3, D13 and D14 of the Draft London Plan - Intend to Publish (2019) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).
- 8) The proposed development, in the absence of insufficient information relating to Air Quality Impacts, including insufficient information relating to the level of car travel or alternative sustainable travel proposals, fails to demonstrate that the proposed development would not contribute to a deterioration in air quality in the locality, to the detriment of the future users of the site and wider area and the overall environmental quality of the London Borough of Harrow, contrary to the National Planning Policy Framework (2019), policy 7.14 of The London Plan (2016), policy of the SI 1 of the Draft London Plan – Intend to Publish (2019) and policies DM 1 and DM 12 of the Harrow Development Management Policies Local Plan (2013).

REASON FOR THE RECOMMENDATION

The proposed development is considered to be unacceptable in principle and is contrary to all the national, regional and local plan policies stated above.

INFORMATION

This application is reported to Planning Committee as it has been called in by a Nominated Member in the public interest. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

This report is supplementary to the committee report, addendum and supplementary addendum presented to the planning committee on 2nd September 2020 and should be read in conjunction with this report.

Statutory Return Type:	Major Development
Council Interest:	N/A
Net additional Floorspace:	52, 788 sqm
GLA Community Infrastructure Levy (CIL):	£3,347,280 (excluding indexation)
Contribution (provisional):	
Local CIL requirement:	£3,068,340 (excluding indexation)

HUMAN RIGHTS ACT

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

EQUALITIES

In determining this 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. However, a condition could be added at the Reserved Matter Stage for evidence of certification of Secure by Design Accreditation for the development, had the proposal been otherwise considered acceptable.

1.0 ADDITIONAL INFORMATION

- 1.1 The application was considered at the Planning Committee on 2nd September 2020. The Chair proposed that the committee be minded to disagree with the officer recommendations and that the application be brought back to Committee for determination at a later date.
- 1.2 The motion was seconded, put to the vote and agreed. The Committee resolved to refuse the officer recommendations.
- 1.3 The Committee wished it to be recorded that their decision to be “minded to grant” the application, which would be brought back to the committee at a later date, was by the Chair’s Casting Vote.
- 1.4 Since the previous committee, the Local Planning Authority has received the stage 1 consultation response from the GLA which is set out below. In addition, officers have met with the applicant to discuss the reasons for refusal. The applicant has provided the following additional documents to try and address the reasons for refusal set out on the original committee report presented on 2nd September 2020.
 - Flood Risk Assessment Review/ Addendum
 - Outline Transport Assessment: The Hive Hotel (dated 23rd October)
 - Supporting Letter from TIC Health
 - Draft Heads of Terms for Section 106 Planning Obligation
 - Drainage Strategy (dated October 2020)
 - Legal Advice (Morag Ellis QC) (dated 25th October)
 - Flood Risk Assessment (dated 13th September 2016)
 - Hotel and Student Accommodation (dated 19th October 2020)
 - Outline Energy & Sustainability Strategy Rev 00 (dated 23rd October 2020)
 - Preliminary Ecological Assessment and Impact Assessment
 - The Hive Hotel – Economic Statement
 - Outline Air Quality Assessment Issue 1 Rev 2 (dated 26/10/2020)
 - Rendered Image
 - Drawing number: 462 PL(5) 109 Rev B (Proposed Roof Plan)
 - Drawing number: 462PL(5)134 (East Elevation in Context)
 - Drawing number 462 PL(5) 931 (Parameter Plan – proposed section BB)

2.0 Statutory and Non-Statutory Consultation

- 2.1 In addition, further consultation has been undertaken with statutory consultees and neighbouring residents in relation to the new information.
- 2.2 A total of 2538 consultation letters were sent to neighbouring properties regarding the new information.
- 2.3 The public consultation period expired on 17th November 2020. A further 7 objections were received from neighbouring residents.
- 2.4 A summary of the neighbour consultation responses are set out below:

- 2.4.1 The site is already overdeveloped, this further application is grossly detrimental to the surrounding residents.
 - 2.4.2 The Hive Football Centre is having a significant adverse impact on the surrounding residents
 - 2.4.3 The Hive Football Centre has significantly contributed to the increase in vehicular traffic on the surrounding roads/streets.
 - 2.4.4 The Hive Football Centre has directly impacted on parking issues on Whitchurch Lane, especially during evenings and all day on Saturdays and Sundays – this has become a safety issue for residents driving out of their own driveways.
 - 2.4.5 The proposed development will add to the environmental damage to the surrounding area with all the additional traffic, noise and the pollution that residents will have to endure.
 - 2.4.6 We already have light pollution from The Hive Football Centre and this proposed development would once again add substantially to this existing problem.
 - 2.4.7 Noise pollution is a concern.
- 2.5 A summary of further consultation responses is set out in the table below:

Greater London Authority Stage 1 Response

Principle of development: The proposal would result in the loss of land designated as open space, the applicant must explore opportunities to provide alternative and or enhanced sports or recreational provision with clear public benefits outweighing this loss. The proposal seeks to introduce a range use that are inappropriate for an out-of-centre location. GLA officers require further discussions with both the Council and the applicant on the rationale for the combination of uses proposed, and the appropriate scope and nature of the sequential site selection test. Whilst elements of the healthcare and educational components of the proposal may be supported where these can be demonstrated to be sustainable, there is a strong policy presumption against the hotel and student housing components.

Affordable Student Housing: The proposals do not include details of provision of affordable student accommodation. In the event the student housing proposals are progressed, the applicant should seek to meet the 35% threshold level of affordable student accommodation to be eligible to follow the Fast Track route. Should the scheme fail to meet the 35% threshold, the scheme must follow the Viability Tested Route, a financial viability assessment must be provided, and early and late stage viability reviews must be secured.

Urban design: Notwithstanding the impact of the proposals on designated open space, the proposals do not raise strategic concern in terms of overall scale, massing and design.

Climate change: The application should be supported by an outline energy strategy and commitment to addressing all required energy policies as required by the London Plan and energy assessment guidance.

Transport: Insufficient information has been provided in respect of the transport impacts of the proposals. The applicant must provide a transport assessment to

enable detailed assessment of the impacts and transport policy implications.

Recommendation

That Harrow Council be advised that the application does not comply with the London Plan and the Mayor's Intend to Publish London Plan, for the reasons set out in paragraph 51; however, the possible remedies set out in this report could address these deficiencies.

LBH Highways Authority

Whilst a transport assessment for this development is welcomed, it is considered to be lacking detail and proper appraisal for a proposal that consists of elements that individually could have a noticeable impact on the highway but collectively, could be considered to be significant. There is no study of the combined effect, therefore, no indication of any highway mitigations that may be required.

The Healthy Streets Transport Assessment should include an outline construction logistics plan, outline delivery and servicing plan, travel plan and outline car park design and management plan however, none of these have been provided. There is guidance on the TfL website about all of these documents.

The site currently does not appear to promote sustainable travel despite having a travel plan as all of the existing uses promote use of the car park. The submitted transport assessment does not detail how by using the Healthy Streets approach, the site could encourage sustainable travel and contribute to meeting the aims of Vision Zero and the Mayors Transport Strategy.

In conclusion for the reasons given above Highways do not support this proposal based on the information available. It is considered that there is a potential for a significant impact on the surrounding highway network but this has not been assessed sufficiently to determine what that impact may be and if any measures are required to make this proposal acceptable.

LBH Drainage Authority

The drainage strategy proposed and the FRA of 2016, both documents are unsatisfactory and our objections still stand.

The **FRA** should be revised using updated flood maps and the proposals in line with our new SFRA. Please note that basements in a flood zone are not permitted and CFS is required for loss of floodplain.

The **drainage strategy** should be based on 5 l/s/ha greenfield run-off rate, vented storm water covers have been designed for a reason and shouldn't be removed, reducing size of the existing sw tank is not permitted and there's no spare volume of storage in gravel layer of the pitches. I suggest the applicant familiarise himself with the FRA where the existing system is described including over ground storage provided for the previous applications.

LBH Biodiversity: The report is inadequate in its handling of impacts whether with regard to existing circumstances or to the circumstances that should have been taken into account. As matters stand, the application should be refused on the basis that the application and provided evidence are faulty and misleading.

LBH Economic Development

The Hive Hotel – Economic Statement:

The Statement provides an estimate of the number of new jobs created by the development and therefore an estimate of increased spend and GVA as a result.

Having reviewed the statement, the assumptions regarding employment density and local spend are broadly in line with national guidance.

The only main query relates to the number of jobs associated with the conference facility, which seems to be based on a low employment density ratio (120 sq m per FTE) when compared to other comparable land uses.

The Economic Statement states that the HCA Employment Density Guide does not provide densities for Conference Facilities and has therefore assumed a density figure for the conference element which seems high at 120 sq m per FTE (120 jobs).

It should be noted that the HCA guide does have a figure for Arts/Conference facility of 260 sq m per FTE (33 jobs) which would mean that the overall jobs created figure would reduce from 211 jobs to 172. This would reduce the GVA to £10.7m per annum from £13.3m as given in the Statement.

The assumptions on local spend based on £6 per person are in line with other reported spend figures.

Other Comments

If the development is approved, as a major application, we will be seeking the following to be included in any s106 agreement:

Local Supplier targets

The Planning Obligations SPD states that “Where the value of a scheme exceeds £5 million a Local Procurement Plan will be included within the Local Employment Agreement. The Local Procurement Plan will be based on an agreed target (typically 20%) of the value of qualifying supplies and services to be provided from companies and organisations based in the Borough.”

Construction Training – a requirement to produce a training and employment plan and provide a financial contribution

LBH Lighting Engineer

With reference to the planning application P/1564/20, SRE Limited Light Pollution Assessment Report - Version 1, Rev:A dated 26/10/2020 for the external access road and surface car park lighting at the above development, the following points are noted:-

A Light Pollution Assessment Report has been submitted, including Introduction, Technical Design Standards, Methodology and Luminaire Schedules.

The developer has confirmed the use of numerous luminaires for both functional and aesthetic purposes within designated areas, as indicated on the proposed Luminaire Schedule

- Disano 3285 Rolle (Footpath Luminaire) 11,561 Lumens (LED array/Driver current)? Developer to clarify
- Susa ME 3380 (Car Park & Access Road Luminaire) 9,280 Lumens (LED array/Driver current)? Developer to clarify
- LED's will be utilised, which will provide improved colour rendering (>80 Ra), primarily at Neutral White (4000K) for functional areas (e.g. street lighting, car park)? Developer to clarify
- a total of 45 luminaires will be installed in a post top configuration on 36 x ??m/??m lighting columns. Developer to clarify during final lighting design/drawing layout

Recommended lighting levels for Residential Roads within city and town centres will vary depending on the individual circumstances, including pedestrian and vehicle conflict, traffic flow and environmental zone:-

Range from P1 to P6, (15 Lux Eav/3.0 Lux Emin to 2.0 Lux Eav/0.4 Lux Emin)

Car Parking Areas 20 Lux Eav

No lighting design calculations have been provided at this stage, including the average maintained horizontal illuminance levels or Isolux contours for any overspill horizontal illuminance to indicate anticipated levels to the properties bordering the development on both sides, but indicated a range of average maintained horizontal illuminance levels for the pedestrian walkway, entrance and cycle park/access road/car park area at 5 Lux Eav, 10 Lux Eav/3 Lux Emin and 20 Lux Eav respectively.

I would expect Subsidiary Roads within Suburban – Medium District Brightness (E3) or Urban – High District Brightness (E4) to be lit to Classification P3 with an S/P ratio of 1.9 (adjusted in accordance with Table A.7 when utilising LED light source) 5.5 Eav Lux, 1.1 Emin Lux respectively. The developer has indicated 20 Lux Eav for the access road, which is a higher level than usual for access roads and could be moderated. Has the access road been lit to ME/CE series lighting classification? Developer to clarify

The Developer has confirmed that the design has been undertaken in conjunction with BS 5489-1:2013 and the Institution of Lighting Professionals, Guidance Notes for the Reduction of Obtrusive Light, which include the recommendation that efficiency is maintained and light pollution must be minimised.

Furthermore, the Developer has also confirmed alternative design guidelines BS EN 12464-2:2007 General Circulation Area at Outdoor Workspaces, CIBSE Lighting Guide LG6 The Outdoor Environment (1992) and Sport England Design Guidance Note for Artificial Lighting (2012), which are acceptable.

The maximum recommended vertical illuminance into house windows is 10 Ev Lux before curfew and 2 Ev Lux after curfew within Environmental Zone E3.

The Developer has not provided vertical illuminance calculations at a target line in the direction of all properties within the immediate vicinity of properties bordering the development on all sides, but has provided a summary Table 5 which indicates that a total of 16 properties (Camrose Avenue, Buckingham Gardens, Torbridge Close and Whitchurch Lane) were assessed within close proximity of the access road and car park area and confirmed that all are within a 0.05 – 1.38 Ev Lux maximum range and conform to the post curfew 2 Ev Lux maximum for Environmental Zone E3.

Additionally, there is the visual impact/daytime appearance of the installation which needs to be considered, 36 x 3m lighting columns should not present an issue with the residential properties in close proximity on new access road/car park within the development. Developer to clarify

For comparison, the existing street lighting installation in adjacent residential/service roads already utilises 6m columns, but at a lower road lighting classification level than is proposed for the access road and car parking area. Whilst, the existing street lighting installation in Camrose Avenue utilises 10m columns and is illuminated to traffic route standards.

It should also be acknowledged that any new introduction of lighting in what is currently an unlit, partially lit area will have an initial impact on the location, as it is a change within the environment.

For sustainability, the developer has indicated that all external lighting (except safety and security lighting) is automatically switched off between 11.00pm – 07.00 am nominal hours of operation, I assume that the installations are controlled by Photocell – (Dusk to Dawn) or Time clock, as for standard public/street lighting operating hours. Safety and security lighting complies with lower levels of ILP Table 2 Guidance between 11.00pm – 07.00 am nominal hours. Developer to clarify

Do the car parking area/access road luminaires incorporate any pre-set dimming, say midnight to dawn, which could reduce lighting levels and energy, during this period and also mitigate any adjacent property concerns regarding the higher car park lighting levels when compared to the main public highway traffic route and residential roads?

Any further opportunity for the reduction of overspill lighting/visual impact by the use of luminaire baffles/louvres and/or additional screening by trees during landscaping would lessen the impact.

I note that the Developer has included some Midstream Lighting Ltd modelling for the Pitch 1 and Pitch 2 floodlighting, which I understand Pitch 1 to be an indoor sports hall and subject to a previously approved application? What is the reference for the Appendix K and L levels, overspill horizontal illuminance or vertical illuminance? If the Pitch 1 is an indoor sports hall then any overspill would be contained within the building structure. Is Pitch 2 also an indoor or outdoor facility? Is this included within this application, as there is insufficient detail. Developer to clarify

LBH Policy

Overall, the outline energy proposals are acceptable and demonstrate that any detailed design / approval of details will be undertaken in the correct policy context / overarching commitments. Any outline permission will need to be conditioned to require a detailed energy strategy to be submitted prior to commencement of the development (as energy is integral to building design and cannot be left until after commencement of development). The required detailed energy strategy will need to commit to zero carbon development in accordance with the Intend to Publish London Plan. Any S106 agreement related to the outline application will need to require payment of any carbon offset contribution (calculated using the Intend to Publish London Plan rate of £95/tonne/year for 30 years i.e. £2,850 per tonne) identified in the energy strategy in order to achieve zero carbon, with a further post-

completion assessment required to identify if a further offset contribution is required should there be a shortfall in predicted on-site carbon reductions,

The strategy commits to achieve BREEAM 'very good' and this should be conditioned.

LBH Environmental Health:

In my opinion is that the site would be overdeveloped considering the location in such a residential area, especially given the issues the residents have had with noise breakout from football matches and the traffic/litter issues that ensue as a result.

Air Quality:

It is not clear if any of the potential impacts of any other heating plant or traffic generation associated with the leisure use of the site has been included in the report. I would be grateful if you could please clarify this.

Additional Comments on AQ: The applicant should provide more information on air quality, especially if there's a 5% increase in travel (according to the Mayoral plan). There is a lack of significant information regarding the traffic increase or any alternative plans.

Noise:

Whilst they have stated that all the mechanical plant etc. will be 10dB below background, I have concerns regarding the noise breakout from events at the hotel/student accommodation. Whilst the stadium itself is not part of the application and as such noise levels within cannot be controlled, it is expected that being close to a stadium of this type will present it's own noise issues.

Light Pollution: There is no information relating to lighting of the hotel and student accommodation to consider the potential impacts.

However, if the committee were minded to approve the application, then conditions would be required to mitigate the development including the following:

- Construction Management Plan
- A Low Emission Strategy, with an associated Air Quality Action Plan
- No floodlighting or other form of external lighting shall be installed
- A scheme for the control of noise
- A restriction on delivery times
- A condition to restrict the time of use of the hireable halls within the proposed development.

