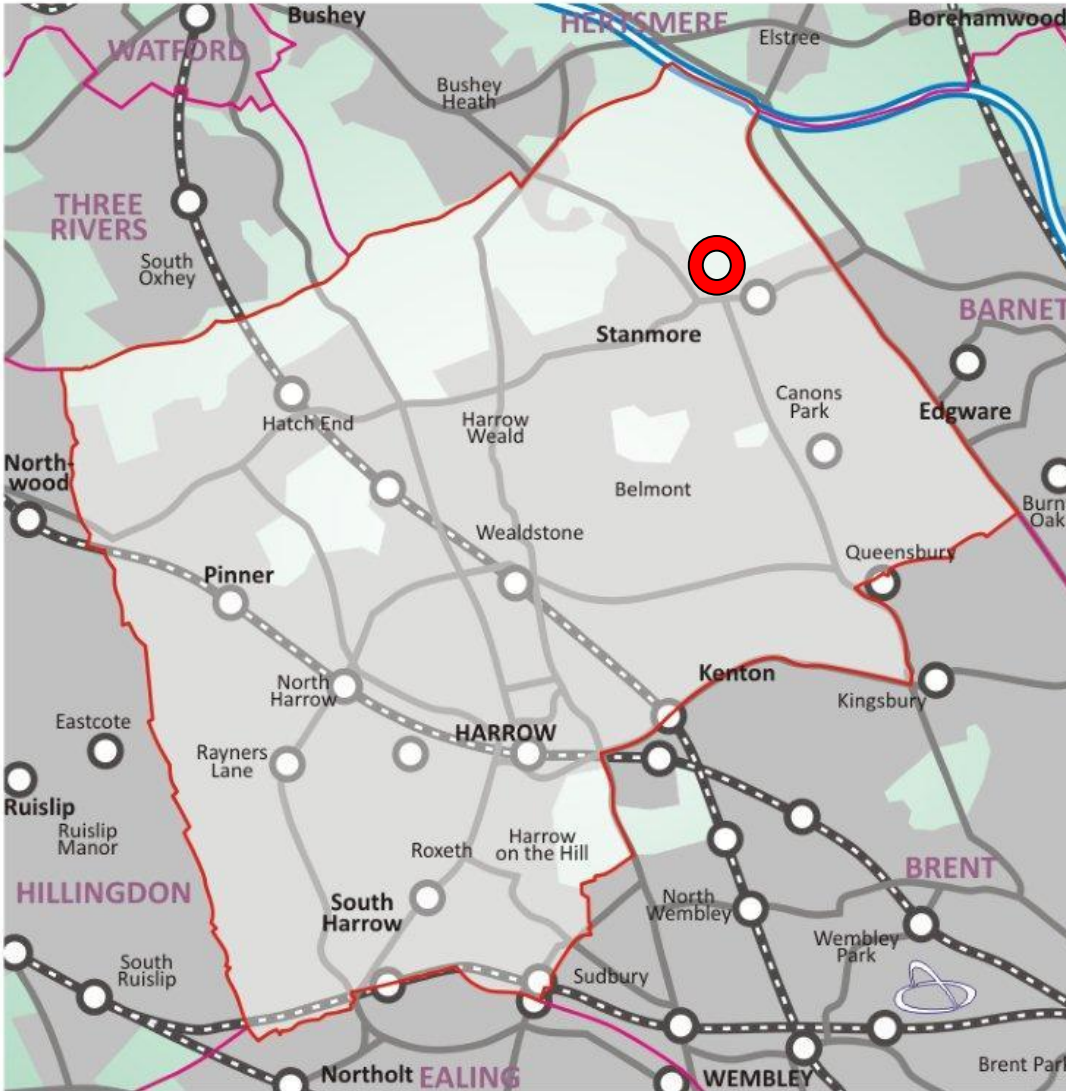
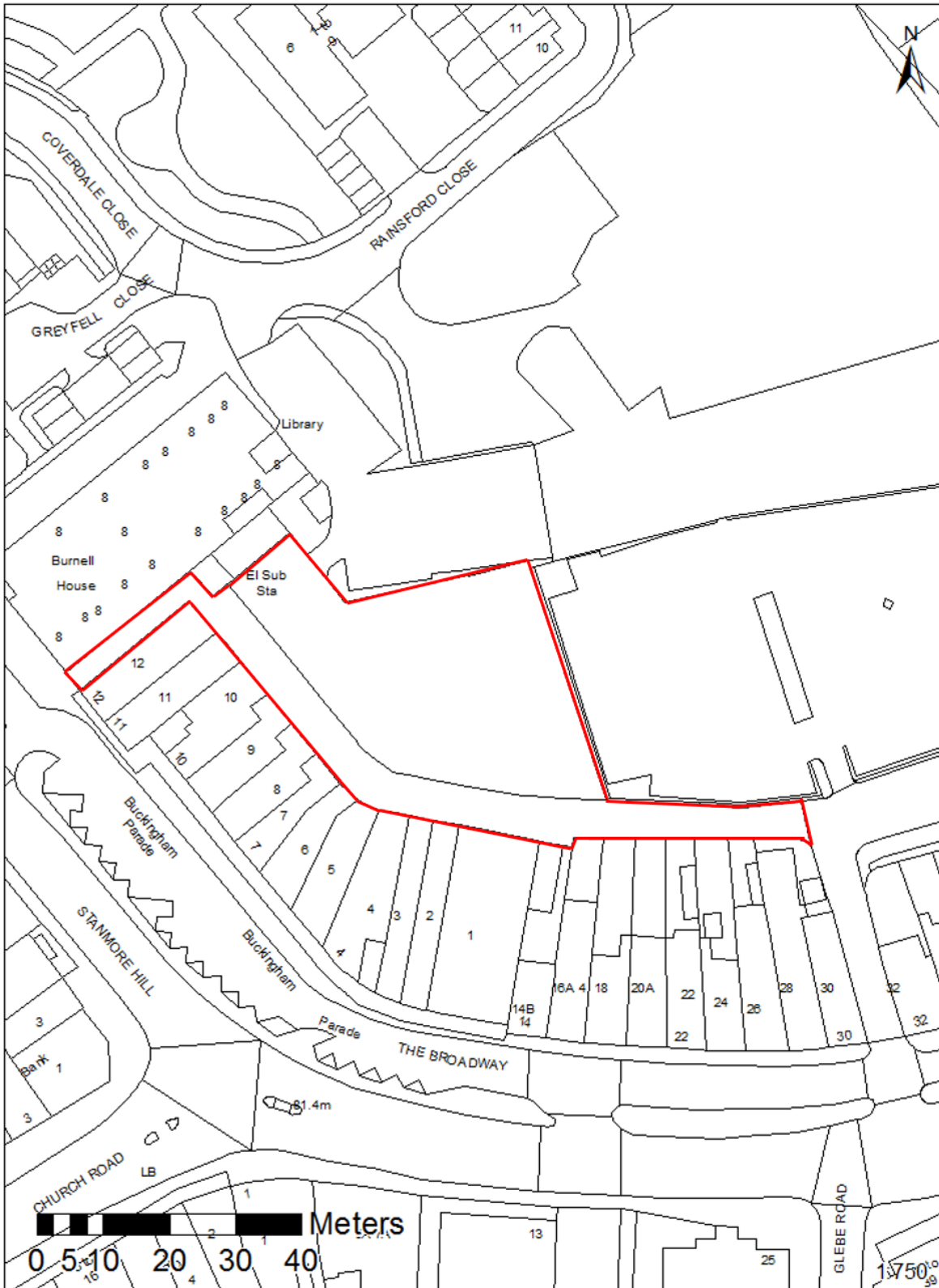