3.0 ASSESSMENT UPDATE:

3.1 The officer response to the main planning considerations are set out below. The main Issues are:

- Principle of Development

- Character and Appearance of the Area
- Residential Amenity
- Traffic, Safety and Parking
- Affordable Housing
- Biodiversity and Air Quality
- Drainage and Flood Risk
- Energy and Sustainability

3.2 **Principle of Development**

Designated Open Space

3.2.1 The applicant has submitted a legal opinion in response to the proposed reason for refusal No. 2 on the original committee report. The legal opinion is appended to this report for members consideration. A summary of the points in the legal opinion are as follows:

- *It is important to note the physical form which the new buildings will take. They would be constructed on land between the ends of stadium stands, in part used as an internal access road, in part for open air storage, turnstiles and in part as parking space. The approach is therefore similar to that taken to the earlier built form, approved on appeal in 2018.*
- *The Planning Statement also argues that the proposals would be ancillary rather than detrimental to the open space and therefore in accordance with the Development Management Policies DPD. The argument is put in terms that the land concerned is of no public value and does not present opportunities for sport and recreation so that there is no conflict with policy.*
- *On the assumption that the proposals are found not to accord with the development plan, that is not the end of the matter because members must go on to consider whether material considerations indicate otherwise – the planning balance.*
- *In my view, the officer's report is materially deficient, and members should consider the Sport England response and the rejection of the officer's approach to the application of the open space development plan policies carefully. Similarly, the officer does not engage with the previous appeal decision.*

3.2.2 Firstly, it is clear there is a loss of open space. This is clear simply by reason of building on land that is identified as open space on the planning policy maps. If FC Barnet FC did not accept this, then they could have objected to this designation at the plan making stage.

3.2.3 Officer's also agree that planning decisions do not need to be made in accordance with the development plan if material considerations allow. The LPA has consistently adopted this approach in the past on other planning decisions.

3.2.4 Officer's also agree that the hardstanding 'at the ends' of each stand proposed to be infilled offer little value and consider there could be scope for ancillary development which would lead to an enhanced sporting venue and other improvement around open space and community use. The issue in this case is that there is no

disaggregation of proposed uses to clearly understand the uses that could be ancillary and those that are not.

- 3.2.5 The applicant has not sought to explore any opportunities to provide additional open space to ensure that there is no net loss of open space from the site. Where the open space cannot be re-provided in relation to any enhanced sport or recreational provision, there should be clear public benefits outweighing the loss. In this case, there is very limited information demonstrating the proposals would address the site allocation for community and outdoor sport development. The applicant suggests that there could be an obligation for a community use agreement but there is no understanding or explanation of what this would entail or what benefits it would bring. As such, this is given very little weight in addressing harm to open space.
- 3.2.6 With regard to the appeal 2018 appeal decision for a stand and academy, this was discussed within the addendum reported to committee on the 2nd September. This clearly outlined that officers did not agree with the applicant position. There is clear difference in that the north stand is considered to be an ancillary component of the site which would accord with the sites allocation and development management policy DM 18 in relation to open space which outlines ancillary development can be acceptable where it is necessary to facilitate the proper functioning of the open space. In this case, the loss of open space is not considered to be mitigated as the proposed uses are not clearly ancillary, and a number of uses proposed are considered to be strategically located in the wrong location.
- 3.2.7 The Legal Opinion makes comment re Sport England, although notes they do have a narrow remit. Notwithstanding the legal opinion statement that this is an omission from the report, the QC is conflating the scope of considerations. Sport England are looking at playing fields, whereby open space has a much wider range of considerations. Had the scheme been proposed on the playing fields the LPA would arrive at the same position as currently, but with the weight also of a Sport England objection to loss of playing field also.
- 3.2.8 Notwithstanding the Sport England comment, the proposal would result in a clear loss of open space in an area of identified open space deficiency for uses which are not clearly ancillary to open space and are not clearly justified or demonstrated to enhance the site allocation as a community and sporting venue. As discussed in the previous report, the proposed scale and massing of the building would detract and cause harm to the perception of openness across the open space.

Proposed Visitor Accommodation

- 3.2.9 As outlined in the committee report presented on September 2nd, it is clear that there is need for Hotels across London and also within Harrow, which is set out within the London Plan evidence base. Furthermore, the Harrow Economic Development Needs Assessment (2017) does identify some demand for a further hotel operator within the borough. The LPA are satisfied that there is a need for hotel use within both London and Harrow, as detailed within the supporting planning statement. Both the London Plan (2019) (Intend to Publish version) through Policy E10 (Visitor Infrastructure) and through Policy DM34 of the Harrow Development Management Policies Local Plan (2013) supports proposals for visitor infrastructure.

Notwithstanding the demonstrable need for Hotel use within London & Harrow, the use is directed to be located within a town centre location. Where a hotel development is proposed outside of a town centre, then this must satisfy a sequential test, which would need to demonstrate there are no more preferable, town centre sites. This is set out in Policy SD7 (Town Centres: Development Principles and Development Plan Documents) and Policy DM34 (Hotel & Tourism Development) of the HDMP (2013) respectively.

- 3.2.10 The application previously provided a sequential test in an attempt to demonstrate that the proposed site is sequentially the most appropriate site for such a development. The applicant had only reviewed allocated sites within Harrow only, which are retail-led development opportunity sites. Officer noted that *“it is not clear as to what only Harrow borough sites are considered and not wider, given the proximity of the site to Wembley. Indeed, the applicant does state that the proposed hotel use would assist in meeting tourism demand for visitors to Wembley. Furthermore, it is not clear as to why the retail sites were the only sites reviewed, given that the hotel use would be an appropriate use in principle at any town centre location. In any case the sequential test only makes a sweeping general statement that other sites had been considered, but none were considered to be appropriate. However, the sequential test should at least identify the sites considered, and provide an assessment as to the appropriateness or not of that site.”*
- 3.2.11 Officers have met with the application and advised that a revised sequential assessment would need to be submitted for consideration that considered a much wider scope of sites. Officer outlined that the sequential search should be extended to all adjoining boroughs to the north and east including Barnet, Brent and Hertfordshire as well as a more thorough analysis of all allocated sites within LB Harrow and not just limited to retail sites in town centres. The applicant has specified the proposal will serve events in Wembley which is a regionally significant tourist infrastructure. As such, consideration should be given to all town centre areas along major transport links, including Metropolitan, Jubilee, Bakerloo underground lines as well as overground lines (noting there is a direct over ground link from Wembley Central to Watford Junction). Following this, edge of centre sites which are well connected to the town centre could be considered.
- 3.2.12 Officers at the GLA concur with Harrow officer view that the applicant’s methodology was not sufficiently rigorous to demonstrate that there are no other suitable sites available within the town centre or edge of centre locations for the proposed hotel use. The GLA have also highlighted that consideration should be given to sites within Brent and Barnet, given the proximity to site borough boundaries.
- 3.2.13 The applicant has not submitted an updated sequential assessment to address these comments. The proposed development is in an out of centre location, not within an opportunity area, on designated open space and contrary to the site allocation. As such, the proposed location is not supported. Policy SD7 outlines that application that fail the sequential test should be refused.

Education Facilities, Student Accommodation and Medical Facilities

3.2.14 As noted in the previous report, the site is not in an accessible location and as such the introduction of student accommodation and education facilities is not considered to be appropriate. The submitted Transport Assessment does not address the previous concerns raised in relation to sustainability for these uses.

3.2.15 Similarly, with regard to the medical facility, the existing medical facility is considered to be very much ancillary to the existing use of the site. The extension that was permitted to facilitate these facilities (Ref: P/4092/14) was fairly modest in scale in the context of the overall site development and in addition to rooms to provide space for X-Ray equipment and CT scanning equipment, included space for physiotherapy and massage. The facilities were outlined to support elite athletes as well as enhancing medical research in sport. However, the current proposal would include the provision of upto 96 medical rooms for a wide range of patients, which is clearly not ancillary and a new use in its own right and not a community outdoor sport use. Again, the Transport Assessment does not demonstrate this would be a sustainable location for such a use. Officer agree with the comments of the GLA, in that there is a concern that the requirement for patient's accommodation within the proposed hotel may simply be generated by the site's out of centre location.

Public Benefits

3.2.16 The applicant has identified the following public benefits with the proposal:

- Meeting an identified need for hotel provision in Harrow and London
- Meeting the needs of visitors to The Hive London using both the sports facilities and using the TIC Medical Centre;
- Boosting tourism in Harrow and increasing tourism expenditure in the local area;
- Bringing significant investment to Harrow;
- Providing recreation and leisure facilities within the hotel which will be available to the local community;
- Creating jobs during the construction phase and through the long-term operation of the facility;
- Allowing the prestigious UCFB to have an on-site campus will boost prestige of The Hive London as a centre for sporting innovation and excellence. 10
- Enhancing a world leading sports facility;
- Providing additional conferencing facilities for the local community and businesses;
- Providing additional opportunities for further education for local young people in an exciting and growing business area;
- Enhancing a world leading diagnostic screening facility that is used by the NHS;
- Delivering significant economic input into the local community from visitors to the hotel, students and patients of the diagnostic centre; and
- Providing landmark development for the Borough.

3.2.17 As outlined elsewhere in this report, officer accept there is a need for additional hotel accommodation in Harrow and the rest of London. The provision of such accommodation would inevitably promote tourism and enhance the local economy. It would also have the potential to provide additional facilities within the hotel which could be accessed by the local community and business.

- 3.2.18 The application is supported by an economic statement which outlines the proposal could generate upto 211 jobs and in the long term £13.3 million could be added annually to the gross value of the local economy. This socio-economic report has been reviewed by the Council's economic development team and the assumptions regarding employment density and local spend are considered to be broadly in line with national guidance. Nevertheless, officer consider the assumptions made in relation to the jobs associated with the conference facilities are likely over estimated based on national guidance which would mean that the overall jobs created figure would reduce from 211 jobs to 172. This would reduce the GVA to £10.7m per annum from £13.3m as given in the Statement.
- 3.2.19 The above benefits are acknowledged but nevertheless the sequential test must be considered in the first instance and this has not been done. The same benefits could be achieved from a strategically appropriate and sustainable location. Moreover, the applicant does not provide any specific details on how the proposals could be used by the local community or whether they would address an identified need. As such, officers consider they cannot be given any weight in the planning balance.
- 3.2.20 It is accepted that the components of the education facility could be a benefit for enhancing education of local people in sport. However, the supporting information does not provide a comprehensive assessment of the proposed use and how this element would comply with the use of the site as a football academy. By reason of this, it is unclear as how this proposed use would be ancillary to the use of the site as a football facility, and whether or not it would be consistent with the allocation for the site. As such, based on the current information this, this can be given very little weight.
- 3.2.21 It is acknowledged that the proposal will also create jobs during the construction process but this will only be for a temporary period and is therefore given limited weight. The applicant's outline the proposal would create a landmark building for Harrow. In officers opinion the site is already clearly recognisable as The Hive Football Centre. The fact that a taller building would make the site more easily recognisable as the Hive is not considered to be a significant benefit of the scheme. A Landmark building can be considered as a structure that has significant historical, architectural, or cultural meaning and that has been given legal protection from alteration and destruction. The proposed development is not considered to fall within the meaning of landmark. Moreover, the proposal is in outline, it has not been subject to any design scrutiny through a Design Review Process to demonstrate that the development could represent a landmark architectural quality. Therefore, this is given no weight within the planning balance.

Conclusion

- 3.2.22 The proposal site is not in an Opportunity Area, is an out of centre location, has limited access to the public transport network, is on designated open space and has not been allocated for the proposed uses within the local plan. The proposed uses would give rise to an unsustainable development. The application has failed to demonstrate that the proposed uses could not be located in strategically more appropriate and accessible locations through a sequential assessment. Policy SD7

of the Draft London Plan clearly states that “Applications that fail the sequential test should be refused”. The proposed development would result in loss of open space for which there is an evidenced shortfall and the loss has not been justified. Notwithstanding the benefits put forward by the applicant, the proposed uses in such a poor strategic location would be harmful and are not justified or outweighed by other considerations. On the basis of the additional information reasons No. one and two have not been overcome.

3.3 **Character and Appearance of the Area**

- 3.3.1 The relevant policies under consideration are outlined in the previous committee report.
- 3.3.2 The applicant has provided some additional details in relation to the building footprint and maximum height. The maximum building footprint is confirmed to be 9830.7sqm and the maximum building height 29.7m.
- 3.3.3 The additional information provided does not alter the officer initial conclusions that the overall amount of development would significantly detract from the open character of the site and the surroundings and would not be appropriate and would not contribute positively to the site’s setting and quality of open space and surroundings. As such, reason for refusal No. six remains.

3.4 **Residential Amenity**

- 3.4.1 The relevant policies under consideration are outlined in the previous committee report
- 3.4.2 The applicant has provided a noise report and lighting assessment in relation to the proposals.
- 3.4.3 The lighting assessment considers the impact of lighting to the car parking and footpaths within the site. This has been referred to the Council’s lighting engineer who has not raised any significant issues, subject to more detailed clarification. However, the report does not address the impact of the building itself. Having regard to the nature of the uses proposed, it is considered there is a strong likelihood of high levels of light pollution for surrounding neighbouring occupiers which when coupled with the scale and bulk of the building would be highly visually obtrusive. The application has also been referred to the Council’s Environmental Health Team and any further comments on this issue will be reported via the addendum.
- 3.4.4 The application is accompanied by a noise assessment which outlines the principal sources of noise generation are expected to be from mechanical building services noise and amplified sound system noise (music and public address). The report outlines that the building envelope of function, teaching spaces, conference rooms/meeting rooms and student accommodation will need moderate to high sound insulation performance to ensure noise leaving the building is controlled. The report set out that noise limits for mechanical equipment and amplified sound systems have been established based on LB Harrow criteria. The noise limits have

been refined in order to ensure the cumulative impact of noise is acceptable. The report concludes that there would be no adverse impact on residential amenity provided suitable design measures are incorporated into the design. It is considered that such detailed design measures could be controlled by planning condition. However, the details of the report have been referred to the Council's Environmental Health team who have outlined they consider the proposals to represent an overdevelopment of the site within the context of such a residential area. Although the applicant has stated that all the mechanical plant will be 10dB below background noise levels, Environmental Health retain concerns regarding the noise breakout from events at the hotel and student accommodation. Whilst the stadium itself is not part of the application and as such noise levels within cannot be controlled, it is expected that the proximity of residential properties to a stadium of this type will present its own noise issues. Taking this into account, officers consider that reason for refusal No. 7 has not been adequately addressed.

3.5 Traffic Safety and Parking

- 3.5.1 The relevant policies under consideration are outlined in the previous committee report.
- 3.5.2 This development is for the construction of a 150-room hotel; extensions to the conference facility, healthcare facility and fitness suite and a new football college.
- 3.5.3 The transport assessment states that no additional parking is to be provided as part of the hotel planning application however, 50 spaces from the existing car park would be dedicated for the hotel use – there is no information on how this level of parking has been determined. This is a proposal consisting of 5 elements but the parking proposals are not clear for each.

Proposal/Trip Generation

- 3.5.4 It is not clear how a hotel could realistically function if it only raised demand for use by the other facilities on site; if only the football games, training and conferences/events are to be attractors then it would seem that the hotel could be vacant for long periods of time apart from it being used by the healthcare facility but those rooms are not for public sale in any case. On this basis, the analysis of the potential effect of the hotel is not reflective of its likely actual use. This is a bit of a concern, as it is expected that for a hotel to be viable, it would need a good amount of regular occupancy, meaning that guests are likely to stay there for reasons not associated with the wider site and this activity has not been assessed. Guests attending football matches are most likely to use the hotel if they have to travel a long distance – this is not going to be the case for many matches. It is expected that people will only stay overnight for conferences if they have to travel a long way or if the conference is for more than one day; again this is not going to occur very often.
- 3.5.5 Trips associated with the health centre should be based on information obtained from the existing site – this would be most reflective of actual activity. As this element of the proposal is an extension, it is not clear why assumptions are being

made the number of staff to be employed and the number of hourly appointments as a result of the extension to an existing facility would be 'known' amounts. On the basis that these are known, rather than assumed, the trip generation data is acceptable. It would be appropriate as part of a travel plan to commit to reducing staff travel by private car and instead encourage sustainable travel. It is not clear from the proposals where the people using the health facility will park.

- 3.5.6 The conference facility is only assessed based on its daytime use as a conference centre, however it is marketed as a venue for celebrations, banquets and events. On the day of writing, the Hive website states that 'the venue can accommodate 600 guests (theatre style) or 400 guests (dinner and dance) with ease.' Furthermore, 'Enjoy hassle-free parking, with space for 500 vehicles located on site.' Based on this information, in relation to conferences alone, it would seem that the existing venue has the same capacity as being assessed in the Transport Assessment. If the expectation is to accommodate more people, then the figures mentioned in the TA should be increased accordingly. Additionally, the venue operates as a banqueting suite however, this activity doesn't seem to be assessed as only daytime activity seems to be included.
- 3.5.7 The education facility and student accommodation trip data has been obtained from TRICS however, the full data is not included meaning that it is not possible to identify daily totals, PTAL or age of data. This may be useful to determine how reflective the data is in relation to the proposal site. Education facilities and associated accommodation are best suited to town centre locations where there is easy access to local facilities and public transport. A higher education facility does mean that students are likely to be of driving age, therefore, may choose to drive if sufficient conveniences and alternative modes of transport are not easily accessible.
- 3.5.8 As the fitness suite is existing, it would be most appropriate to use data obtained from the site as it would be most reflective of actual use. It would be assumed that attendance figures are held by the fitness suite. It is not apparent why the Transport Assessment considers users of the facility to be predominantly linked trips to other on-site facilities as the suite is advertised publicly and offers membership including free parking on-site – this suggests that it operates in the same way as any other public gym. No data to support the assumed 20% of primary trips has been supplied therefore, the methodology for trip generation assessment of this element is not accepted.
- 3.5.9 The assessment of trip generation overall is not completely reflective of what may happen on site. As it would seem that some of the uses are being considered as ancillary to the existing facilities but there is no supporting evidence and facilities such as the Hotel and Gym cannot realistically be expected to operate without substantial general public attendance, it is considered that this assessment is not reliable.
- 3.5.10 In any case, the summary seems to focus on the additional traffic on the highway network but does not assess the impact of all of these uses (current trip rate + additional/extended uses), including the football element being in effect at one time – this is when we would anticipate the most significant levels of traffic. The trip

generation does not look at all modes of travel either, meaning that it is not possible to determine the levels of non-vehicular journeys this site has the potential to generate.

Active Travel Zone (ATZ) Assessment

3.5.11 The key routes are accepted and are considered to mainly apply to resident students and possibly hotel guests. Most other visitors to the site are only likely to visit the site as their sole destination. The route assessments are very limited, do not include the required photos and subsequently the recommendations for improvement are not based on detailed findings; For example, why is a pedestrian crossing considered necessary for Camrose Avenue as it wasn't identified as a problem and why does the Whitchurch Lane cycle route require particular attention as no specific problem has been identified either. There is also no consideration of how existing cycle routes in the area could link to the site. This is not the quality of ATZ assessment that is expected.

Conclusion

3.5.12 For the reasons outlined above, the Council's Highways Authority have objected to the proposal. The submitted transport assessment is considered to be unacceptable and does not adequately consider the impacts on the surrounding highway. There is not study of the combined effect of the development which could be significant. As such, there is no indication of any highways mitigations that may be required. Moreover, the proposed footprint on the southern side of the building appears to block the access road into the existing surface level car park adjacent to the western boundary and the applicant has not clarified how this would be resolved. As such, the amount of available parking at the application site remains unclear.

3.5.13 The Healthy Streets Transport Assessment should include an outline construction logistics plan, outline delivery and servicing plan, travel plan and outline car park design and management plan however, none of these have been provided

3.5.14 The site currently does not appear to promote sustainable travel despite having a travel plan as all of the existing uses promote use of the car park. The submitted transport assessment does not detail how by using the Healthy Streets approach, the site could encourage sustainable travel and contribute to meeting the aims of Vision Zero and the Mayors Transport Strategy.

3.5.15 The applicant has indicated that they would make a financial contribution towards offsite improvement in relation to walking and cycling infrastructure. However, officers cannot give this any weight as the level of mitigation has not been determined and agreed.

3.5.16 For the reasons outlined above, reason for refusal three has not been overcome.

3.6 **Affordable Housing**

3.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.12
- The Draft London Plan Intend to Publish: H15
- Harrow Core Strategy: J

3.6.2 Policy H 15 of the Intend to Publish London Plan seeks to ensure that the maximum level of accommodation is secured as student accommodation.

3.6.3 The applicant has indicated that they would agree to an obligation to provide 35% affordable student accommodation unless a viability report is submitted to demonstrate this would not be viable. If 35% affordable accommodation was to be provided, this would qualify the applicant for the fast track route and no financial viability assessment would be required.

3.6.4 However, it would also be necessary to ensure that any viability tested scheme would be subject to early and late stage viability reviews. Moreover, all accommodation would need to be secured through a nomination agreement for occupation of students from one or more academic provider which could also be secured through section 106 agreement.

3.6.5 Subject to securing an obligation relating to the above, the proposals are considered to be acceptable in this regard.

3.7 **Biodiversity and Air Quality**

3.7.1 The relevant policies are outlined in the previous committee report.

Biodiversity

3.7.2 The applicant has submitted a preliminary ecological assessment to address the impacts of the proposals on the adjacent Site of Importance to Nature Conservation and the requirement for biodiversity net gain..

3.7.3 The development site is a designated open space. It consisted largely of informal playing fields that were in the Council's ownership until shortly after the millennium, a small football stadium having been replaced with the much larger one that presently exists. The pockets of wooded habitat, rougher grassland, scrub, hedgerows and ruderal vegetation - including at the margins of the section of the Edgware Brook which flows across the site in open channel - have been generally retained although without positive management and the more formalised nature of the football pitches, the car park and the large stadium give the site a rather different character.

3.7.4 One of the southern sections of the **Canons Park And Stanmore Rail Embankments** SINC runs (to either side of the rail line) along the entire western border of the site, connecting what becomes the **Jubilee Line From Stanmore**

Junction To Queensbury SINC in Brent to the chain of important wildlife sites within Harrow's greenbelt in the north and laterally to other sites such as **Stanmore Marsh**, through which the Edgware Brook flows before, eventually reaching the development site and then continuing eastwards via **the Silk Stream and Burnt Oak Brook** SINC in Barnet, whence it eventually reaches the **Welsh Harp** SSSI.

3.7.5 The importance of these connections for wildlife is reinforced by the fact that the site and the areas to the east and west lie within a major zone of deficiency in access to nature.

3.7.6 It is noted that trees and shrubs within the railside area have been cut back to ground level in recent years. The appropriateness of such wholesale clearance is open to question but such 'coppice' management will help to recreate shrubby vegetation on a cyclical basis whilst minimising operational rail issues. The SINC area should be viewed in the context of this management and not just on the basis of a snapshot of its current vegetation cover.

3.7.7 It will be important to ensure that any development of the site actively strengthens rather than harms the value and role of the SINC and stream corridor.

3.7.8 Other matters pertaining to the proposed development site

3.7.9 There are existing obligations in relation to the site by a condition of permission for a previous application (P/2763/17) a requirement on the applicant that

Prior to the commencement of each phase of development as shown on drawing No. 24200002/1, an Ecological Mitigation, Enhancement and Management Plan in accordance with the ecological report prepared by Ecology and Habitat Management Ltd shall be submitted to and approved in writing by the local planning authority. The Plan shall set out measures to help mitigate the impacts of the development on ecology at the site, secure a net-gain in the biodiversity value of the site and shall secure the long-term management of those measures. The development shall be carried out in accordance with the approved Plan.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity in accordance Local Plan Policy DM 21. This is a PRE-COMMENCEMENT condition.

3.7.10 Nothing in relation to this has been received from the applicant. However, unless the applicant has decided not to proceed with any part of the development covered by that application, any assessments provided in support of the current application should have taken account of such obligations and agreements. The current ecological report provides the same recommendations as proposed under the previous 2017 application and it is not appropriate just to repeat that here.

Current application

3.7.11 There has been clearly no consideration of the mitigation hierarchy nor other biodiversity matters in connection with the scheme's design. Despite the previous

applications for this site - the application form incorrectly stated that there are no features of biodiversity interest that might be affected within its vicinity.

3.7.12 The application was originally made without an up to date PEA being provided. It also neglected to acknowledge the presence of the adjoining SINC immediately which is almost at the margin of the proposed hotel. Initial comments in response noted that:

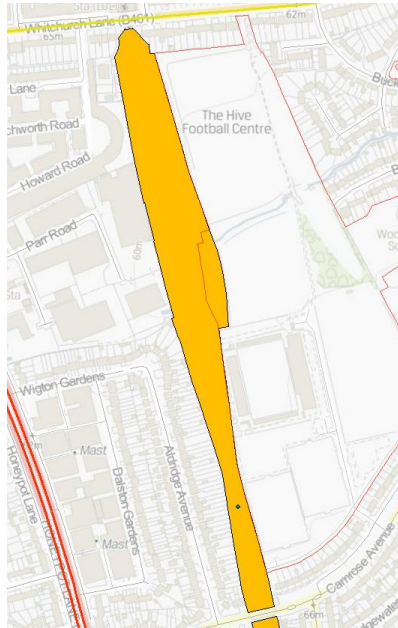
No information has been presented in relation to

- (a) the potential impacts of the scheme for which outline permission and approval of access arrangements are sought on the (1) adjoining section of the Canon's Park and Stanmore Railway Embankments SINC, which is of Borough Grade 1 importance or (2) the River Brent which in addition to being an important blue-green corridor itself, connects with a number of wildlife sites downstream, including the Welsh Harp SSSI;*
- (b) the cumulative impacts of this scheme and other previously permitted development;*
- (c) the biodiversity gain that the scheme will need to deliver to address the policy requirements of the NPPF, London Plan and Harrow Core Strategy.*

3.7.13 A PEA report was submitted subsequently. This is largely just an update of an earlier report prepared for the rather different application in 2017. The new PEA is based on a walkover site visit at the end of September, together with a post-hoc search of existing biodiversity data in October. The report comments on impacts but offers no rigorous assessment of these. No retrospective modification of the scheme has been proposed as a result of the PEA being conducted.

3.7.14 The provided Phase 1 habitat map addresses only the development site, for which it gives the wrong alignment.

3.7.15 As evident from the image below, the SINC is in extremely proximity to the proposed development. Despite the identified need to evaluate the potential impacts on the SINC, the report does not provide a map to illustrate the layout of the development site relative to the SINC.



3.7.16 Any comments about the SINC are based on an examination through the fence rather than from an equivalent walkover. (It is recognised that gaining access to raiiside land would be problematic, however).

3.7.17 The provided PEA essentially repeats what was said in the 2017 document version about what lies within the red line. It gives far greater prominence to habitat areas of little value that are far from the hotel than to providing or considering useful information about what is known or likely to occur within or to make use of the development's zone of impact- the SINC in particular. Apart from two photos along the western fence line, very little information is provided.

3.7.18 There are a number of points of concern:

- The PEA mentions other policy matters but makes no reference to local planning policies DM20 and DM21, appearing to suggest that identified enhancements these are wholly optional rather than a means of addressing any compensation or gain obligations
- Part of the reason why the current report so closely mimics that from three years ago, even down to the recommendations with regard to potential compensation, mitigation and enhancement is that the applicant has yet to address the conditions – what will be initiated to ensure that all conditions relating to any new grant of planning permission will be implemented.
- The fact that the applicant appears to be under obligations as cited above means that any assessment that is now undertaken of the condition and of the site and any resulting impacts should be on the basis of what they were already required to provide and not of the existing conditions. There is a need to clarify exactly what obligations should already have been met and to proceed accordingly. As such, the provided PEA and the application as a whole may be unsound. The applicant rather than the consultant would be at fault if so.

- 3.7.19 The report refers to bat surveys but does not say when these were undertaken. It is assumed that these refer to surveys from 2017 but there is not up to date information about how bat species use the site or the SINC.
- 3.7.20 The report is inadequate in its handling of impacts whether with regard to existing circumstances or to the circumstances that should have been taken into account. It is therefore considered that the biodiversity issues have not be satisfactorily addressed and the proposal would fail to comply with the relevant polices outlined.

Air Quality

- 3.7.21 The applicant has submitted an Outline Air Quality Assessment in support of the proposals. The report outlines the impact on air quality will be dependent on any new emissions that the development will introduce including the change in traffic movement generated by the outline application. It outlines that a detailed assessment can be made at the reserved matters stage. Although the application is accompanied by a Transport Assessment, it is considered not accurate in relation to the level of likely car trips generated by the proposed development. Moreover, there the application is not accompanied by a Travel Plan to demonstrate how trips would be made more sustainable. Nevertheless, it is accepted that detailed modelling would be required in order to undertake an accurate assessment of the impacts and this would not be fully known until the more detailed design stage. The details of the Air Quality Assessment have been referred to the Environmental Health Team for comments. Environmental Health have advised that the potential impact of the traffic associated with the proposed leisure uses and heating plant has not been adequately addressed within the report. Moreover, as outlined by the Councils' Highways Authority the information relating to traffic movements contained within the Transport Assessment is considered to be inaccurate and fails to present proposals for alternative sustainable modes of travel. Taking into this into account, the proposals are not considered to adequately address reasons for refusal No. 8

3.8 Drainage and Flood Risk

- 3.8.1 The relevant policies are outlined in the previous committee report.
- 3.8.2 The drainage strategy proposed and the FRA of 2016 have been referred to the Council's Drainage Authority who have outlined that both documents are unsatisfactory and their objections still stand.
- 3.8.3 It is outlined that the Flood Risk Assessment should be revised using updated flood maps and the proposals in line with the Council's up to date Strategic Flood Risk Assessment. Additionally, the drainage strategy should be based on 5 l/s/ha greenfield run-off rate. Officer have advised that vented storm water covers have been designed for a reason and shouldn't be removed, reducing size of the existing surface water tank is not permitted and there's no spare volume of storage in gravel layer of the pitches.

3.8.4 On the basis of the sustained objections by the Council's Drainage Authority, it is considered that reason for refusal No. 5 has not been addressed.

3.9 **Energy and Sustainability**

3.9.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 5.1, 5.2, 5.3, 5.5 5.6, 5.7, 5.8, 5.9, 5.10, 5.13
- The Draft London Plan 2019: SI2, SI13, SI4, SI7, SI8
- Harrow Core Strategy 2012: CS1U
- Harrow Development Management Policies Local Plan (2013):DM12, DM13, DM14

3.9.2 The application is accompanied by an Outline Energy & Sustainability Strategy prepared by Sewco UK Limited, dated 23 October 2020. As the application is outline only, it is accepted that the energy strategy is high level, identifying principles and key requirements / targets rather than a detailed energy strategy accompanied by design stage energy modelling.

3.9.3 The strategy does not fully address the requirements of the Intend to Publish London Plan in that the Plan requires non-residential development to be zero carbon (the strategy only identifies the current London Plan requirement for 35% reductions). Additionally, the strategy does not reflect that the Intend to Publish London Plan can be given significant weight since the energy requirements are not subject to any directions by the Secretary of State. However, for the purposes of the outline application, the strategy does commit to 35% on-site carbon reductions; this being the minimum on-site reductions required under the Intend to Publish London Plan, with zero carbon required to be achieved through any remaining on-site carbon emissions being offset by a monetary contribution to the Council to undertake carbon reductions elsewhere in the borough. The strategy also correctly adopts SAP10 as being the GLA's preferred carbon factors.

3.9.4 The strategy commits to following the energy hierarchy. From a 'Be Lean' perspective, the strategy identifies a number of improvements over the required Building Regulations building fabric thermal performance targets, ensuring that energy efficiency will be prioritised. Passive and active measures such as building form / massing, façade and daylight optimisation, and air handling heat recovery are also identified.

3.9.5 From a 'Be Clean' perspective, the strategy correctly identifies that there are no existing heat networks in the area which the development could connect to. It however fails to reference that the site is located within a Heat Network Priority Area under the Intend to Publish London Plan and under Policy SI2(D) Energy infrastructure that communal low-temperature heating system should be provided. However, as air source heat pumps (ASHP) are proposed (as part of the 'Be Green' element of the hierarchy), this implies an on-site communal heat network will be provided.

3.9.6 Overall, the outline energy proposals are acceptable and demonstrate that any detailed design / approval of details will be undertaken in the correct policy context / overarching commitments. Any outline permission will need to be conditioned to require a detailed energy strategy to be submitted prior to commencement of the development (as energy is integral to building design and cannot be left until after commencement of development). The required detailed energy strategy will need to commit to zero carbon development in accordance with the Intend to Publish London Plan. Any S106 agreement related to the outline application will need to require payment of any carbon offset contribution (calculated using the Intend to Publish London Plan rate of £95/tonne/year for 30 years i.e. £2,850 per tonne) identified in the energy strategy in order to achieve zero carbon, with a further post-completion assessment required to identify if a further offset contribution is required should there be a shortfall in predicted on-site carbon reductions.

3.9.7 The strategy commits to achieve BREEAM 'very good' and this could be required by planning condition

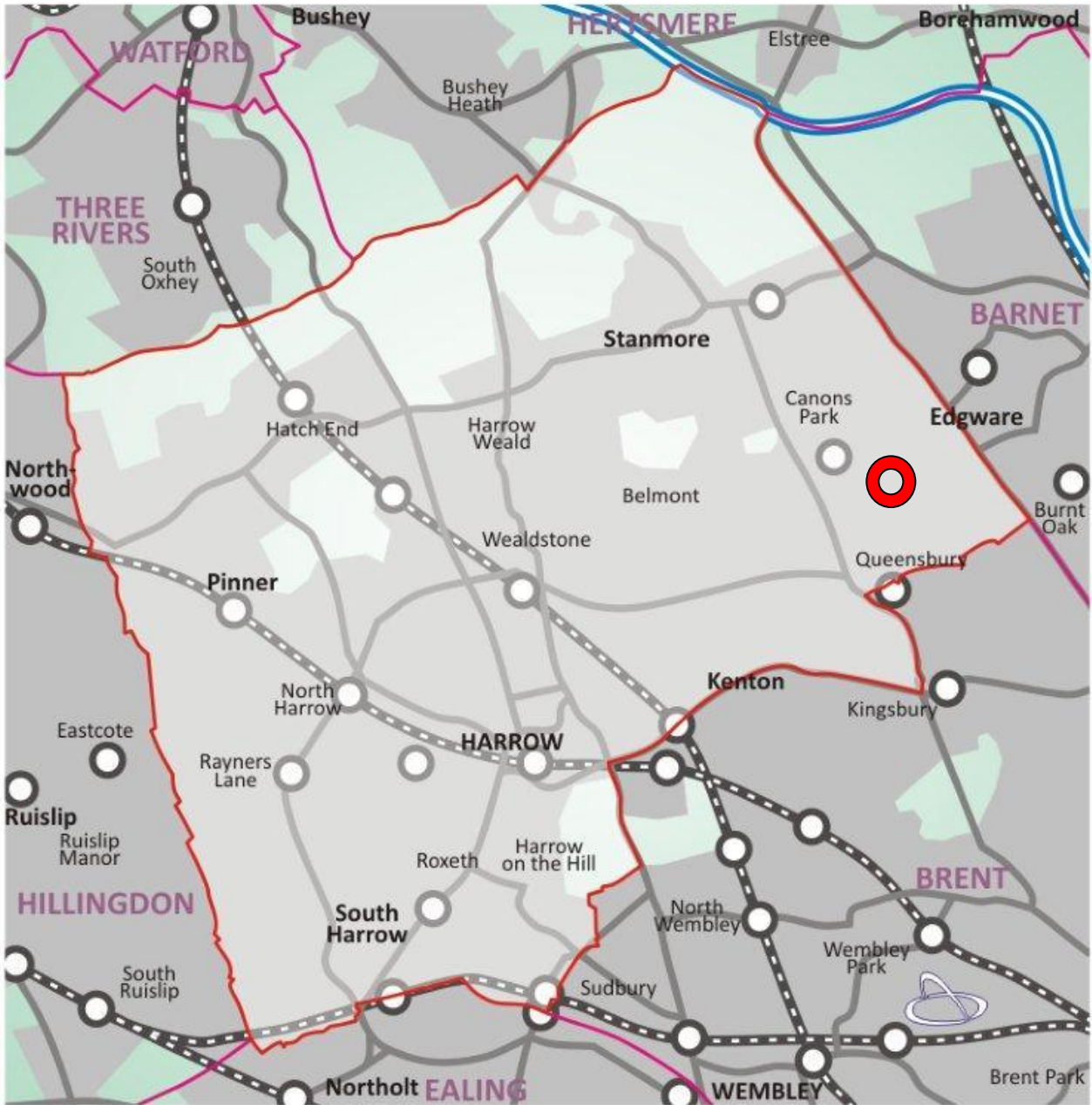
4.0 Conclusion

4.1.1 Since the application was previously considered by the Planning Committee on 2nd September, the application has submitted additional reports relating to ecology, transport, lighting, noise, flood risk and energy. However, the reports, are not considered to satisfactorily address the fundamental issues raised previously in relation to these material planning consideration.