 = application site



CAR PARK: SOUTH OF THE FORMER ANMER LODGE, HA7 4EB **P/3109/20**

LAND SOUTH OF ANMER LODGE



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LONDON BOROUGH OF HARROW
PLANNING COMMITTEE

20th January 2021

APPLICATION NUMBER: P/3109/20
VALID DATE: 21st SEPTEMBER 2020
LOCATION: LAND SOUTH OF ANMER LODGE, COVERDALE CLOSE (CAR PARK R/O BUCKINGHAM PARADE, THE BROADWAY
WARD: STANMORE PARK
POSTCODE: HA7 4EB
APPLICANT: STANMORE PROPERTY DEVELOPMENTS LTD
AGENT: DESIGN COLLECT
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 22nd JANUARY 2020

PROPOSAL

Redevelopment to provide a six storey building comprising of office floor space on the first floor (use class E) and 9 flats (2 x 3 bed, 5 x 2 bed and 2 x 1 bed) on second, third, fourth and fifth floors; parking; bin and cycle stores

RECOMMENDATION

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report, and
- 2) grant planning permission subject to the conditions listed in Appendix 1 of this report:

REASON FOR THE RECOMMENDATIONS

The proposal would respond to the strategic objective of optimising the potential for growth on sustainable brownfield sites within Town Centre locations. The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.

Given the Town Centre location of the application site, officers are satisfied that the proposal would maintain an appropriate quality of residential amenity for the adjoining occupiers. The proposal would enhance biodiversity on the site, provide sustainable urban drainage measures, improve access routes and provide high-quality hard and soft

landscaping. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.

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

INFORMATION

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

This application was reported to committee in December 2020 and it was deferred for a Members' site visit.

Statutory Return Type:	(E)13 Minor Dwellings
Council Interest:	n/a
Net Additional Floorspace:	1027m ²
GLA Community	
Infrastructure Levy (CIL):	£61,620
Local CIL requirement:	£124,677

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 Crime & Disorder Act

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

1.0 SITE DESCRIPTION

- 1.1 The application site consists of a parcel of land located to the south of the former Anmer Lodge, the west of Burnell House and north of Buckingham House. The site currently comprises a hard surface car park for permit holders of the adjacent residential and commercial uses.
- 1.2 To the south of the application site is Buckingham Parade, a three storey building incorporating a mansard roof with commercial uses on the ground floor and residential uses on the upper floor. A commercial road serving the rear of the commercial units adjoins the application site immediately to the south. The refuse/cycle stores and designated blue-badge parking bays for some of the residential flats within Buckingham House East are located within the application site.
- 1.3 Sited adjacent to the north of the application site is Burnell House, a rectangular three storey detached building. Stanmore Library is located on the ground floor and residential flats (formerly offices) occupy the first and second floor and within the roof.
- 1.4 The application site is located within the Stanmore Town Centre and is within a Critical Drainage Area. The application site is also within the protected views setting corridor of Wood Farm Country Park
- 1.5 The application site has a public transport accessibility rating (PTAL) of 3

2.0 PROPOSAL

- 2.1 The application proposes a new five-storey building. As a result of the change in levels of the site, the proposal incorporates a lower ground and upper ground level. The lower ground level would feature the refuse and cycle bins, 19 parking spaces and a car lift. The proposed upper ground level would provide a further 16 car parking spaces.
- 2.2 The proposed first-floor would provide 336m² of commercial floorspace (Use Class E). Three residential units would be provided each within the second and third floors, two residential units on the fourth floor (including a duplex unit) and one residential unit on the fifth floor.
- 2.3 The proposed development would feature the following housing mix: 2 x 1 bed, two person units, 1 x 2 bed 3 person units, 4 x 2 bed four person units and 2 x 3 bed 6 person units.
- 2.4 The proposed building would have a broadly 'L-shaped' layout with staggered elevation projections on the south facing elevation. The proposed fifth floor would also be recessed and the proposed building would feature a flat roof profile.

- 2.5 A terrace/podium garden would be provided above the ground floor car park accessed by the commercial unit and entrance on the first floor. The overhang of has been removed during the course of the application. The proposal would also provide a pocket garden to the north-west part of the application site adjacent to the substation.
- 2.6 The proposed development would re-provide 15 car parking spaces related to the existing leases for commercial uses within Buckingham Parade. Furthermore, the proposal would provide 11 parking bays, 68 cycle spaces and refuse storage for the residential units within Buckingham House which are currently provided on the application site. The proposal would provide 7 parking spaces for the new flats and 2 parking spaces for the proposed commercial use.
- 2.7 Following the previously refused scheme, the proposal seeks to provide the primary pedestrian access via the service road which adjoins the site along the southern boundary of the site. During the course of the application, amendments have been made to the design of the access route including a uniform paving material to slow traffic and make the road a pedestrian priority, introduction of a turning head and remove the curved path towards the north-west of the application site. Minor internal amendments have been made to the layout of some of the flats and external fenestration details. The curved suspended decking serving the commercial unit has also been removed.
- 2.8 The previous application was previously refused because of the poor primary residential access to the site and the failure of the proposal to optimise the housing potential of the site through an inefficient layout and housing mix. The subject application therefore seeks to address these reasons for refusal.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
P/5253/19	Development Of A Five-Storey Building To Provide 302 Sqm Commercial Office Space (Use Class B1A) Nine Residential Dwellings (Use Class C3) Undercroft Parking Refuse And Cycle Storage And Landscaping.	Refused: 25/02/2020 Appeal Dismissed: 02/12/2020
<p>Reasons for Refusal:</p> <ol style="list-style-type: none"> 1. The proposed development, by reason of its location and the unsuitable pedestrian access to the site, would fail to provide a high standard of design and layout for the development, fail to meet the objectives of lifetime neighbourhoods and would not create safe, secure and appropriately accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion, to the detriment of the living conditions of the future occupiers of the 		

proposed residential units, contrary to the high quality design aspirations of the National Planning Policy Framework (2019), policies 3.5, 7.1, 7.3, 7.4 and 7.6 of the London Plan (2016), Policy CS1E of the Harrow Core Strategy (2012), Policies DM1, DM2 and DM22 of the Harrow Development Management Policies Local Plan (2013), the adopted Supplementary Planning Document: Residential Design Guide (2010) and the Mayors Housing SPG (2016).