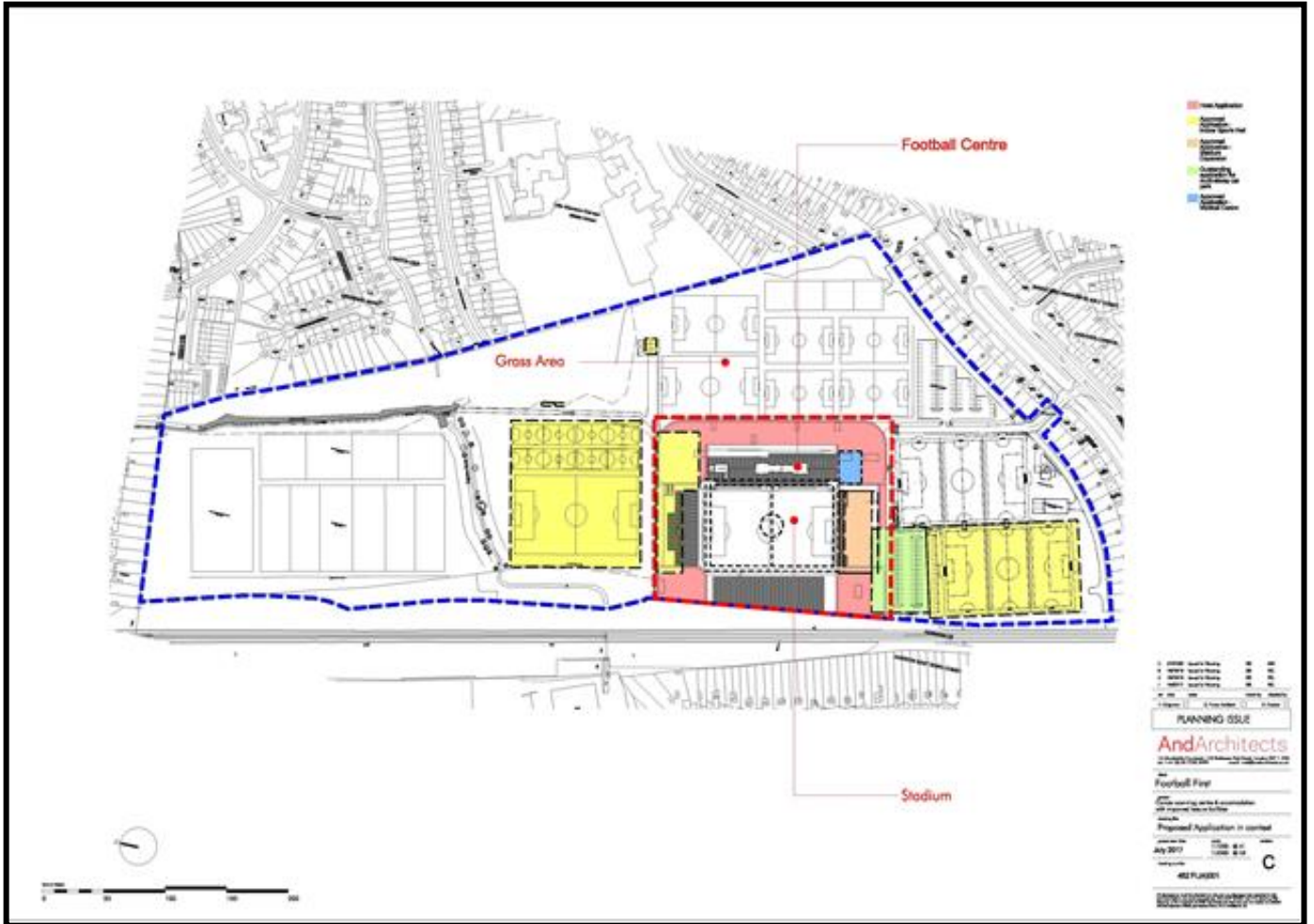
4.1.2 Most significantly, the principle of the development is not supported, a view also taken by the GLA. The applicant has failed to demonstrate the sequential test. The proposed uses fail to comply with local plan allocation and would result in loss of open space to uses which are clearly not ancillary to the open space designation. The proposed development would give rise to a development in strategically poor location and would be harmful to the future development and growth of the borough and would set an undesirable precedent. The proposed town centre uses in this location would be completely at odds with the NPPF aspirations for sustainable development and growth. It would create an intensively developed site in what is suburban residential area with the potential for significant harm in traffic impacts and highway safety and would be detrimental to the character of the area. The benefits put forward by the applicant are not considered to outweigh consideration to the sequential test or loss of open space and the other harm identified.

	<u>Beverley Kuchar 27/11/2020</u>
Checked by	<u>Paul Walker 27/11/2020</u>

 = application site



Prince Edward Playing Fields Camrose Avenue	P/1564/20
--	------------------



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/1564/20
VALID DATE: 8th JUNE 2020
LOCATION: PRINCE EDWARD PLAYING FIELDS, CAMROSE AVENUE, EDGWARE (The HIVE FOOTBALL CENTRE)
WARD: HARROW WEALD
POSTCODE: HA8 6AG
APPLICANT: FOOTBALL FIRST LTD
AGENT: WSP INDIGO
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 7th SEPTEMBER 2020

PROPOSAL

Outline application for Access Only: Redevelopment to provide four storey building with basement comprising of sporting higher education facility, student accommodation, hotel, medical diagnostic centre; plant and associated works

RECOMMENDATION A

The Planning Committee is asked to:

Refuse the application for the following reasons:

- 9) The proposed uses comprising of a hotel, sporting higher education facility including student accommodation and medical diagnostics centre would give rise to inappropriate uses on the site which would be in direct conflict with the site's allocation for community outdoor sport development and by reason of the site's low accessibility, sitting outside of a town centre and insufficient evidence to demonstrate the need for the uses proposed, would give rise to an unsustainable development, contrary to the National Planning Policy Framework (2019), policies 3.16, 3.19 and 4.5 of The London Plan (2016), policies S5, E10G, SD7, S1 and S3B of The Draft London Plan - Intend to Publish (2019), core policies CS1 Z, F and L of the Harrow Core Strategy (2012), policies DM 34, DM 46 and DM 48B of the Harrow Development Management Policies Local Plan (2013) and Site MOS5 of the Harrow Site Allocations (2013).
- 10) The proposed development would result in a direct loss of protected designated open space and would not provide a use which is ancillary or

appropriate to the existing open space, contrary to the National Planning Policy Framework (2019), policy 7.18 of The London Plan (2016), policy G4 of The Draft London Plan - Intend to Publish (2019), core policy CS1 F of the Harrow Core Strategy (2012) and Policy DM18 of the Harrow Development Management Policies Local Plan (2013).

- 11) The proposed development, in the absence of a Transport Assessment and Travel Plan, fails to demonstrate the impacts of the development on the surrounding highway network, and to propose measures to promote sustainable travel modes and to reduce the effects of travel by car. Insufficient information has therefore been provided to demonstrate that the proposals would not result in unacceptable harm to the surrounding highway network through increased pressure on local parking amenity and on local transport infrastructure from excessive vehicle trips, contrary to the National Planning Policy Framework (2019), policies 6.3, 6.10 and 6.13 of The London Plan (2016), policies T1, T2, T4, and T6 of the Draft London Plan – Intend to Publish (2019), policy 1 of the Mayor’s Transport Strategy, policy CS1 R of the Harrow Core Strategy (2012) and policies DM 42 and DM 43 of the Harrow Development Management Policies Local Plan (2013).
- 12) The proposed development, in the absence of a Preliminary Ecological Assessment and the site’s close proximity to the adjoining Borough Grade I Site of Importance for Nature Conservation and the River Brent, fails to demonstrate that biodiversity value of the surrounding area would not be harmed, protected or enhanced, contrary to the National Planning Policy Framework (2019), policy 7.19 of The London Plan (2019), policy G6 of the Draft London Plan - Intend to Publish (2019), and policies DM 48 A b, DM 20 and DM 21 of the Harrow Development Management Polices Local Plan (2013).
- 13) The proposal, by reason of an unsatisfactory Flood Risk Assessment, fails to demonstrate that the proposed development would result in a net reduction in flood risk, be resistant and resilient to flooding, would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere or provide a dry means of escape for the future users, to the detriment of the safety of the adjoining occupiers and the future users of the development, contrary to the National Planning Policy Framework (2019), policies 5.12 and 5.13 of The London Plan (2016), policies SI12 and SI 13 of the Draft London Plan (2019), Core Policy CS1 U of Harrow Core Strategy (2012) and policies DM 9 and DM 10 of the Harrow Development Management Polices Local Plan (2013).
- 14) The proposed development, by reason of the indicated heights and conflicting floorspace figures proposed, would be likely to result in a harmful,

bulky and unduly dominant addition to the site which would significantly detract from the open character of the site and the surroundings, and would fail to respect the existing development on the site or contribute positively to the site's setting and the quality of the open space, contrary to the National Planning Policy Framework (2019), policies 7.4 B and 7.6 B of The London Plan (2017), policies D1 and D3 of the Draft London Plan (2019), core policy CS 1 B and F of the Harrow Core Strategy (2012) and policy DM 18 C/D of the Harrow Development Management Policies Local Plan (2013).

- 15) The proposed development, by reason of the excessive amount of development proposed, the proposed uses and the absence of a Noise Assessment or Lighting Impact Assessment, would give rise to unacceptable harmful outlook and visual impacts, as well as potential unreasonable noise and disturbance impacts from the increased intensity of use of the site, to the detriment of the residential and visual amenities of the adjacent neighbouring occupiers, contrary to the National Planning Policy Framework (2019), policies 7.4 B, 7.6B and 7.15 of The London Plan (2016), policies D3, D13 and D14 of the Draft London Plan - Intend to Publish (2019) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).
- 16) The proposed development, in the absence of an Air Quality Assessment, fails to demonstrate that the proposed development would be Air Quality Neutral and would not have the potential to contribute to a deterioration in air quality in the locality, to the detriment of the future users of the site and wider area and the overall environmental quality of the London Borough of Harrow, contrary to the National Planning Policy Framework (2019), policy 7.14 of The London Plan (2016), policy of the SI 1 of the Draft London Plan – Intend to Publish (2019) and policies DM 1 and DM 12 of the Harrow Development Management Policies Local Plan (2013).

REASON FOR THE RECOMMENDATION

The proposed development is considered to be unacceptable in principle and is contrary to all the national, regional and local plan policies stated above.

INFORMATION

This application is reported to Planning Committee as it has been called in by a Nominated Member in the public interest. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	Major Development
Council Interest:	N/A
Net additional Floorspace:	52, 788 sqm
GLA Community Infrastructure Levy (CIL):	£3,347,280 (excluding indexation)
Contribution (provisional):	
Local CIL requirement:	£3,068,340 (excluding indexation)

HUMAN RIGHTS ACT

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

EQUALITIES

In determining this 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. However, a condition could be added at the Reserved Matter Stage for evidence of certification of Secure by Design Accreditation for the development, had the proposal been otherwise considered acceptable.

5.0 SITE DESCRIPTION

- 1.5 The Hive Football Centre (formerly Prince Edward Playing Fields) comprises former educational sports grounds, designated as Open Space and allocated for Community Outdoor Sports Use. It is now occupied by a football stadium with ancillary facilities and open-air grass and synthetic football pitches.
- 1.6 The wider stadium site (approx 17ha) is bound by the Jubilee Line railway to the west, with residential properties fronting Aldridge Avenue on the other side of the embankment, residential properties fronting Whitchurch Lane to the north and those on Camrose Avenue to the south. Those properties on Camrose Avenue have gardens that adjoin the site, the majority of which have chain mesh means of enclosure. To the south of those gardens, on the other side of a road is a large bund, which limits views into the site and the existing artificial floodlit pitches beyond it. To the east, the site adjoins residential properties along Buckingham Gardens and St David's Drive and Little Stanmore Nursery, First and Middle Schools.
- 1.7 The subject site relates to the area surrounding the main stadium stands. The proposed area to be infilled currently contains predominantly hard surface circulation space with some small areas of green landscape. The hard surface areas provide car parking and coach parking spaces, general access and circulation space and some single storey ancillary structures
- 1.8 The section of railway embankment that adjoins the western site boundary is identified as a Site of Nature Conservation Importance.
- 1.9 Levels at the site fall from the north to the Edgware Brook, which crosses the site, and then rises again to Camrose Avenue.
- 1.10 The part of the site adjacent to the Brook is in Flood Zone 3a/3b (including an Environment Agency flood defence bund), with other parts of the site within Flood Zone 2.
- 1.11 The main vehicular access to the site is from Camrose Avenue, with secondary access (pedestrian only) from Whitchurch Lane.
- 1.12 The football stadium at the site is used by Barnet Football Club, a Football League side. The stadium has a maximum permitted attendance of 8500 which was granted under planning application P/2764/17.
- 1.13 There are 413 parking spaces on the site currently which is comprised of parking in the following areas:
 - 234 parking spaces in the main surface car park
 - 86 spaces in the triangular car park to the south of the site
 - 44 matchday/VIP spaces to the front of the East Stand and
 - 49 spaces on the two service road at the south of the site

- 1.14 The site is located adjacent to Canon's Park Underground Station which is served by the Jubilee Line. The PTAL rating for the site ranges from 0 (poor) to 3 (average), though the majority of the site is covered by a rating of 1a/1b.

2.0 PROPOSAL

- 2.1 The proposal seeks outline application for Access Only for redevelopment to provide a four-storey building with basement, comprising of sporting higher education plant facility, student accommodation, hotel, medical diagnostic centre together with associated works
- 2.2 Indicative site plans, floorplans and elevations have been provided. The amount of floorspace proposed in the development is unclear as the Design and Access Statement outlines a figure of 45,990sqm whereas the application form provides a figure of 52,788sqm. The development is indicated to be four storeys in height with basement. However, not all of the development parameters have been specified, including maximum and minimum footprint or building height.
- 2.3 The proposed hotel would wrap around and infill the existing stadium stands. It is indicated that there would be circa 150 bedrooms of which 106 would be for conventional hotel use.
- 2.4 It is proposed that other rooms within the hotel would be dedicated for patients visiting the TIC Health and Imaging Centre (the applicant's health facility), which already exists on site. A new TIC cancer screening centre is also proposed as part of this application. It is outlined that the proposed rooms associated with the imaging centre would be larger, in order to accommodate families and in-room visits from medical practitioners if required. The Planning Statement notes that 96 medical bed spaces within the hotel would be provided for the screening centres which conflicts with the numbers of conventional hotel rooms outlined above.
- 2.5 In addition to the above, it is also proposed to provide student accommodation and teaching facilities for the University College of Football (UCFB). It is proposed that UCFB facilities would be provided as an extension to the west stand. The proposed facilities include the provision of 19 lecture rooms/auditoria for teaching students and 44 dormitories as onsite accommodation.
- 2.6 The proposal would include other ancillary facilities including a fitness suite, 25m swimming pool, and restaurant, bar area and enhanced conferencing facilities.