2. The proposed development, by reason of its housing mix and inefficient layout, would fail to optimise the housing potential of the site and therefore undermine the Council's strategic objective to provide the maximum reasonable level of affordable housing to the Boroughs housing stock. The proposal therefore fails to address the key aims of Policies 3.11 and 3.13 of the London Plan (2016), Policy CS1J of the Harrow Core Strategy (2012), Policy DM24 of the Development Management Policies Local Plan (2013) the Mayors Housing SPG (2016), the Mayors Affordable Housing SPG (2017) and adopted Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

Relevant Planning History on Adjacent Sites

P/0412/14	Redevelopment of Anmer Lodge & Stanmore car park site in four blocks of various heights: block a to provide 1,692 sq. m (gross) food retail store (class a1) with ancillary café and 3-5 storeys of flats over; block b to provide multi storey car park and 3-4 storeys of flats over; block c to comprise 3-6 storeys of flats with undercroft parking; block d to comprise 2-4 storeys of houses and flats with surface car parking; basement car park below blocks a & b; total 120 dwellings (class c3) (resident permit restricted); 294 car parking spaces (comprising 151 replacement spaces, 50 spaces for the food store and 93 spaces for residents), 8 motorcycle spaces and 144 cycle spaces; access from Dennis lane and Coverdale close. proposal also includes combined heat & power plant; landscaping & roof gardens; diversion of water culvert; works to provide temporary replacement town centre car park (minimum of 151 spaces) and demolition of Anmer Lodge	Grant: 22/08/2014
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P/0514/15 (Buckingham House West)	Conversion of offices on first and second floors (class b1a) to 10 self-contained flats (class c3) (prior approval of transport & highways impacts of the development and of contamination risks and flooding on the site)	Grant: 13/03/2015
P/1470/17/Prior (Burnell House)	Conversion of first and second floor offices (class b1a) and roof void to 39 self-contained flats (class c3) (prior approval of transport & highways impacts of the development contamination and flooding risks on the site and impacts of noise	Grant: 07/07/2017
P/4904/17 (Buckingham House East)	Creation of third floor to provide additional nine flats (use class c3); external alterations	Grant: 18/06/2018
P/2888/18/Prior (Buckingham House East)	Conversion of offices (class b1) on part first floor and second floor to 23 self-contained flats (class c3) (prior approval of transport & highways impacts of the development and of contamination risks and flooding risks on the site and impacts of noise	Grant: 21/08/2018

4.0 **CONSULTATION**

- 4.1 A total of 161 consultation letters were sent to neighbouring properties regarding this application on 12th October 2020. A re-consultation was also undertaken on 4th November 2020 for minor amendments made to the proposal during the course of the application.
- 4.2 Two general site notices were placed outside the application site on 15th October 2020
- 4.3 A total of 43 objections by neighbouring residents and a petition with 47 signatures from the occupiers of Buckingham House East and West have also been submitted. A summary of the responses received are set out below with officer comments in Italics:

Summary of Comments on original consultation

Character and Appearance:

over-intensification, too large, massing is far greater than necessary, protected view from wood farm could be compromised, overdevelopment, out of character; site not designated for development; better access required for main access; previous refusal for access remains valid;

These comments have been addressed within the report.

Residential Amenity:

loss of light/outlook, overshadowing, loss of privacy, noise during construction/servicing, smell/smoke/gasses from hazardous materials used in construction and health implications, pollution, impact on Burnell House not adequately assessed in daylight and sunlight assessment; limited view to park will be lost; noise impact working from home; eyesore; will prevent individuals 'right to light; angled windows on facing Notting Hill Development but not towards Burnell House; use of terraces for storage or laundry will have a further negative impact on local residents

These comments have been addressed within the report.

Trees/Landscaping and Environment:

loss of trees and green space; will damage environment; increased carbon footprint; increased energy use and carbon footprint of Burnell House residents; increased carbon footprint; adjacent residents benefit from solar gain and which will result in increase in energy bills; air/noise/rubbish pollution

As noted within the report, conditions are required for biodiversity enhancements. The potential impacts on the energy use within Burnell House is acknowledged, but currently this is obtained through 'borrowed light' beyond the application site by virtue of the absence of development within the application site. This therefore should not be a determinative factor and would not be weighed against the benefits of the subject proposal. It is not likely that the proposal would generate more air/noise/rubbish pollution than any other development of a similar size

Traffic and Parking:

more congestion and traffic, extra parking on surrounding roads, impact on highway safety for service access points, no contingency arrangements if car lift fails, parking spaces for leaseholders on site would be affected; not enough turning space for delivery vehicles; More congestion on Stanmore; parking an issue in the area; no where for residents to park with leases during construction; *The Council's Highways Officer is satisfied with regard to the impact of the proposal on parking stress on adjacent roads and parking/cycle provision on site. The relocation of leased spaces during construction is a civil matter*

Other:

devalue property value, risk of antisocial behaviour/crime, not demonstrated adequacy to deal with fire tenders/fire assembly points, at the time of purchase estate agent said no further buildings would be built; Stanmore will become more congested and people will stop using shop and facilities leading to business closures; density yields are disingenuous as they do not account for inefficiency of re-providing the existing facilities; should wait for the planning appeal decision first; flats in Buckingham house not consulted; site could provide more efficient development and affordable housing; no need for additional residential and commercial space

The impact of the development on property value is not a material planning consideration; the impact on crime has been detailed within the report; the requirement to meet with fire regulations is a matter for building control; the council did notify the relevant statutory consultees and site notices were placed

in the vicinity, the proposed car/cycle and refuse facilities serving Buckingham House would be reprovided on site; there is no sustained evidence that the proposal would lead to reduced vitality of Stanmore town centre; officers consider that the applicant has satisfactorily addressed the reasons for refusal of the previous application and therefore it is not necessary to wait for the appeal decision before determining this application;

4.4 Statutory and Non-Statutory Consultation

4.5 The following consultations have been undertaken and a summary of the consultation responses received are set out below.

Consultee and Summary of Comments

LBH Highways

The site is currently operating as a car park serving the commercial properties fronting The Broadway and providing residential spaces for some flats above these businesses. The proposal seeks to re-provide the 27 leased commercial and residential spaces within the proposed car park and provide a further 8 spaces for the new development. This is broadly acceptable as the existing spaces do not directly relate to the new proposals; it must however be made clear that the 27 spaces are to be used for the intended purpose only and are not transferable to the new development uses.

The existing car park is adjacent a general servicing area at the rear of shops – deliveries and refuse collections take place along the access road. The proposal seeks to improve the service road by introducing a raised shared surface with a dedicated pedestrian path which also includes an improved pedestrian link from the site to the The Broadway. It is most important that safety around manoeuvring HGV's is achieved. The access road must be a minimum of 4.8m to be acceptable as a shared surface in line with Harrow's Street Design Guide, however it is indicated that it reduces to 4.5m in places.

Furthermore, the adjacent former Anmer Lodge site has an obligation for highway works to be undertaken on the service road outside of this development site, therefore, it will be necessary to ensure that the design of the road layout can tie in with the highway works. At this stage, nothing has been formally designed but it is considered relevant to note the requirement.

The travel plan statement indicates that the development will be car free however, the Transport Statement includes 8 car parking spaces for the new development – either is acceptable but requires some clarification on how spaces are to be allocated if provided. If any are for the office, some should be disabled bays. The location of spaces for each use need to be set out in a car park design and management plan – this also needs to show where active EV charge points are located and where passive provision will be plus how these can be activated should demand increase and how parking will be managed and enforced.

More detail on the proposed cycle parking facilities is required. The short stay for all elements of the proposal should be near to the entrances and ideally, should not be combined with the long stay as public access to the long stay would not provide appropriate security. The type of stands to be provided need to be identified and must include 5% accessible stands; plans must show the access routes, door openings and dimensions.

Following the road safety audit which has been undertaken, the revised layout is considered acceptable.

LBH Urban Design Officer

It is welcome to see consideration in massing and outlook for the pending Notting Hill Housing development immediately east of site. This will shape both how the site public realm is used and the built character of the wider backland area. The mix of unit sizes within the residential component is highly welcome and will aid a diverse and heterogeneous social mix within the flatted block. The stepped element to commercial and secondary residential entrances with glass balustrade cannot be supported. These entrances should be at-grade or ramped and well-knitted into the surrounding public realm. The primary residential entrance is well considered with a generous dwelling space upon entrance and unique setts delineating this space as the main entrance.

The curved suspended decking is an unsuccessful element of the scheme and feels detached from the form of the building itself. Its curved form and relationship to the main massing should be revised and reduced. Retention of an inaccessible flat roof to rear of commercial unit is appropriate in mitigating noise and privacy issues for residential units and amenity spaces above. Second floor residential units are well considered internally regarding circulation, outdoor space and dual aspect elements however there is concern as to the predominance of north and north-west aspect windows. Additionally, concern exists regarding the type of obscured glazing treatment to south-facing windows.

The use of a glass balustrade at ground floor level to surround the commercial and secondary residential entrances is inappropriate. The applicant is encouraged to use this sparingly as a motif for the rest of the development elevations as at present there is little visual interest to remaining elevations. Material choices for public realm, entrances and signage are of high quality and successful.

The applicant should ensure that biodiversity net gain is achieved on site through generous planting and opportunities for green/ brown roofs where suitable. The applicant should also at this stage consider a fabric first approach and the energy efficiency of the building envelope itself as well as opportunities to greatly reduce construction embodied carbon.

LBH Landscape Officer

The proposed change to the main service road incorporating the primary pedestrian access, using a shared surface for pedestrians and vehicles make more sense than the previously proposed narrow, overshadowed access between Burnell House and 12 Buckingham Parade. The emphasis would need to be on making people feel safe and welcome in this constricted, back of buildings space by creating a well-designed, high quality space that somehow creatively thinks about and solves the issue of the rear, dead commercial facades and clutter and provides as much soft landscape as possible to visually filter the unattractive, cluttered views and create a visual amenity and sense of arrival. The access road must feel safe, pedestrians must feel they have priority and there should be no or limited conflict with vehicles going in and out, turning, loading and unloading or parking. The revised proposals are welcome and it would be for the detailed design to create a high quality environment. Soft landscape is desirable to soften the development, in the small available spaces and should be proposed where it can realistically survive, thrive and be maintained and contribute greenery to the development. If you are minded to approve the application, hard and soft landscape conditions would be required.

LBH Drainage

We can confirm that the FRA submitted is satisfactory. No objection subject to conditions

Secure By Design Officer

Serious consideration must be given to crime and anti-social behaviour at the proposed development site. I have meet with the architects and they have made several changes to the original plans to support obtaining a Secured By Design accreditation. The car park will need to be secured for the private car parking company to manage.

I am concerned that the upper level car park exit and entrance is shared with either the south residential stairs and lifts or the commercial entrance core. I advise that the door to the south residential core is a fire escape only, and that door is alarmed. Therefore the only exit and entrance is via the commercial entrance. The mixture of both the new developments and the Buckingham House refuge storage is not ideal. However if the council are happy with this it will not affect SBD requirements.

A full list of security requirements and security product standards can be sent to the developers once planning permission has been approved.vl also advise that the privately run car park, would benefit from having to obtain and maintain a Park Mark safer parking scheme award.

If planning is granted I would strongly advise that a Secured By Design accreditation be part of the planning conditions for this development

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 considered against the adopted London Plan (2016) policies, significant regard has also been given to policies in the Publication London Plan (2020), as this will replace the current London Plan (2016) when published and form part of the development plan for the Borough.

5.5 The Publication London Plan was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report received in October 2019. The Secretary of State issued two sets of directions on policies in the subsequent London Plan (Intend to Publish Version) (2019). The Mayor of London has accepted the Secretary of State directions and has now sent the Publication London Plan (2020) to the Secretary of State for final approval to publish. As such, the entire Plan can be given significant weight. The Secretary of State has until the 1st February 2021 to either agree the Plan or issue further directives. Should the Publication London Plan (2020) be agreed by the Secretary of State, the Mayor of London will be in a position to publish it, thereby superseding the London Plan (2016) and giving it full weight as part of the Council’s development plan.

5.6 The Publication London Plan (2020) 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 the Development
- Housing Density and Unit Mix
- Design, Character and Appearance of the Area
- Residential Amenity and Lifetime Neighbourhoods

- Transport and Parking
- Flood Risk and Drainage
- Biodiversity and Sustainability

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 2.8, 3.8
- The Publication London Plan (2020): GG2, H1
- Harrow Core Strategy (2012): CS1A
- Harrow Development Management Policies (2013): DM40

6.2.2 Harrow's Core Strategy establishes a clear vision for the management of growth in the Borough over the Local Plan period (to 2026) and a framework for development in each district of the Borough. Policy CS1(A) directs growth to the Harrow and Wealdstone Opportunity Area and throughout the rest of the borough, within town centres and strategic, previously-developed sites.

6.2.3 Furthermore, the regional policy context (policy H1 of the draft London Plan) requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites with particular focus on sites with existing access levels (PTALs) 3-6 which are located within 800m distance of a station, and redevelopment of car parks and low-density retail parks and supermarkets as a source of capacity.

6.2.4 The application site is within Stanmore Town Centre and is regarded as previously developed land. The proposed mixed use development would therefore accord with the strategic objectives of the development plan and the proposed commercial floorspace would contribute to the functioning and vitality of the Town Centre. Officers therefore consider the principle of development to be acceptable.

6.2.5 The existing commercial and residential occupiers of Buckingham House have existing lease arrangements for the car park spaces. Furthermore, it is noted that the application site also formed the location for the cycle and refuse stores for the previously approved residential uses that are detailed in the planning history. The submitted application details that the proposed quantum of cycle and refuse storage space would be reprovided within the development. Furthermore, while the proposal would see a reduction in existing car parking spaces, the application has demonstrated that the number of spaces required as a result of existing lease arrangements (26 car parking spaces) would be provided. This is considered to be acceptable.

6.2.6 While the proposed development would be sited adjacent to the shared boundary with the allocated Anmer Lodge and Stanmore Site, the massing and layout of the development has been designed in response to the implemented planning permission. The upper floors would be sited away from the boundary and would only feature one habitable room window directly facing that site. Officers are

therefore satisfied that the proposed development would not prejudice future development on that site or frustrate the delivery of adopted plans, in accordance with Policy DM1 of the Harrow Development Management Policies.

6.2.7 For these reasons, the proposal would accord with the relevant policies in this regard.

6.3 Housing Density and Unit Mix

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.4 3.8
- The Publication London Plan (2020): GG4, H1, H4, H5, H6, H10
- Harrow Core Strategy (2012): CS11,
- Harrow Development Management Policies (2013): DM24

6.3.2 The London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026.

6.3.3 The proposed development would contribute to the boroughs housing need over the plan period to 2026 by providing a further 9 residential units. London Plan Policy 3.4 seeks to optimise housing output from development by applying the sustainable residential quality density matrix at Table 3.2 of the Plan. Supporting text to the policy makes it clear that the density matrix is only the start of planning for housing development and that it should not be applied mechanistically. Further guidance on how the matrix should be applied to proposals is set out in the Mayor's Housing SPG (2012).