3.0 **RELEVANT PLANNING HISTORY**

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

Reference	Description	Decision
EAST/148/01/OUT	Outline: football stadium, terraces, stand & clubhouse, floodlights to ground, artificial pitch & tennis courts, health & fitness facilities, parking, vehicular access from Camrose Avenue	Approved: 11 th April 2003
P/1087/03/DVA	Variation of condition 13 of planning permission East/148/01/OUT to provide revised parking layout	Approved: 29 th July 2003
P/898/03/CDP	Details of design and appearance of building and landscaping pursuant to condition 2 of outline planning perm. East/148/01/OUT for football stadium associated works	Approved: 04 th August 2003
P/0002/07	Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking	Approved: 08 th April 2008
P/1321/08	Alterations and internal changes to east stand and change of use of part of first floor of east stand from D2 (assembly and leisure) to primary care trust premises	Approved: 06 th October 2008
P/1226/09	S.73 application to vary condition 27 (development within the area liable to flood) attached to planning permission P/0002/07	Approved: 25 th August 2009
P/2022/09	Variation of condition 18 (external lighting) pursuant to planning permission ref: P/0002/07/CFU dated 8 April 2008 from 'All exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more	Approved: 06 th November 2009

	<p>than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to 'All exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road and car park level that shall be extinguished not more than 60 minutes after the end of any match or event.'</p>	
P/2257/09	<p>Variation of condition 17 (floodlighting) pursuant to planning permission ref: P/0002/07/CFU dated 8 April 2008 from 'The floodlighting hereby permitted for playing surfaces shall only be used on any day up to 2200 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 2300 hours' to 'The floodlighting hereby permitted for playing surfaces shall only be used on any day up to 2300 hours, until commencement of use of the playing surface of the main stadium, at which time floodlighting for the main stadium shall only be used on any day up to 2300 hours, and any other floodlighting within the site hereby permitted for playing surfaces shall only be used on any day up to 2230 hours'.</p>	<p>Refused: 29th December 2009</p>
P/2912/09	<p>Variation of condition 17 (floodlighting) of planning permission ref: P/0002/07 dated 8 April 2008 from 'the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.00 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours' to 'the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.30 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours'; variation of</p>	<p>Approved: 15th June 2010</p>

	<p>condition 18 (external lighting) from `all exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to `exterior lighting other than floodlighting shall be extinguished on any day not later than 23.00 hours except lighting in the main car park which shall be extinguished not later than 23.30 hours. when holding a match or event, lighting not more than 1m above the finished road and car park lighting shall be extinguished not more than 60 minutes after the end of such match or event'</p>	
P/1693/12	<p>Variation of condition 17 (floodlighting) of planning permission ref: P/0002/07 dated 8 April 2008 from `the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.00 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours' to `the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.30 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours'</p> <p>Variation of condition 18 (external lighting) from `all exterior lighting other than floodlighting shall be extinguished on any day not later than 2230 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to `exterior lighting other than floodlighting shall be extinguished on any day not later than 23.00 hours except lighting in the main car park which shall be extinguished</p>	Approved: 10 th September 2012

	not later than 23.30 hours. when holding a match or event, lighting not more than 1m above the finished road and car park lighting shall be extinguished not more than 60 minutes after the end of such match or event'	
P/2807/12	Non-material amendment to add a condition detailing approved plans to planning permission P/0002/07 dated 08/04/2008 for redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches , banqueting facilities, health and fitness facility, internal roads and parking	Approved: 27 th November 2012
P/0665/13	Variation of condition 29 (approved plans - added through application P/2807/12) attached to P/0002/07 dated 08/04/2008 for 'Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches , banqueting facilities, health and fitness facility, internal roads and parking' to allow minor amendments to the stadium comprising: Phase 1: internal and external alterations to east stand including additional row of seats; increase in height, depth and capacity of west stand including camera position; reduction in capacity of standing areas; increase in height of floodlights and re-siting of southern floodlights; additional turnstiles, spectator circulation, fencing, food kiosks and toilets; alterations to parking areas. Phase 2: replace north stand with seated stand; reduction in capacity of standing area in southern stand; extension to rear of west stand to provide indoor spectator space (total stadium capacity not to exceed 5176 as previously approved)	Refused: 11 th September 2013 Appeal allowed: 19 th December 2014
P/4092/14	Single storey side to rear extension to the east stand to create an enlarged medical centre and box office security; provision of two internal chiller units and three internal air conditioning units	Approved: 23 rd March 2015

P/4096/14	First floor side extension to the east stand to create an enlarged banqueting suite and provision of a new entrance	Approved: 13 th April 2015
P/2004/15	Display one internally illuminated free standing sign	Approved: 02 nd July 2015
P/2191/15	Variation of condition 1 (drawing numbers) attached to planning permission P/0665/13 allowed on appeal reference APP/M5450/A/14/2215248 dated 19/12/2014 to allow for a larger North Stand and associated facilities than that approved by the original consent for an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking. Phase 1 involves internal and external alterations to the East Stand including an additional row of seats, an increase in the height, depth and capacity of the West Stand, including camera position, reduction in capacity of standing areas, increase in the height of floodlights, additional turnstiles, spectator circulation, fencing, food kiosks and toilets and alterations to the parking areas. Phase 2 involves the replacement of the North Stand with a seated stand, reduction in the capacity of the standing area in the South Stand and an extension to the rear of the West Stand to provide indoor spectator space	Approved: 20 th July 2015
P/3255/16	Erection of temporary spectator stand adjacent to the academy pitch (training area a); footpath to provide pedestrian access to the temporary stand	Appeal allowed: 23 rd December 2016
P/5204/16	Variation of condition 1 (drawing numbers) attached to planning application P/0665/13 allowed on appeal under reference APP/M5450/A/14/2215248 dated 19/12/2014 to allow for a larger North Stand (increased height and depth,	Refused: 23 rd June 2017 Appeal allowed Ref: app/m5450/W/ 17/ 3188361

	and larger bar area) and the provision of a building to facilitate a ticket office and turnstiles. The scheme allowed on appeal was for an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking. Phase 1 involved internal and external alterations to the East Stand including an additional row of seats, an increase in the height, depth and capacity of the West Stand, including camera position, reduction in capacity of standing areas, increase in the height of floodlights, additional turnstiles, spectator circulation, fencing, food kiosks and toilets and alterations to the parking areas. Phase 2 involved the replacement of the North Stand with a seated stand, reduction in the capacity of the standing area in the South Stand and an extension to the rear of the West Stand to provide indoor spectator space extension	
P/3352/16	Non-material amendment to planning permission reference P/2191/15 dated 17/07/15 to increase the depth of the north stand at ground floor level, increase the height of the north stand and increase the width of the north stand	Refused: 25 th August 2016
P/2764/17	Erection of a new South stand; new medical facilities, community facilities and commercial floorspace to the rear of the south stand; replacement of East stand seating with terraces; single deck above existing car park and increase in the total capacity of the stadium from 5,176 to 8,500	Granted 28 th February 2018
P/4485/17	Variation of Condition 1 (Approved plans) attached to planning permission P/0665/13 allowed on appeal reference APP/M5450/A/14/2215248 dated 19/12/14 to allow for a larger north stand and associated facilities than approved by the original consent	Granted 2 nd November 2018

P/2763/17	<i>Erection of an indoor academy building with an indoor 3G pitch, a new 11-a-side 3G pitch, eight 5-a-side pitches, a new indoor sports hall, a permanent ticket-office and club-shop, a permanent academy spectator stand and WC and snack shop porta cabins.</i>	Granted 18 th July 2019
P/4134/19	Outline Application for all matters reserved: Construction of a five storey car park	Refused 30 th July 2020

4.0 CONSULTATION

4.1 A total of 2538 consultation letters were sent to neighbouring properties regarding this application.

4.2 The public consultation period expired on 13 August 2020. Total of 3 objections were received.

4.3 The proposal was advertised for the following reasons:

- Press Advert: Major Development /Departure from Development Plan Expiry: 06/008/2020
- Site Notice: Major Development /Departure from Development Plan Expiry: 20/08/2020

4.4 A summary of the neighbour consultation responses are set out below:

- The addition of a hotel would add to more traffic and parking issues
- There would be potential for additional noise from the hotel from functions and also of fire alarms and bugler alarms going off at night like it did in July.
- There will be more unnecessary people hanging around the area on match days with the hotel facilities – already there is drug taking and anti-social behaviour on match days.
- They already have a diagnostic facility and creating a bigger one will result in more parking issues.
- The owners of this site over the years have continued to add additional facilities and structures which have severely impacted upon residents living around the Hive.
- The Hive has enough facilities already and there is no justification to have these additional facilities when the surrounding infrastructure is already overused and inadequate.
- The application is an overdevelopment, a 200 room hotel is not necessary and would involve night time early hours noise and disturbance for nearby

residents who already suffer evening noise and light pollution when matches are played.

- Where are 200 cars going to be parked? How much more traffic will be involved?
- More building on a flood plain will lead to more chance of the nearby houses being flooded.

Statutory and Non Statutory Consultation

- 4.5 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments
<p>Sport England:</p> <p>It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.</p> <p>Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and against its own playing fields policy, which states:</p> <p>'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:</p> <ul style="list-style-type: none">• all or any part of a playing field, or• land which has been used as a playing field and remains undeveloped, or• land allocated for use as a playing field <p>unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'</p> <p>Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:</p> <p>https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy</p> <p>Having assessed the application, Sport England is satisfied that the proposed development meets exception 3 of our playing fields policy, in that:</p> <p>'The proposed development affects only land incapable of forming part of a playing pitch and does not:</p> <ul style="list-style-type: none">• reduce the size of any playing pitch• result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);• reduce the sporting capacity of the playing field to accommodate playing

pitches or the capability to rotate or reposition playing pitches to maintain their quality;

- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.'

In assessing this application, I also consulted the Football Foundation on behalf of the FA. They confirmed that there does not appear to be any impact on football or existing funded facilities. The design is a wraparound construction with the building going around the stadium. This is being built on existing car parks / spare areas. It appears that they plan to construct a multi-storey car park to mitigate this loss. The FF on behalf of the FA do not object to the proposal.

This being the case, Sport England **does not wish to raise an objection** to this application.

Infrastructure Protection – TFL Engineering:

Though we have no objection in principle to the above planning application, there are a number of potential constraints on the redevelopment of a site situated close to railway infrastructure. Therefore, it will need to be demonstrated to the satisfaction of LUL engineers that:

- our right of support is not compromised
- the development will not have any detrimental effect on our structures either in the short or the long term
- the design must be such that the loading imposed on our structures is not increased or removed
- We offer no right of support to the development of the land.

Therefore we request that the grant of planning permission be subject to conditions.

Thames Water:

Waste Comments

With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No properties shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can

request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for SURFACE WATER drainage, but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "No properties shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

There is no drainage details provided as part of this application and we would seek to understand the proposed points of connection to the public network and the proposed flow rates discharged into each. We would like to better understand how that compares to the existing site.

Environment Agency: The proposed development falls within flood zone 2, which is land being defined in the planning practice guidance as being at risk of flooding. We have produced a series of standard comments for local planning authorities and planning applicants to refer to on lower risk development proposals. These comments replace direct case by case consultation with us. The proposal falls within this category. These standard comments are know as Flood Risk Standing Advice (FRSA).

Note to LPA:

As identified in your Strategic Flood Risk Assessment, part of the wider site is located within Flood zone 3b (functional floodplain). The development would not be appropriate in areas defined in Flood Zone 3b and we suggest this is recognised in the decision notice of any outline planning permission.

Greater London Archaeological Advisory Service: No objection, I conclude that the proposal is unlikely to have a significant effect on the heritage assets of archaeological interest.

Greater London Authority: Comments awaited.

LBH Road Network Management: This application at present does not really affect highways as access already exists and wide enough so no concerns from my end. Only thing they may need to do is speak to me about their travel plan.

LBH Highways Authority: Objection, I cannot properly assess this proposal due to insufficient information.

Individually, each of these uses have a significant impact potential therefore, it is essential that a full, Healthy Streets Transport Assessment and associated documents (eg travel plan, CLP etc) are submitted for consideration. I don't see how we can consider access on its own really because the arrangements might be acceptable subject to mitigation but details are needed in order to determine what mitigation would be required.

LBH Drainage Authority: We do object to the proposed development due to flood risk and an FRA is required to satisfy us that it can be safe with no increased risk to the neighbouring properties.

LBH Biodiversity: It is apparent that there has been no consideration of the mitigation hierarchy nor other biodiversity matters in connection with the scheme's design and - despite the previous applications for this site - the application form incorrectly claims that there are no features of biodiversity interest that might be affected within its vicinity.

No information has been presented in relation to

- (a) the potential impacts of the scheme for which outline permission and approval of access arrangements are sought on the (1) adjoining section of the Canon's Park and Stanmore Railway Embankments SINC, which is of Borough Grade 1 importance or (2) the River Brent which in addition to being an important blue-green corridor itself, connects with a number of wildlife sites downstream, including the Welsh Harp SSSI;
- (b) the cumulative impacts of this scheme and other previously permitted development;
- (c) the biodiversity gain that the scheme will need to deliver to address the policy requirements of the NPPF, London Plan and Harrow Core Strategy.

There is insufficient information to determine whether the proposal would be in conflict with local plan policy DM20 with regard to potential impacts on biodiversity conservation. Moreover, the applicant has neglected to address the requirements of local plan policy DM21 within their scheme.

Given the nature and scale of the proposal, it is suggested that the best course would be to advise withdrawal and resubmission once the above points have been addressed and that formal pre-application advice would be beneficial. As the application stands the only other option is refusal.

LBH Policy: The proposed developments, by reason of the range of uses, fail to demonstrate that they are ancillary to the existing outdoor sports use on the site. By reason of not being ancillary to the primary use of the site, it is considered that the applicant has failed to demonstrate that the uses would be within the community they intend to serve. By reason of this, the proposed medical facility and UCFB would fail to accord with policy DM46B of the HDMP (2013).

It is considered that in this instance, the principle of development on designated open space that is not ancillary and necessary to the functioning of the open space, resulting in a loss, in an area which there is an evidenced deficiency, is unable to be supported.

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 (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the

Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

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

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of Development
- Character and Appearance of the Area
- Residential Amenity
- Traffic, Safety and Parking
- Biodiversity and Air Quality
- Drainage and Flood Risk
- Equalities Implications
- S17 Crime & Disorder

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.18, 3.16, 3.19, 4.5, 3.18
- The Draft London Plan 2019: G4, S4, S2, S5, H15, E10, S1, S3, SD7
- Harrow Core Strategy 2012: CS1 F, Z, L
- Harrow Development Management Policies Local Plan (2013):DM18, DM34 DM46 DM48, DM41
- Site Allocations DPD: Site MOS5
- PPG 17: Open Space Needs Assessment

Open Space

6.2.2 The only issues to be considered at this Outline stage are the general principles of whether this type of development would be acceptable in this location, and whether this amount and scale of development would be acceptable. If Outline planning permission is approved, more detailed proposals will be submitted as Reserved Matters applications; and also as applications to discharge any other conditions that are attached to the Outline Planning Permission.

6.2.3 The application site is noted within the Local Plan as being designated Open Space. Open space is also recognised within the draft London Plan (2019) (Intend to Publish Version), specifically through Policy G4.

6.2.4 The National Planning Policy Framework (2019) places great weight in protecting open space.

- 6.2.5 Paragraph 97, states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 6.2.6 At a London wide level, the draft London Plan (2019) (Intend to Publish Version) provides policy seeking to protect Open Space, by way of Policy G4. Policy G4 requires development plans to undertake needs assessments of the boroughs open space stocks, and to include appropriate designations and policies for their protection. LB Harrow have, by way of the PPG 17 study under taken an open space needs assessment at a borough wide level. This assessment was undertaken in 2011. The PPG17 Study identifies that in 2010 there was a total deficiency of 117ha of land, which would rise to 139ha in 2026. Whilst this document is somewhat dated, there is no evidence to suggest that in quantative terms, the document is inaccurate. The current local plan, has a specific policy (detailed below) in relation to Open Space, and identifies land that is designated as such within the Local Plan Policy Maps.
- 6.2.7 When considering specific development proposals, the draft London Plan (2019) (Intend to Publish Version) sets out the following through Policy G4;
- Not result in the loss of protected open space
 - where possible create areas of publicly accessible open space, particularly in areas of deficiency.
- 6.2.8 The Core Strategy 2012 goes onto state that with the exception of small scale ancillary facilities needed to support or enhance the proper functioning of open space; development will not be permitted on designated open space as identified on the Harrow proposals map. There is a presumption against any net loss of open space, regardless of ownership and accessibility.
- 6.2.9 Following on from the Core Strategy (2012) position, Policy DM18 (Protection of Open Space) provide guidance on developments that would have an impact on open space. It is clear that DM18 would not support development that results in a net loss of Open Space, however would support the reconfiguration of open space. The proposed development would result in a significant amount of designated open space being lost, which is in direct conflict with both the draft London Plan (2019) (Intend to Publish Version), The Harrow Core Strategy (2012) and also the Harrow Development Management Plan Local Policies (2013).
- 6.2.10 The planning policy maps indicate that the entire site is located within open space designation, which includes internal roads, the stadium and the existing car park. It is therefore clear that the proposed development would be erected on

designated open space. Furthermore, it is clear from the proposed development that, the proposed development would result in a loss of open space that is protected under the Local Plan. In addition, the proposed development would not result in the creation of public open space, indeed it would result in a loss, in an area of an identified deficiency.