6.3.4 The application site area is 0.07 hectares and it has a public transport accessibility level (PTAL) score of 3 indicating a moderate level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have an urban setting. Although the proposed units per hectare and habitable rooms per hectare would fall within the density matrix of the London plan, as noted above, the matrix is only the starting point for considering the density of development proposals.

6.3.5 The second reason for refusal in the preceding application related to the housing mix and inefficient layout which did not optimise the housing potential of the site. In the planning appeal provided in Appendix 5, it is noted that the Planning Inspector found the housing mix to be acceptable for the preceding application. Notwithstanding this, the subject proposal has amended the housing mix to provide a commensurate mix with its Town Centre designation. Officers consider that the revised housing mix would be acceptable. The proposal would therefore accord with the relevant policies in this regard.

6.4 Design, Character and Appearance of the Area

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.4, 7.6, 7.8, 7.12
- The Publication London Plan (2020): D1, D3
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1, DM3

6.4.2 The layout, massing and scale and design of the proposed development is identical to the preceding application which officers considered to be acceptable. The visual and townscape quality of the existing site is low given its 'backland' siting and function as a car park. The proposed layout of the development and its massing and height would be acceptable with the existing and emerging built context.

6.4.3 In terms of design, the proposal would feature numerous set-backs that would break up the mass to ensure that the development does not appear overly bulky and unremitting. Furthermore, the proposal has been amended to remove the curved suspended decking which would enhance the appearance of the building and emphasise the articulated facades. In terms of architectural appearance the proposed building would be predominantly finished in brick. The car park would be partly obscured by perforated decorated metal screening. Officers consider that the proposed architectural detailing would create visual interest and articulate the façade in a way that sympathetically relates to, and compliments the context of the site.

Locally Protected Views and Vistas

6.4.4 The application site falls within the protected views setting corridor of Wood Farm Country Park. The submitted design and access statement shows a section of the protected view. The proposed building would only be marginally higher than Burnell House and Buckingham House and similar in height to Block A of the adjacent Notting Hill Genesis development. On this basis, officers consider that the proposal would not harm the protected view and their landmark elements. The proposal would therefore accord with the relevant policies in this regard.

Landscaping

6.4.5 The existing site is dominated by hardstanding. As detailed in the residential amenity and lifetime neighbourhoods subsection, the proposed primary access route proposed would be capable of support by officers, subject to further detailed design. The intention of a high-quality hard surface materials to reinforce the pedestrian priority of the access is acknowledged. The proposed soft landscaping would be relatively modest in size, but would nonetheless provide an enhancement to the existing provision.

6.5 Residential Amenity and Lifetime Neighbourhoods

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.6,
- The Publication London Plan (2020): D5, D6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1, DM27
- Mayor's Housing SPG (2016)

Neighbouring Occupiers

6.5.2 In the preceding application, officers considered that the impact of the proposal on the residential amenities of the adjoining occupiers would be acceptable. The layout, massing and fenestration details are broadly similar to the preceding scheme.

6.5.3 Given that the existing site is a car park and owing to the absence of built form, the neighbouring occupiers benefit from a largely open view from the respective south south-east facing elevation of Burnell House and the north-west facing elevation of Buckingham House. Clearly, such a scale of development on a site with little/low-rise existing development will result in a significant change in outlook when viewed from these neighbouring residential flats. However visibility does not equate to harm.

6.5.4 In terms of separation distances, the proposed first-floor would be set-in 3m from the northern boundary, 20m to the south of Burnell House, between 12-19m away from the shared boundary with Buckingham House to the south and between 3-5m with the shared boundary to the east. These distances would also be retained at second floor level, although the proposed northern flank wall would be set in a further 1.5m away from the boundary owing to the provision of the inset terrace. The proposed third floor would feature a further recess to the southern elevation increasing the distance from 14-16m to 18-20m from the southern boundary. This recess would increase again at fourth floor level increasing to 21-23m for the southern flank wall. The proposed fifth floor would be set in further resulting in a separation distance of 5m to the northern boundary, 6m to the eastern boundary and 29m to the southern boundary.

6.5.5 The residential units facing the application site within Burnell House and Buckingham House are single aspect. However, it is important to note that these properties were predominantly converted from offices into residential flats through Class O of the Part 3 Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Under Class O, there was no consideration on the layout or quality of accommodation of the proposed residential units. Many of the flats therefore do not accord with the design standards set out in the London Plan and the Mayors Housing SPG as they are single aspect units. The siting of single aspect units towards the application site is considered to result in a poor relationship (for which the LPA had no control

over) and may unreasonably prejudice the ability to optimise the potential of the site for development in accordance with the spatial strategy for this town centre location.

- 6.5.6 It is noted that the closest distance between the proposed building and the respective habitable room elevation for Buckingham House would be approximately 12m. The majority of the building would be sited approximately 18m (or more) away from Buckingham House. A distance of 11m would be the minimum provided between the most western part of Building A of the approved Notting Hill development to the east of the application site. However, a separation distance of approximately 20m would be retained between the eastern flank wall of the proposed development and the recessed western flank wall of Building A (which would be the primary elevation for the flats). The proposed northern flank wall would be sited 20m from the south-eastern elevation of Burnell House. As detailed within the subsection on the character of the proposed development, it is considered that the staggered design of the building and articulation of the building would serve to provide some visual relief and would help to mitigate the perception of its bulk and massing. Taken together with the separation distances described above and having regard to the need to make effective and efficient use of this backland town centre site, it is considered that the visual impact of the proposed development would not be unacceptable
- 6.5.7 The private amenity space would be provided in the form of balconies. The proposed terraces in the north and west elevations would mainly be integral to the building. Open terraced balconies would be partly provided for flat numbers 6, 8 and 9. It is noted that a number of concerns have been raised by neighbouring residents in relation to the potential for overlooking and loss of privacy. It is noted that the balconies on the northern and western elevations would primarily be inset balconies. A minimum separation distance of 23m would be provided between the balconies on the northern elevation and Burnell House, and a distance of 21m-25m would be maintained between the western facing balconies and Buckingham House. The south facing terrace to Flat 8 would be sited approximately 12m away from the deepest part of Buckingham House East. Given the separation distances afforded, the orientation of the windows and balconies and within the context of a town centre location such as this, officers consider that the proposal would not have an unacceptable privacy relationship with the adjoining properties

Daylight and Sunlight

- 6.5.8 A number of consultation responses received by the occupiers of Buckingham House and Burnell House specifically raise concern at the potential loss of daylight and sunlight. The proposed development would be sited to the south-east of Burnell House, north/east of Buckingham House and to the west of Block A of the approved Notting Hill Genesis scheme.
- 6.5.9 A daylight and sunlight report has been included as part of the submission documents. The assessment uses a widely recognised methodology to assess the proposal's impact upon neighbouring property against British Research

Establishment (BRE) guidelines which is considered to be more appropriate for the assessment of the proposal's amenity impacts, pursuant to Policy DM1 of the Harrow Development Management Policies. The report assesses the potential impact on 80 windows within Buckingham House, 45 windows within Block A of the approved Notting Hill Genesis Scheme and 55 windows on Burnell House.

- 6.5.10 In relation to daylight impacts, the report concludes that all 180 windows achieve the recommended daylight targets and all 101 windows identified as facing within 90 degrees due south of the development would achieve the recommended sunlight targets. Having considered the conclusions of the submitted report, officers are satisfied that the proposal would not have a detrimental impact on the daylight or sunlight of adjoining occupiers.

Noise and Disturbances

- 6.5.11 The subject site has been in use as a car park. The adjoining residential properties within Buckingham House and Burnell House are comparatively new (having been converted post 2015). The proposed development would reduce the number of parking spaces within the site and the car park itself would be rationalised occupying a smaller area and screened by perforated decorative metal. It is therefore considered that the noise associated with the comings and goings of motor vehicles would be reduced. The noise and disturbances that may be experienced as a result of the residential/commercial use and the proposed comings and goings from the site would be similar to that experienced within the site and would be expected within a town centre location such as this. On this basis, officers are satisfied that the proposed development would not have an unduly harmful impact on the residential amenities of the adjoining occupiers in this regard

Residential Quality of Proposed Development

- 6.4.12 The proposed flats would adhere to or exceed the minimum space standards. All the flats would be dual aspect and therefore benefit from acceptable levels of light and outlook and would feature the minimum quantum of private amenity space. Officers consider that the proposed flats would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

Lifetime Neighbourhoods and Secure by Design

- 6.4.13 In the preceding application, the primary pedestrian route to the application site (between Buckingham House and Burnell House) was considered to be unacceptable and constituted a reason for refusal. This reason for refusal was upheld by the Planning Inspector and the appeal was subsequently dismissed on this basis. The subject application has sought to address this by utilising the existing service road to the south of the existing car park as the primary pedestrian route. It is acknowledged that the existing service road is used by vehicles to service the adjacent commercial units and that cars are found to be parked on the side of that service road. However, the red line of the application

site captures the service road and therefore, the proposed amendments and implementation of any proposed landscaping measures would be in the control of the applicant.

- 6.4.14 The applicant has undertaken a road safety audit and detailed design assessment to ensure the proposed access road would have a pedestrian priority. Key behavioural principles include the paving type to be used, high quality external lighting and a speed reduction along the road, to ensure that it works as a genuine shared surface with pedestrian priority. A new residential entrance is also proposed to the south-east corner of the building adjacent to the shared boundary with the Notting Hill Scheme. This would ensure that the proposed residents would have to travel the minimum distance along the shared surface (from the link road to The Broadway) in order to access the entrance. This is a positive amendment. The Council's Highways Officer has reviewed the proposal and is satisfied with the findings and suggested layout following the road safety audit. Furthermore, the Council's Urban Design Officer and Landscape Officer consider this to be a more suitable approach than that proposed for the preceding scheme. Subject to appropriate conditions, the proposal would accord with the relevant policies in this regard.
- 6.4.15 The application was referred to the Metropolitan Police Secure by Design Officer who provided some suggestions relating to the layout and access of the car park and bin/cycle stores. These have subsequently been amended in line with the comments during the course of the application. A condition is included to ensure that the development would achieve Secure by Design Accreditation. Subject to this, the proposal would be acceptable in this regard.

6.5 Traffic and Parking

- 6.5.1 The relevant policies are:
- National Planning Policy Framework (2019)
 - The London Plan (2016): 6.3, 6.9, 6.13
 - The Publication London Plan (2020): T4, T5, T6, T6.1
 - Harrow Core Strategy (2012): CS1
 - Harrow Development Management Policies (2013): DM42, DM44, DM45
- 6.5.2 The application site is has a PTAL rating of 3. The surrounding roads are subject to a Controlled Parking zone which restricts on-street parking in the dedicated bays to permit holders or are pay and display bays relating to the Town Centre. The service road within the application site service the commercial units within Buckingham House. It was observed during the officer site visit that the service road was in active use.
- 6.5.3 The application was referred to the Council's Highways officer who has advised that the level of provision (and reprovision) of parking and cycle spaces would be acceptable. Subject to conditions securing a car park design and management plan, details of cycle storage, a delivery and servicing plan and a construction logistics plan, the Council's Highways Officer has raised no objection to the proposal. On this basis, officers are satisfied that the proposal would not have a

detrimental impact on the safety or functioning of the highway or pedestrian safety.

6.6 Flood Risk and Drainage

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.12, 5.13, 5.14
- The Publication London Plan (2020): SI12, SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM9, DM10

6.6.2 A Flood Risk Assessment has been submitted with the application. The Council's Drainage Engineer has reviewed the proposal and raised no objection to the proposal, subject to appropriate conditions and Land Drainage Consent to undertake any works within 5m of the watercourse. The proposal would therefore comply with the relevant policies in this regard.

6.7 Biodiversity and Sustainability

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.19, 7.21
- The Publication London Plan (2020): G6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM20, DM21, DM22

6.7.2 The site represents a place where biodiversity could be enhanced and further details are required with regards to the green roof, planting, bird/bat boxes to ensure the biodiversity gain will be delivered in accordance with the above policies. Officers are satisfied that this can be addressed through appropriate conditions.

6.7.3 The application is accompanied by an Energy Strategy which detailed the proposal would incorporate high performance building fabric and energy efficient lighting, services and controls to reduce energy demand for space heating, cooling, ventilation and lighting. Passive measures will also reduce energy demand and Air Source Heat Pumps would be used for space and hot water heating. On this basis, it is considered that the proposed energy strategy would be consistent with the relevant policies and would be acceptable in this regard.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposal would respond to the strategic objective of optimising the potential for growth on sustainable brownfield sites within Town Centre locations. The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.
- 7.2 Given the Town Centre location of the application site, officers are satisfied that the proposal would maintain an appropriate quality of residential amenity for the adjoining occupiers. The proposal would enhance biodiversity on the site, provide sustainable urban drainage measures, improve access routes and provide high-quality hard and soft landscaping. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.
- 7.3 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

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

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

2. Approved Plans and documents

Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

DC-052-PL-0001, DC-052-PL-0002, DC-052-PL-0003, DC-052-PL-0200, DC-052-PL-0201, DC-052-PL-0202, DC-052-PL-0203, DC-052-PL-0100, DC-052-PL-1100 Rev C, DC-052-PL-1101 Rev B, DC-052-PL-1102 Rev B, DC-052-PL-1103 Rev A, DC-052-PL-1104 Rev A, JM-052-PL-1105 Rev A, DC-052-PL-1106 Rev A, DC-052-PL-1107 Rev A, DC-052-PL-1108 Rev C, DC-052-PL-1110 Rev A, DC-052-PL-1112, DC-052-PL-1113 Rev C, DC-052-PL-1201 Rev A, DC-052-PL-1202 Rev A, DC-052-PL-1203 Rev A, DC-052-PL-1201 Rev A, DC-052-PL-1311 Rev A, DC-052-PL-1312 Rev A, Odour Appraisal (16 December 2019), Phase 1 Land Quality Assessment (March 2019), Residential Travel Plan Statement (August 2020), Transport Statement August (2020), Daylight, Sunlight and Overshadowing Assessment (August 2020), Flood Risk Assessment and SuDS Strategy (August 2020), Acoustic Design Impact (13 August 2020), Planning Statement (August 2020), Design & Access Statement (version 01), Energy Statement (December 2019), Sustainability Statement (December 2019), Construction Logistics Statement (27/08/2020), Transport Note (22nd October 2020)

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

3. Construction Logistics Plan

No development shall take place until a demolition and construction logistics plan has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall detail the arrangements for (but not limited to):

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in construction the development;
- the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- wheel washing facilities; and
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

- measures for the control and reduction of dust
- measures for the control and reduction of noise and vibration.