- 6.2.11 The development would have a substantial footprint within the site even though it intends to predominantly 'infill' the gaps between ends of each of the stands that form the stadium. It would also sit upon an internal road and some parking spaces. Whilst the applicant notes that these spaces are hard standing, and does not hold any public value, the LPA would disagree with this position. Firstly, the planning policy maps detail that the entire site is designated as open space. Regardless of what the use of the land is, it is nonetheless designated open space. The local plan (and policies) have been through an Examination in Public and were considered to be sound. Following on from this, and contrary to the applicant's position, the land that is to be built on, still holds public value. Specifically, the internal roadway directly supports the access to the sports facility and open space.
- 6.2.12 It is noted that the current site, where it is proposed to erect the proposed structure, is set out in tarmac and used as ancillary space to the existing facility. Whilst the area proposed to be developed is not greenspace, it still allows for access and the functioning of the remainder of the open space. Again, whilst the existing proposed development area is currently hardstanding, any upward extension above this space would result in the indefinite loss of this area, with no likelihood of any contribution to further open space of higher value. Given the considerations above in terms of the use, the proposed development would not constitute ancillary development that would be necessary to or would facilitate the proper functioning of the open space.
- 6.2.13 In conclusion, it is considered that in this instance, the principle of development on designated open space that is not ancillary and necessary to the functioning of the open space, resulting in a loss in an area which there is an evidenced deficiency cannot be supported.
- 6.2.14 Proposed Uses – Hotel, Education and Medical Diagnostics
- 6.2.15 Site Allocation MOS5
- 6.2.16 Policy MOS5 of the Site Allocations Local Plan allocates the site for community outdoor sports use. The commentary to that policy states that this allocation supports such further outdoor sport development as may be required to enable the success of this important community facility. Development must make provision for community access to facilities and be consistent, in terms of design, siting and any other impacts, with the amenity of neighbouring residential occupiers.
- 6.2.17 The site is designated by the Core Strategy as falling within the Kingsbury and Queensbury Sub-Area. Two of the area objectives for that sub-area are to:

- Continue to promote Prince Edward playing fields as a centre of sports excellence; and
- Maintain community access to sport and recreation facilities and encourage enhancement

6.2.18 The allocation for the site notes the existing use as The Hive Football Academy, and the allocation is for a Community outdoor sports use. By reason of this, any development on the site is required to be in compliance with the allocated use of the site. It is noted that the site allocation does not state any supporting land uses on this site.

6.2.19 With regard to the site allocation, what can be said from the outset is that the proposed hotel development is unlikely to constitute further outdoor sport development as may be required to enable the continued success of this important community facility. Firstly, the new hotel would not be ancillary to the sports use, by reason of the ability for this to serve a wider catchment than that which is provided for on the site. The applicant states that the proposed hotel would be '*required to serve The Hive London and will be ancillary to its use as a sporting and medical destination*'. However, it is clear that the application site is a sporting designation, insofar as the footballing use of the site. The site does not constitute a medical destination, and the proposed medical facility again would not constitute development that would be required to enable the continued success of the community facility. As the application currently stands, neither the proposed hotel nor the medical facility are consistent with the site allocation, and therefore are both unable to be supported. It is acknowledged that, the site already has an existing medical facility which currently provides an ancillary function to the existing use of the site, in helping to assist in sports injuries diagnostics. However, the planning statement notes the new expanded hotel facility would incorporate 96 medical rooms in association with the diagnostics centre which would be open to a wide range of patients. The expanded use and nature of the facility is clearly not ancillary to the use of the site.

6.2.20 Notwithstanding the above, the proposed hotel use is noted as being directly in conflict with national, regional and local policies, by reason of not being located within a town centre location. This matter has been attempted to be addressed by way of a sequential test, and will be considered later in this report.

6.2.21 London Plan Policy 3.19 (Sports Facilities) states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Where sports facilities developments are proposed on existing open space, they will need to be considered carefully in light of policies on protecting open space.

6.2.22 Higher Education Facility/Medical Facility

6.2.23 The development also seeks to incorporate a University College Football Business (UCFB) and associated student accommodation and a medical facility that specialises in cancer screening. The submitted information provides little justification for either of these uses in this location. Whilst the applicant notes a number of relevant policies, there is no analysis of the acceptability of these uses

- 6.2.24 The higher education facility would provide a campus for the University College of Football Business (UCFB), which would also allow for student accommodation for users of this facility to utilise. The UCFB offer both undergraduate and postgraduate courses in a range of subjects including football business and finance, sports journalism, coaching, management, sports law and events management. The UCFB has courses for television sports camera operators. The proposal would also seek to provide an E Sports Arena (Electronic Sports Arena).
- 6.2.25 The supporting information does not provide a comprehensive assessment of the proposed use and how this element would comply with the use of the site as a football academy. By reason of this, it is unclear as how this proposed use would be ancillary to the use of the site as a football facility, and whether or not it would be consistent with the allocation for the site. Whilst it is recognised that the proposed education facility would be a University College of Football, it is nonetheless an education facility rather than a community outdoor sports facility. Furthermore, it is not clear that such a use would constitute further outdoor sports development as may be required to enable the continued success of the important community facility.
- 6.2.26 The provision for student accommodation on site also forms a substantial part of this element of the proposal which again is not considered to be an ancillary element of the site's allocation. Both local plan policy (DM 46) and London Plan Policy (S3) outline that educational and new community facilities should be located in accessible locations or in town centres and the proposal would also be a conflict in this respect. The submitted information provides little justification for either of these uses in this location. Whilst the applicant notes a number of relevant policies, there is no analysis of the acceptability of these uses. Locally, Policy DM46B (New Community, Sport, and Education Facilities), will support facilities that are located within the community that they are intended to serve. With regard to the UCFB, it is not clear that players / users of The Hive are the intended users of the facility, and no evidence is submitted to demonstrate anything to the contrary. Again, as with the medical facility, this also is not evidenced and as such the proposed use in this location is considered to be inappropriate.
- 6.2.27 It is understood that the applicant seeks to consolidate a number of uses on the site, all of which are put forward by the applicant as being appropriate and complementary to each other. However, it is considered that each of the proposed uses would be inconsistent with the site allocation, and as such would not be required to enable the ongoing success of the outdoor sports facility. The proposed development, by reason of the range of uses, fail to demonstrate that they are ancillary to the existing outdoor sports use on the site and are considered to be an inappropriate location for such development.

6.3 Character and Appearance of the Area

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.4, 7.6
- The Draft London Plan 2019: D1, D2, D3, D4, D9
- Harrow Core Strategy 2012: CS1 B, F
- Harrow Development Management Policies Local Plan (2013): DM1, DM 18

6.3.2 In respect of character and open space, policy DM 18 C c/d/f outlines that proposals for ancillary development on land identified as open space will be supported where it is appropriate in scale, would not detract from the open character of the site or surroundings and it would contribute positively to the setting and quality of the open space. The requirement for a high standard of design and layout is emphasized in all of the above policies and proposals must have regard to mass, bulk, scale and height in relation to their location and surroundings. As this application is seeking only Outline Planning Permission, the matters of the design, scale and the layout are reserved for consideration at a later stage. Nevertheless, in order to establish the acceptability of the principle of the development on the character and appearance of the area, it is imperative to understand maximum and minimum development parameters.

6.3.3 The proposed development is not in any way considered to be an ancillary development of the site's existing function. In addition, the application is not accompanied by a clearly defined development parameters plan. As discussed above, different figures are provided for the amount of proposed floorspace – the Design and Access Statement provides a figure of 45, 990 whereas, the application form provides a figure of 52, 788 sqm. Although the amount of floorspace proposed is substantial, there is a significant difference in the two figures provided. It is indicated that the building would be four storeys in height and would include a basement. The indicative elevations show the building would have a height of 29.7 metres, although this is not defined as the maximum height. The building is described as four storeys but with an indicative height of 29.7 metres which would mean each of the storeys would be significantly higher than a conventional storey with a floor to ceiling height of 3 metres. The proposals indicate the building would wrap around the existing stadium stands and would add substantially greater mass and bulk compared to the existing and emerging development on the application site. It is acknowledged that an academy building to the south of the stadium stands to a height of 18 metres has been approved and based on the indicative elevations, the proposal would be significantly taller than this and the height of the surrounding stands (e.g. west and east stands approximately 13 metres in height).

6.3.4 However, the minimum and maximum building parameters including footprint, height, length, width of the development have not been specified or been clearly defined. As such, in the absence of this information, the Local Planning Authority is unable to accurately assess the impact of the development on the character and appearance of the area. Notwithstanding this, based on the indicative

elevations, height and floorspace figures provided, it is considered that the overall amount of development would significantly detract from the open character of the site and the surroundings and would not be appropriate and would not contribute positively to the site's setting and quality of open space and surroundings.

6.3.5 In conclusion, it is considered that the indicated amount of development proposed, would have a detrimental impact on the character and appearance of the site and area and the surrounding designated open space.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 7.6 B, 7.15
- The Draft London Plan Policy D3, D13, D14
- Harrow Development Management Policies Local Plan (2013):DM1,

Residential Amenity of neighbouring Occupiers

6.4.2 The proposed building would be located within the south western area of the wider site. The closest neighbouring properties to the west of the site are located along Aldridge Avenue. These properties are separated from the subject site by London Underground railway tracks which are surrounded by a steep embankment. The rear elevations and rear gardens of the properties are separated by approximately 74 metres and 30 metres respectively to the western application boundary. The proposed development site is separated from the rear garden boundaries of the closest properties in Camrose Avenue to the south by approximately 145 metres. To the east the closest residential dwellings are located in St David's Drive and are approximately 140 metres away and to the north east, the residential properties of Buckingham Gardens and Bransgrove Road are separated by a gap of some 170 metres.

6.4.3 The application is not accompanied by a daylight and sunlight assessment, clearly defined parameter plan or lighting assessment. As such an accurate assessment of the impact of the proposals cannot be made. Nevertheless, based on the amount of proposed development (floorspace 45, 990sqm) and indicative buildings heights at four storeys, the proposals would likely have a significant visual impact for residential dwelling surrounding the application site. Having regard to the distances outlined above, the visual impact would be most acute for the residential dwellings to the south along Aldridge Avenue. It is considered that the proposed development would appear dominant and overbearing and would be harmful to the outlook and visual amenities of these neighbouring occupiers. In addition, there are concerns with the proposed uses and the potential levels of light pollution for the residential dwellings. It is considered the proposals could be highly visually intrusive and harmful to outlook in this respect and in the absence of any supporting information to demonstrate otherwise, the proposal is considered to be unacceptable for this reason.

- 6.4.4 The London Plan (2019) advocates the Agent of Change principle in respect of all noise generating uses and activities. The proposed development is not accompanied by a noise assessment. It is acknowledged that the site already has banqueting facilities. However, these proposals would introduce expanded facilities including restaurants, bars and additional conferencing facilities which together with the proposed hotel and education facilities, would greatly intensify the existing uses on site and would have the potential to give rise to significantly greater levels of noise and general disturbance, particularly at unsocial hours for neighbouring occupiers. It is noted that the proposal includes 44 dormitories of student accommodation but the details of the potential number of people this could accommodate is unknown. Each individual dormitory could accommodate a large number of students with has the potential to add significantly to the cumulative impacts of overall site intensity.
- 6.4.5 In summary, it is considered that the nature of the uses, has the potential to generate significant levels of noise/general disturbance and additional night-time light pollution. Although a maximum building height has not been clearly defined, it is considered that the indicative four storey massing would appear unduly dominant and bulky to the detriment of the outlook of the residential properties in Aldridge Avenue and in combination with additional night-time light pollution, would have the potential to be highly visually intrusive for the surrounding neighbouring occupiers adjoining the wider Hive site.

6.5 Traffic and Parking

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 2016: 6.3, 6.10, 6.13
- The Draft London Plan 2019: T1, T2, T4, T6, T6.4
- Mayor's Transport Strategy: Policy 1
- Harrow Core Strategy CS1 R
- Harrow Development Management Policies Local Plan (2013):DM42 and DM 43

6.5.2 The site is bound to the north by Whitchurch Lane and to the south by Camrose Avenue, both of which are borough roads. The Jubilee line bounds the site to the east. The nearest section of the Strategic Road Network (SRN) is A5 Burnt Oak Broadway, located approximately 1.4km to the east of the site. Jubilee line stations' Canons Park Station and Queensbury Station are 190m north, and 850m south, respectively. Bus stops are on Whitchurch Lane and Camrose Avenue, and are served by three strategic routes; service no. 340, 79, 186, and 288.

6.5.3 Intend to publish London Plan Policy T2 requires developments to follow the Healthy Streets Approach, which aims to improve air quality, reduce congestion and make attractive places to live, work and do business by encouraging active travel, public transport use and mode shift from car travel. An Active Travel Zone (ATZ) assessment should be prepared required and submitted for review by TfL and the Council prior to determination.

6.5.4 The main access for pedestrians and vehicles will remain as existing on Camrose Avenue, to the south end of the site. Whitchurch Lane offers a secondary pedestrian access to the north. As required by policy T2 of The London Plan (2019) It should be demonstrated how the proposals meets the Healthy Streets indicators including measures to manage traffic movement and avoid conflicts with pedestrians and cyclists. However, the proposal fails to address this policy requirement.

6.5.5 Policy T.6.4 Hotel and leisure uses parking of the Intend to publish London Plan which states that for PTAL 0-3 locations;

'schemes should be assessed on a case-by-case basis and provision should be consistent with the Healthy Streets Approach, mode share and active travel targets, and the aim to improve public transport reliability and reduce congestion and traffic levels.'

6.5.6 The application is not accompanied by a Travel Assessment or a Travel Plan and therefore it has not been possible to undertake a detailed assessment of the proposals which could potentially, have both individual and cumulative significant detrimental impact on the surrounding highway network. The proposal is therefore contrary to the above mentioned policies.

6.6 Biodiversity and Air Quality

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 2016: 7.19, 7.14
- The Draft London Plan 2019: G6
- Harrow Core Strategy CS1 E
- Harrow Development Management Polices Local Plan (2013): DM1, DM12, DM20, DM 21, DM 48
- Circular 06/05: biodiversity and geological conservation)

Biodiversity

6.6.2 The application is not accompanied by a Preliminary Ecological Assessment Having regard to the sites proximity to the adjoining Site of Importance for Nature Conservation, in officer's view, it is not possible for the Council to demonstrate that it has adequately exercised its duty under Section 40 of the Natural Environment and Rural Communities Act 2006 to have regard to the purpose of conserving biodiversity (including biodiversity assets beyond the site and its immediate surrounds). Additionally, it is not possible to accurately assess if the principle of the development and whether its location, is acceptable having regard to DM48 (Enhancing Outdoor Sport Facilities) which refers to impact upon biodiversity assets within or surrounding the site, as well as the biodiversity specific Local Plan policies, DM20 and DM 21.

6.6.3

No information has been presented in relation to the potential impacts of the scheme for which outline permission and approval of access arrangements are sought on the (1) adjoining section of the Canon's Park and Stanmore Railway Embankments SINC, which is of Borough Grade 1 importance or (2) the River Brent which in addition to being an important blue-green corridor itself, connects with a number of wildlife sites downstream, including the Welsh Harp SSSI; the cumulative impacts of this scheme and other previously permitted development; the biodiversity gain that the scheme will need to deliver to address the policy requirements of the NPPF, London Plan and Harrow Core Strategy.

6.6.4

Government guidance (Circular 06/05: biodiversity and geological conservation) is clear in relation to the use of conditions relating to biodiversity matters stating *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."* *The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances*". There are not considered to be any exceptional circumstances in this case that would warrant the use of a planning condition.

6.6.5

In conclusion, in the absence of an ecological survey, officers cannot be certain whether the proposed development may have adverse implications for the biodiversity of the SINC, including, if present any protected species, and as such would cause unacceptable harm to biodiversity interests, contrary to the above mentioned policies.

Air Quality

6.6.6

As outlined in the London Plan and Draft London Plan – Intend to Publish 2019 (Policies 7.14 and SI 1), all development proposals should minimise increased exposure to existing poor air quality and take steps to minimise the impacts through design solutions and promote greater use of sustainable transport modes through travel plans. As a minimum, development proposal should be air quality neutral.

6.6.7

The whole of the Borough has been designated as an Air Quality Management Area (AQMA), due to exceedances of the annual mean objective levels for nitrogen oxide (NO₂) and particulates (PM₁₀). The application is not accompanied by an Air Quality Assessment, Travel Plan and Transport Assessment and therefore the potential impact on air quality are not known. The failure to demonstrate that the development would be air quality neutral undermines the Council position on other development proposals which have the potential to result in detrimental impacts on air quality without demonstrating any mitigation. The proposal is therefore considered to be unacceptable in this regard.

6.7 Drainage and Flood Risk

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 5.12, 5.13
- The Draft London Plan 2019: SI 12 and SI13
- Harrow Core Strategy 2012: CS1U
- Harrow Development Management Policies Local Plan (2013):DM9, DM 10

6.7.2 Areas of the site wider site are located across all three flood zones. There are areas to the north adjacent to the Edgware Brook which are identified within fluvial flood zone 2 & 3 according to Environment Agency flood maps and also within surface water flood zone 3a & 3b according to LBH surface water flood maps. The site is at a highest risk of flooding.

6.7.3 The subject site itself lies within flood zone 1 which has a low probability of flooding and the proposed type of development in this area of the site is appropriate for its intended use.

6.7.4 The application is not accompanied by a Flood Risk Assessment. However, areas in close proximity of the existing site are served by existing drainage infrastructure, approved by the Council and Environment Agency as part of earlier phases of the development. The application has been referred to the Council's Drainage Authority who has objected to the proposed development as it cannot be certain the proposals would not adversely impact on existing drainage infrastructure. In the absence of a Flood Risk Assessment, the proposal fails to demonstrate the existing surface water storage volume on the site is maintained and that there is no obstruction to surface water flows across the site. As such, in the absence of this information, it is considered that the proposed development is at risk of surface water flooding and acceptable flood mitigation for potential flood risk within the site and elsewhere and for its users has not been demonstrated.

6.7.5 In conclusion, the proposal, by reason of the absence of a Flood Risk Assessment, fails to demonstrate that the proposed development would result in a net reduction in flood risk, be resistant and resilient to flooding, would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere or provide a dry means of escape for the future users, to the detriment of the safety of future users of the development, contrary to the above policies.