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

REASON: To ensure that the transport network impact of construction work associated with the development is managed, measures are put in place to manage and reduce noise and vibration impacts during construction and to safeguard the amenity of neighbouring occupiers. Details are required prior to commencement of development to ensure a satisfactory form of development.

4. Site Levels

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

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

5. Surface Water Attenuation and Disposal

No development shall take place until surface water attenuation and storage works and the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter. The applicant should contact the Harrow Infrastructure Team at the earliest opportunity.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited. Details are required prior to commencement of development to ensure a satisfactory form of development.

6. Foul Water Disposal

The development hereby permitted shall not commence until works for the disposal of sewage have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter. The applicant should contact Thames Water Utilities Limited and the Harrow Infrastructure Team at the earliest opportunity.

REASON: To ensure that adequate drainage facilities are provided. Details are required prior to commencement of development to ensure a satisfactory form of development.

7. Drainage Maintenance and Permeable Paving

No development shall take place until full details of permeable paving and details relating to the long-term maintenance and management of the on-site drainage has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out and thereafter be managed and maintained in accordance with the plans so agreed.

REASON: To ensure that the development achieves an appropriate surface water run-off rate in this critical drainage area and to ensure that opportunities drainage measures that contribute to biodiversity and the efficient use of mains water are exploited. Details are required prior to commencement of development to ensure a satisfactory form of development.

8. Car Park Design and Management Plan

The Development hereby permitted shall not commence until a detailed Car Park Design and Management Plan has been submitted and approved in writing by the Local Planning Authority. This shall also include parking enforcement measures that will be applied to ensure that no parking will take place on the shared surfaced road proposed, The development shall be carried out and thereafter be managed and maintained in accordance with the plans so agreed for the lifetime of the development.

REASON: To ensure that the proposed design and management for the car park accords with the requirements of highway safety and sustainable transport. Details are required prior to commencement of development to ensure a satisfactory form of development.

9. Landscaping

Notwithstanding the details shown on the approved plans, the development hereby approved shall not commence until a scheme for the hard and soft landscaping of the development, to include details of the planting and hard surfacing material within the site boundary including the access routes proposed within the application site, has been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The scheme shall also include details of the boundary treatment. The development shall be carried out in accordance with the approved scheme or any amendment or variation to it as may be agreed in writing by the local planning authority, and maintained in accordance with the approved scheme.

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

10. Materials

Notwithstanding the details shown on the approved drawings, the development hereby approved shall not progress above damp proof course level until:

- details and samples of the materials to be used in the external surfaces of the buildings (facing materials for the buildings, windows/ doors/ curtain walling, balconies including privacy screens and balustrades, entrance canopies), hard surfaces, and any means of enclosure;
- drawings to a 1:20 metric scale to show typical details of the elevations from all sides and the slab thickness of roof parapets;
- boundary treatment
- has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the details, samples and drawings so agreed and shall be retained as such thereafter.

REASON: To ensure that the development provides a high-quality finish and enhances the character and appearance of the area.

11. Lighting Strategy

The development hereby approved shall not progress above damp proof course level until details of the lighting of all public realm and other external areas (including buildings) within the site has first been submitted to the Local Planning Authority in writing to be agreed. The details shall include details of the intensity of light emissions (including the surface area to be illuminated), detailed drawings of the proposed lighting columns and fittings and any measures for mitigating the effects of light pollution. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

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

12. Biodiversity Enhancement

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

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

assessment of the sustainability of the roof to ensure adequate water provision/retention

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

REASON: To enhance the ecology and biodiversity of the area

13. Landscape management and maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the soft and hard landscaping within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

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

14. Landscape implementation

All hard landscaping shall be carried out prior to the occupation of any part of the development or in accordance with a programme that has been submitted to the Local Planning Authority in writing to be agreed. All soft landscaping works including planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out no later than the first planting and seeding season following the final occupation of the residential parts of the buildings, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged, diseased or defective, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity

15. Delivery and Servicing Plan

No part of the development shall be first occupied until a Delivery and Servicing Plan, covering both the residential and non-residential elements of the development has first been submitted to the Local Planning Authority in writing to be agreed. The revised Delivery and Servicing Plan shall include full details of

the onsite Refuse Management Strategy. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter. All deliveries and servicing associated with the development shall be carried out only in accordance with the approved details.

REASON: To ensure that the transport network impact of deliveries associated with non-residential uses within the development are managed; the development achieves a high standard of residential quality for future occupiers of the development and provides a high quality, safe and attractive public realm

16. Secure by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority to be agreed in writing, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented and the development shall be retained in accordance with the approved details.

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

17. Cycle Provision

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

REASON: To ensure appropriate cycle provision.

18. Refuse storage

The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing plans.

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

19. Contamination

If, during development, contamination not previously identified is found to be present at the site then no further construction of the development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unanticipated contamination is to be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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

20. Noise Levels

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

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

21. Air Extraction system

No air extraction system shall be used on the premises until a scheme for the control of noise, fumes and odours emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

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

22. Class E Use Restriction

The premises shall be only be used for offices as detailed for the purposes specified in the application and for no other purpose, including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: To safeguard the amenity of neighbouring residents and the character of the locality and in the interests of highway safety

23. Non-residential opening hours

The non-residential use hereby approved shall only be open between: 08:00am and 20:00pm on Mondays to Saturdays unless otherwise agreed in writing by the local planning authority.

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

24. Non-residential Delivery Hours

Deliveries to the non-residential use within the development shall take place only between the hours of 08:00 and 18:00 on Mondays to Fridays and between the hours of 08:30 and 13:00 on Saturdays. There shall be no non-residential loading or unloading on Sundays, Public or Bank Holidays.

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

25. Accessible Units

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

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

Informatives

1. Planning Policies

The following policies are relevant to this decision:

The London Plan (2016): 3.1, 3.3, 3.5, 3.8, 4.2, 5.2, 5.3, 5.12, 5.13, 5.18, 6.3, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6

The Publication London Plan (2020): GG1, GG2, GG3, SD6, D1, D2, D3, D4, D5, D6, D7, H10, E1, HC3, G6, SI13, T3, T4, T5, T6, T6.1, T6.2

Harrow Core Strategy (2012): CS1

Development Management Policies DPD (2012): DM1, DM2, DM9, DM10, DM12, DM24, DM27, DM32, DM40, DM42, DM44, DM45

Supplementary Planning Document: Residential Design Guide (2010)

Mayor of Londons Housing Supplementary Planning Guidance (2016)

2. Considerate Contractor Code of Practice

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

3. The Party Wall etc. Act 1996

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

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,

and that work falls within the scope of the Act. Procedures under this Act are quite separate from the need for planning permission or building regulations approval. "The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236 Wetherby, LS23 7NB. Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236, Fax: 0870 1226 237, Textphone: 0870 1207 405, E-mail: Ucommunities@twoten.comU4T

4. 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 £61,620. This amount includes 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

5. Harrow Community Infrastructure Levy (provisional)

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

Harrow's Charges are:

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

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

Retail (Use Class A1), Financial & Professional Services (Use Class A2),

Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £124,677

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

The CIL Liability is payable upon the commencement of development.