7.0 CONCLUSION AND REASONS FOR REFUSAL

- 7.1 The proposed uses would directly conflict with the site's allocation for community outdoor sports and would be inappropriate in terms of their siting with insufficient evidence provided to justify the uses proposed. The application fails to provide detailed assessments in relation to transport, noise, light pollution, flood risk, air quality, etc. As such, officers are unable to make a comprehensive assessment on some of the main material planning consideration of the application. The proposed development, fails to comply with the development plan for Harrow in relation to the proposed uses, matters of traffic and parking, biodiversity, flood risk, air quality, open space and impact on the character and appearance of the area including the designated open space, and is therefore recommended for refusal

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2019)

The London Plan (2016):

- 3.1 Ensuring equal life chances for all
- 3.2 Improving health and addressing health inequalities
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.16 Protection and Enhancement of Social Infrastructure
- 3.17 Health and Social Care Facilities
- 3.18 Education Facilities
- 3.19 Sports Facilities
- 4.5 London's visitor Infrastructure
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 Parking
- 7.1 Building London's neighbourhoods and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.18 Protecting Open Space and addressing deficiency
- 7.19 Biodiversity and access to nature
- 7.21 Trees and Woodlands

The Draft London Plan – Intend to Publish (2019):

- Policy D1 London's form and characteristics
- Policy D2 Delivering good design
- Policy D3 Inclusive design
- Policy D13 Agent of Change
- Policy D14 Noise
- Policy E10 Visitor Infrastructure
- Policy S1 Developing London's social infrastructure
- Policy S2 Health and social care facilities
- Policy S3 Education and childcare facilities
- Policy S4 Play and Informal Recreation
- Policy S5 Sports and Recreation Facilities

Policy SD6 Town Centres and High Streets
Policy SD7 Town centres: development principles and Development Plan Documents
Policy G4 Open Space
Policy G6 Biodiversity and access to nature
Policy SI1 Improving air quality
Policy SI12 Flood risk management
Policy SI13 Sustainable drainage
Policy T1 Strategic approach to transport
Policy T2 Healthy Streets
Policy T3 Transport capacity, connectivity and safeguarding
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.4 Hotel and leisure uses parking

Harrow Core Strategy (2012)

CS1: Overarching Principles

Harrow Development Management Policies Local Plan (2013):

Policy DM 1 Achieving a High Standard of Development
Policy DM 9 Managing Flood Risk
Policy DM 10 On Site Water Management and Surface Water Attenuation
Policy DM 12 Sustainable Design and Layout
Policy DM 18 Protection of Open Space
Policy DM 20 Protection of Biodiversity and Access to Nature
Policy DM 21 Enhancement of Biodiversity and Access to Nature
Policy DM 22 Trees and Landscaping
Policy DM 34 Hotel and Tourism Development
Policy DM 42 Parking Standards
Policy DM 43 Transport Assessments and Travel Plans
Policy DM44 Servicing
Policy DM 46 New Community Sport and Educational Facilities
Policy 50 Planning Obligations

Other Relevant Guidance:

Site Allocations DPD (2013)

2. INFORMATIVE: Mayoral Community Infrastructure Levy (provisional)

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 £3, 347 280. This amount excludes

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

You are advised to visit the planningportal website where you can download the appropriate document templates. Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.
https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

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

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

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to 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

3. Harrow Community Infrastructure Levy (provisional)

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

Harrow's Charges are:

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

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

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

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow is: 3, 068, 340

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

The CIL Liability is payable upon the commencement of development.

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

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

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

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

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

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to 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.

4. Pre-application engagement

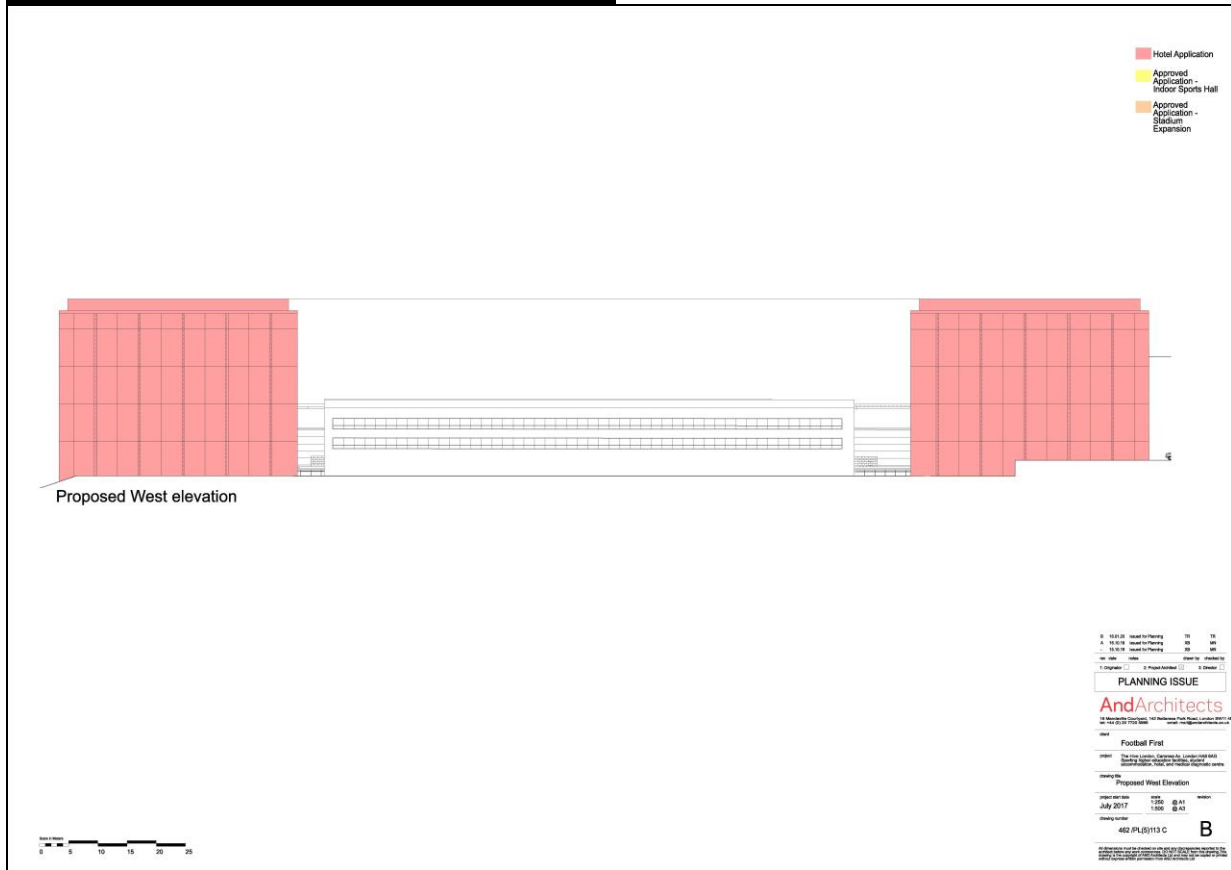
Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages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

Plan List: 462 PL (4) 001 Rev C; Design and Access Statement (April 2020); Supporting Statement April 2020; 464 PL (4) 000; 462 PL (4) 001; 462 PL (4) 002; 462 PL (4) 010; 462/ PL (4) 011; 462 PL(4) 020; 462 PL(4) 001 Rev C; 462 PL (5) 101 Rev C; 462 PL (5) 102 Rev C; 462 PL (5) 103 Rev C; 462 PL (5) 104 Rev C; 462 PL (5) 105 Rev C; 462 PL (5) 106 Rev C; 462/PL(5)110 C Rev J; 462/PL (5) 11 C Rev H; 462/PL(5)112 C Rev B; 462/PL(5) 113 C Rev B; 462PL (5) 121 Rev B; 462 PL (5) 131 Rev A;

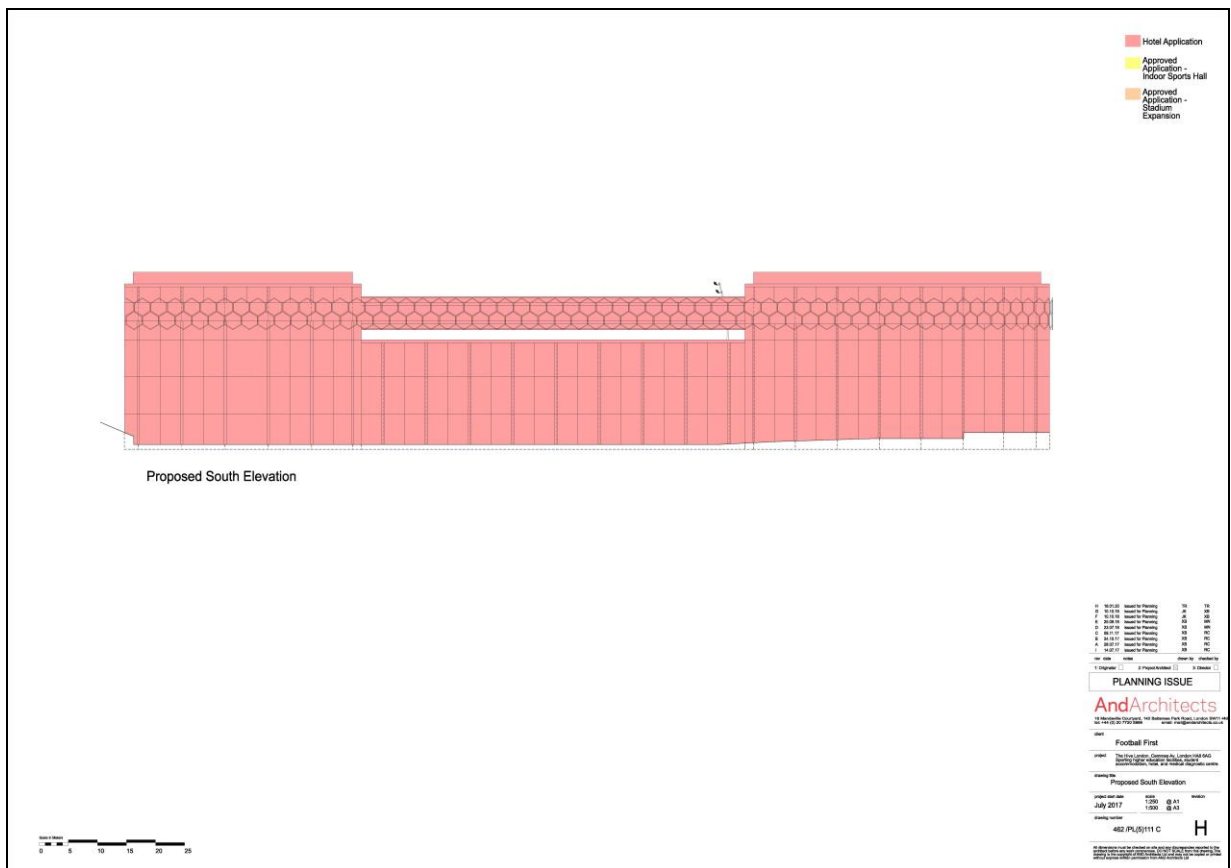
CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar 20.8.20
Corporate Director	High Peart pp Beverley Kuchar 20.8.20

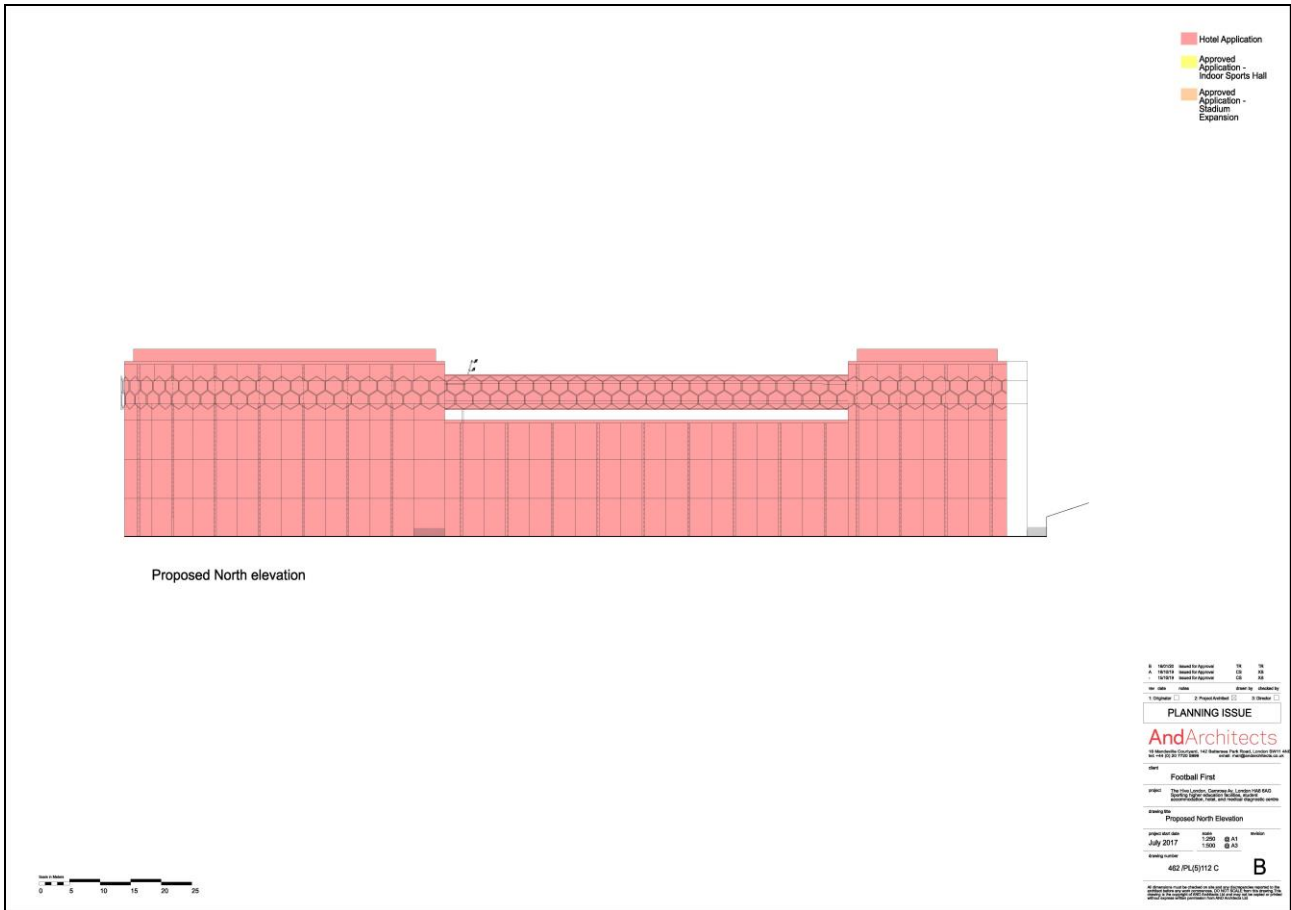
APPENDIX 3: PLANS AND ELEVATIONS



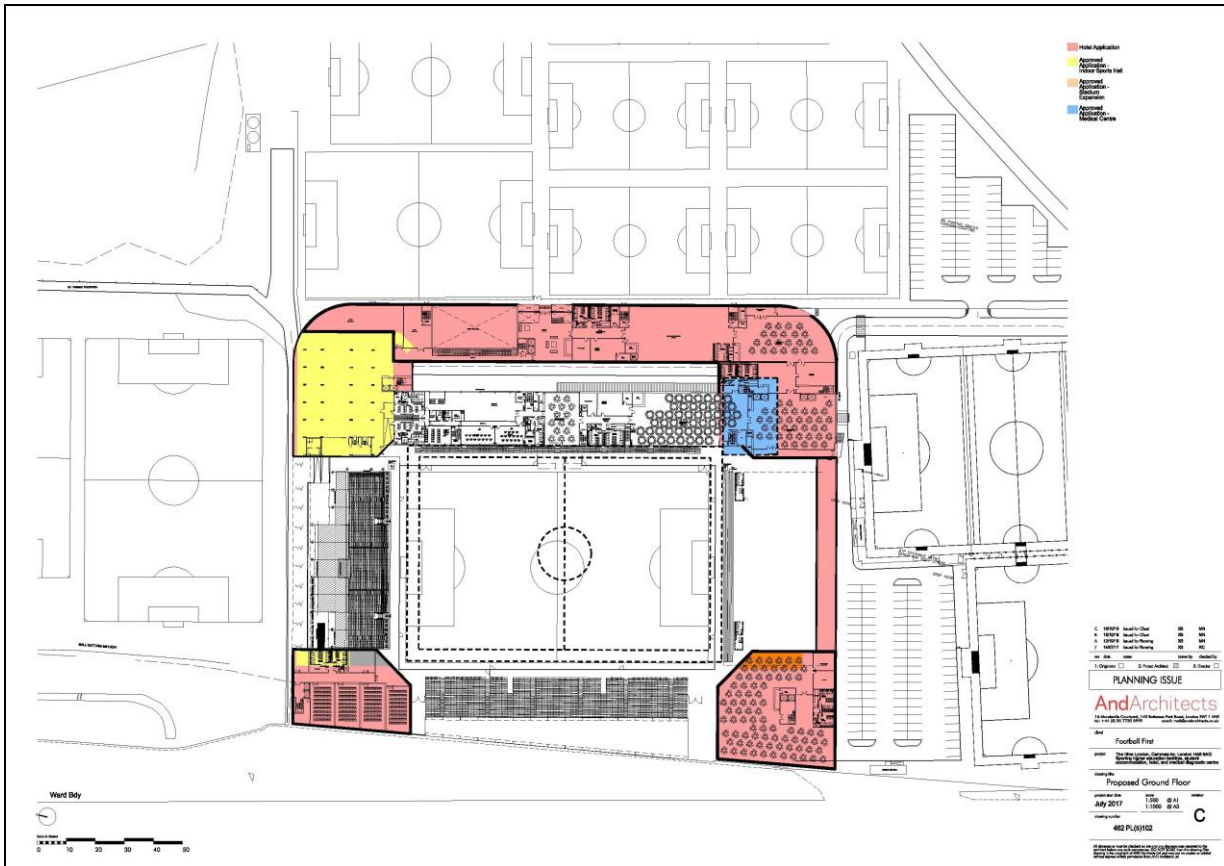
Indicative West Elevation



Indicative South Elevation

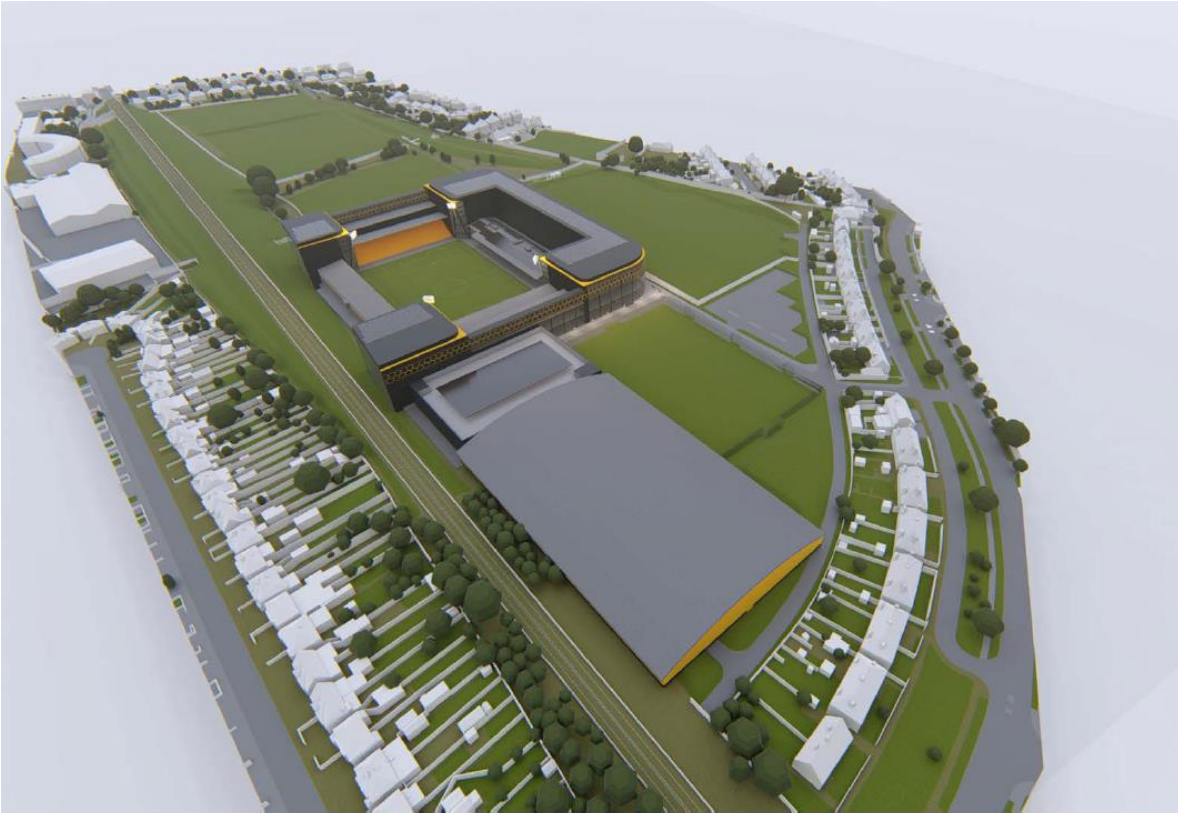


Indicative North Elevation



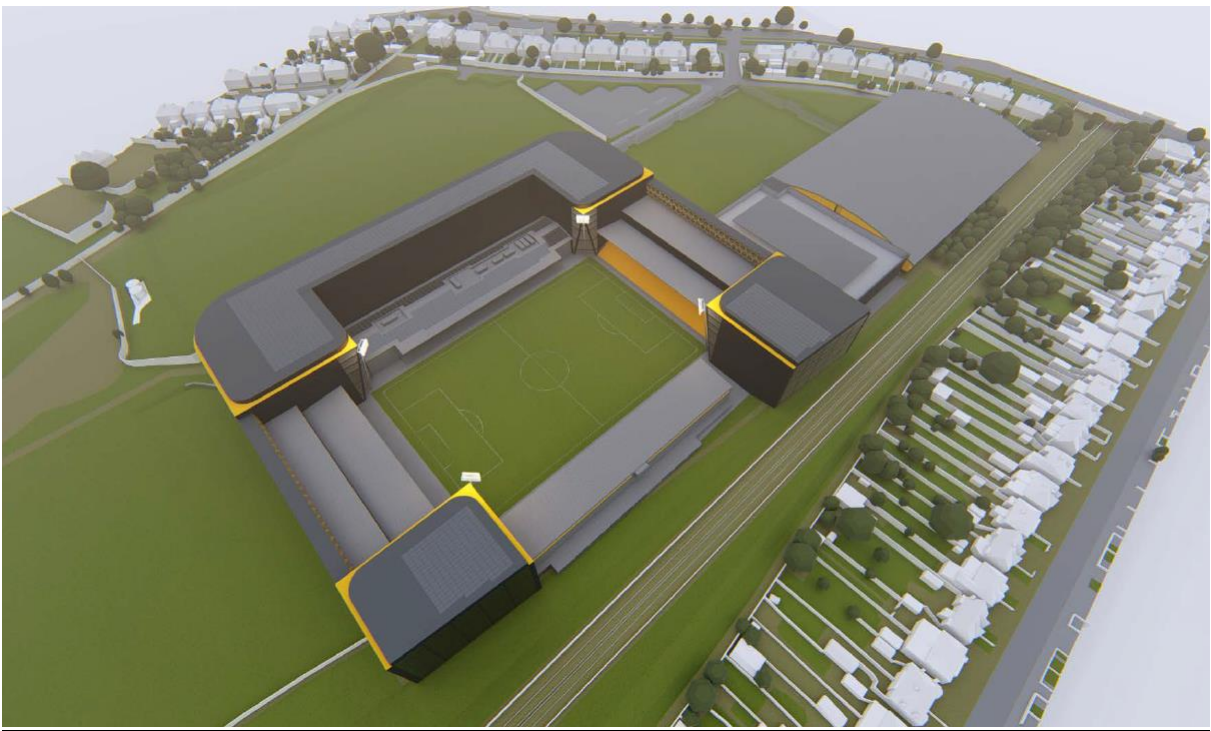
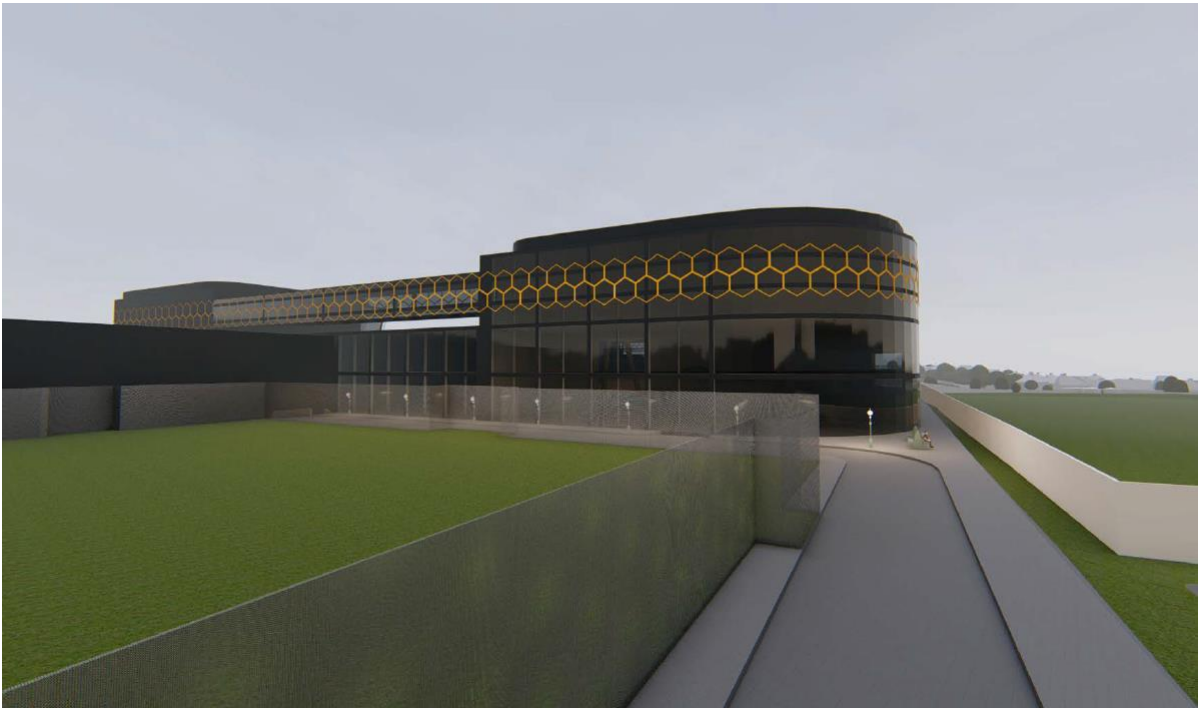
Indicative Ground Floor Plan

Indicative Images:



Due to the roof line level, the flood lighting is contained within the stadium, reducing the light pollution for the surrounding areas.

The increased surface area of the roof allows for a greater number of solar panels to be utilised, increasing the building energy efficiency.



APPENDIX 3: SITE PHOTOS



HARROW COUNCIL

ADDENDUM

PLANNING COMMITTEE

DATE : 2nd September 2020

3/01	<p><u>Addendum Item 1:</u></p> <p>The following policy to be added to reason for refusal No. 3: Policy T6.4</p> <p><u>Addendum Item 2:</u></p> <p>The following wording to be amended at reason No. 4 and paragraph 6.6.3: Amend River Brent to Edgware Brook</p> <p>For clarification, the Edgware Brook is a tributary of the River Brent.</p> <p><u>Addendum Item 3:</u></p> <p>3 additional letters of objection have been received in response to the neighbour consultation with the following comments:</p> <ul style="list-style-type: none">• When the application was initially made, we were assured that there would be no further development at this site.• The proposed scale of the building is out of keeping with the scale of all the residential property on Camrose Avenue and Whitchurch Lane.• A venture into higher education does not seem plausible with the current pandemic• I would challenge the need for a hotel when there is a Premier Inn on Edgware High Road.• When neither the higher education or hotel succeed, there will be an attempt to make the site residential.• Harrow and The Hive are partners in the Hive Football Centre – it is a conflict of interest that Harrow approve itself this planning permission.• The Hive is the base of Brent Football premises whereas we are in Harrow. Why not find a place in Brent.• The Hive is building step by step a Wembley II• The tube station that gives access to the Hive is Canons Park which allows a mass use of the facilities, bathrooms, garbage and traffic.• The proposal will contribute to the already existing daily parking issues and congestion caused during match days.• A hotel will cause a lot of distress to residents in the local area, as it is there is an issue with light pollution• There are also chances of an increase in drug related crime and antisocial
-------------	--

behaviour during match days.

Addendum Item 4:

The following additional comments have been received from the applicant:

The Hive London is designated as 'open space', but it is also designated as an important sports destination with opportunities for enhanced community access. The proposed development of a hotel, student accommodation and higher education facilities would enhance the existing and approved sports facilities on site and provide further community benefit.

Your view is directly in conflict with the appeal decision for the North Stand (APP/M5450/W/17/3188361) in June 2018 clearly set out how development at The Hive London should be considered in relation to the open space designation and the designation of The Hive London as a centre for sporting excellence.

In making that decision, the Inspector stated that:

"this extension has been built over the existing hard surfaced area and so there has been no reduction in the amount of open space or playing fields onsite"....."Consequently I conclude that the development at the North Stand as constructed does not have any harmful effect on the character and appearance of the area. As such it accords with Policies CS1 and CS9 of the London Borough of Harrow Core Strategy (CS), or Policies DM1, DM2, DM9, DM10, DM18, DM42 or DM48 of the London Borough of Harrow Development Management Policies Local Plan (DP) or with Policies 3.19, 7.4, 7.6, or 7.18 of The London Plan (LnP). Together these aim to secure development that is appropriately designed and located and protect open space and recreational facilities".

In short, through any reasonable analysis of the policy position, it's should be determined that there is no conflict with the aims and objectives of The Hive London's designation. Indeed, improving facilities at The Hive London is supported in policy.

Notwithstanding this, in reaching a planning decision, it is necessary for officers to take in to account all material considerations relevant to the application, and to weigh these in the planning balance.

In this case, the development will deliver significant benefits for the Borough. These include the following:

- Job creation during construction and in the operation of the proposed development;
- Significant financial investment in the Borough;
- The enhancement of a world leading sports facility;
- The delivery of additional conferencing facilities for the local community and businesses;

- The delivery of additional opportunities for further education for local young people;
- The enhancement of a world leading diagnostic screening facility, which is used by the NHS;
- The delivery of significant economic input into the local community from visitors to the hotel, students and patients of the diagnostic centre;
- Boosting tourism in Harrow and increasing tourism expenditure in the local area; and
- Providing landmark development for the Borough.

Officer Response: The consideration of the North Stand is an entirely different proposal to the proposed uses under the current application. The stadium stands would be regarded as ancillary to the use of the open space and site allocation but the proposed hotel, education facility and medical facility would not and would be completely at odds with the site's allocation for community outdoor sport. The public benefits of job creation, tourism and education are recognised but they are not considered to outweigh the significant harm identified in the committee report appraisal and moreover there is no flexibility within policy DM 18 concerning open space.

Addendum Item 5:

Amend the Ward to:
Queensbury

HARROW COUNCIL

SECOND SUPPLIMENTAL ADDENDUM

PLANNING COMMITTEE

DATE : 2nd September 2020

3/01	The Hive Football Stadium, Prince Edward Playing Fields, Camrose Avenue
Addendum Item 6:	<p>The Local Planning Authority is still awaiting to receive comment from the Greater London Authority under stage 1 of the Mayoral referral process. The committee is therefore requested to delegate authority for the final determination of the application to the Chief Planning Officer, subject to the stage 1 comments of the Greater London Authority.</p> <p>Amend Recommendation:</p> <p>The Planning Committee is asked to:</p> <ul style="list-style-type: none">• Delegate authority to the Chief Planning Officer to determine the application for the reasons set out below, subject to the comments of the Greater London Authority• Refuse the application for the following reasons:

HARROW COUNCIL

SUPPLEMENTAL ADDENDUM

PLANNING COMMITTEE

DATE: 2nd September 2020

3/01	<p><u>Addendum Item 7:</u></p> <p><u>Sequential Test / Hotel Need</u></p> <p>The applicant proposes as part of the development a hotel use. Specifically, a hotel use is a town centre use, for which the application site is not located within. As part of the supporting information, the applicant has submitted both a needs assessment for hotels and also a sequential test to demonstrate that notwithstanding the location, sequentially it is the most appropriate location.</p> <p><u>Hotel Need</u></p>
-------------	--

The applicant has submitted a needs assessment to demonstrate a need for hotel within the borough. It is clear that there is need for Hotels across London and also within Harrow, which is set out within the London Plan evidence base. Furthermore, the Harrow Economic Development Needs Assessment (2017) does identify some demand for a further hotel operator within the borough. The LPA are satisfied that there is a need for hotel use within both London and Harrow, as detailed within the supporting planning statement. Both the London Plan (2019)(Intend to Publish version) through Policy E10 (Visitor Infrastructure) and through Policy DM34 of the Harrow Development Management Policies Local Plan (2013) supports proposals for visitor infrastructure. Notwithstanding the demonstrable need for Hotel use within London & Harrow, the use is directed to be located within a town centre location. Where a hotel development is proposed outside of a town centre, then this must satisfy a sequential test, which would need to demonstrate there are no more preferable, town centre sites. This is set out in Policy SD7 (Town Centres: Development Principles and Development Plan Documents) and Policy DM34 (Hotel & Tourism Development) of the HDMP (2013) respectively.

Sequential Test

Following on from the above, the applicant acknowledges that the proposed hotel use would fall outside of town centre location, as directed by the aforementioned policies. By reason of this, the applicant has submitted a sequential test in an attempt to demonstrate that the proposed site is sequentially the most appropriate site for such a development. The applicant has reviewed allocated sites within Harrow only, which are retail-led development opportunity sites. Firstly, it is not clear as to what only Harrow borough sites are considered and not wider, given the proximity of the site to Wembley. Indeed, the applicant does state that the proposed hotel use would assist in meeting tourism demand for visitors to Wembley. Furthermore, it is not clear as to why the retail sites were the only sites reviewed, given that the hotel use would be an appropriate use in principle at any town centre location. In any case the sequential test only makes a sweeping general statement that other sites had been considered, but none were considered to be appropriate. However, the sequential test should at least identify the sites considered, and provide an assessment as to the appropriateness or not of that site.

Based on the above, it is considered that the proposed hotel use has not passed the sequential test.