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

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

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

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

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

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

The above forms should be emailed to 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

6 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.

7. Thames Water

The applicant is advised to contact Thames Water regarding confirmation of capacity within their system to receive the proposed discharge from the new development

8. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information

9. Compliance with conditions

Compliance with Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

10. Highways Interference

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

11. Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939. All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

CHECKED

Head of Development Management	Orla Murphy pp Beverley Kuchar 7.1.2021
Corporate Director	Paul Walker 7.1.2021

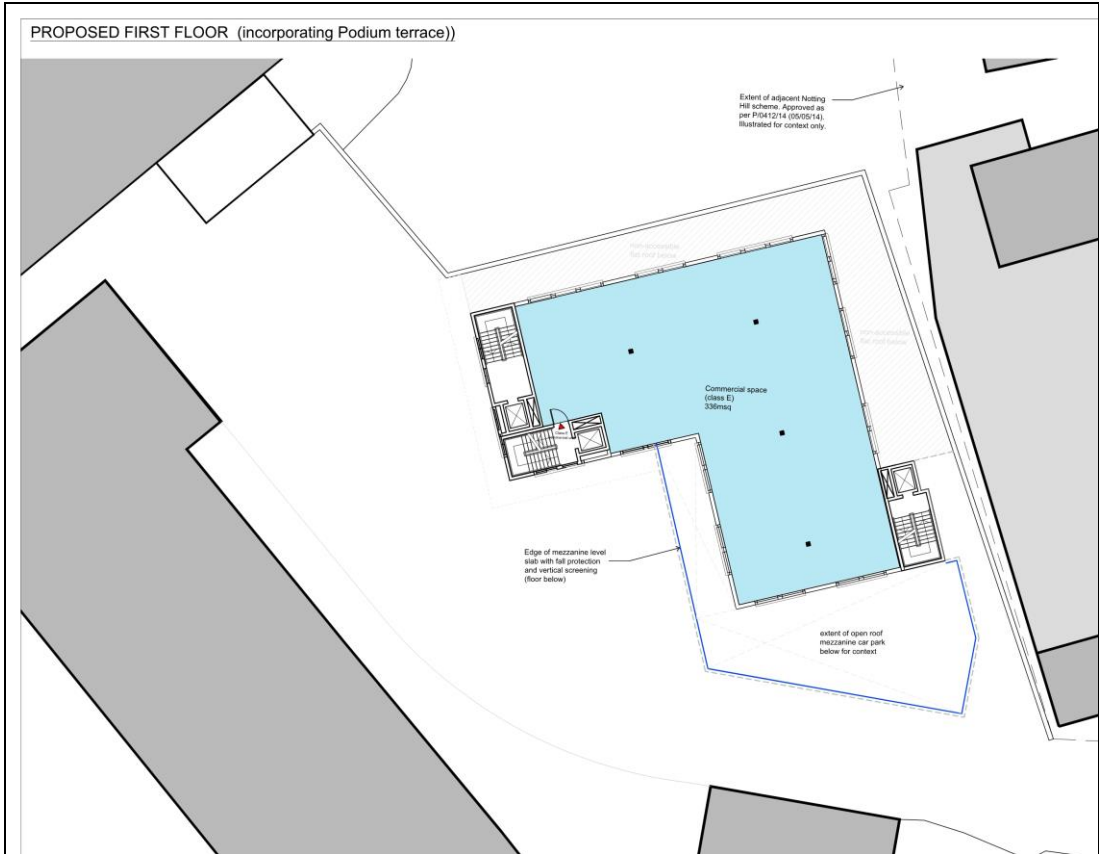
APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS



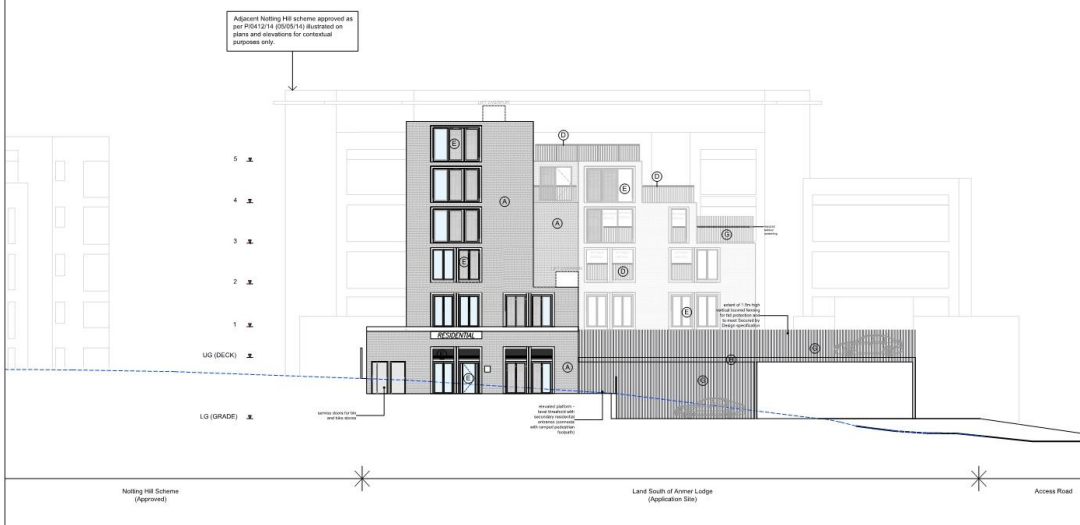




PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION



APPENDIX 4: Appeal Decision for application P/5253/19



Appeal Decision

Site visit made on 5 November 2020

by **Martin Chandler BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 December 2020

Appeal Ref: APP/M5450/W/20/3252162
Land South of Anmer Lodge, Stanmore HA7 4EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Design Collect Ltd against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/5253/19, dated 17 December 2019, was refused by notice dated 25 February 2020.
 - The proposal is the development of a five-storey building to provide 302sqm commercial office space (Use Class B1a), nine residential dwellings (Use Class C3), undercroft parking, refuse and cycling storage and landscaping.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Design Collect Ltd against the Council of the London Borough of Harrow. This is the subject of a separate decision.

Main Issues

3. The main issues are whether the proposal would:
 - i) provide suitable living conditions for future occupants, having particular regard to the proposed pedestrian access; and
 - ii) make efficient use of the site, having regard to the housing mix and the requirements of local policy.

Reasons

Living conditions

4. The appeal proposal would redevelop an existing car park to the rear of a parade of commercial units. The site forms part of a broader area in use as a car park, much of which already benefits from planning permission for redevelopment. Access to the proposal would be provided in two ways. Vehicular access would be provided from the existing access road to the car park and to the rear of the commercial properties. However, the principal pedestrian access would be provided via an existing footpath that provides access to Buckingham Parade and the commercial units associated with it.

<https://www.gov.uk/planning-inspectorate>

5. The footpath is bounded by the flank elevations of No 12 Buckingham Parade and Burnell House. These are tall and imposing buildings and as a consequence, the gap between them is proportionately small. Due to their height, depth, and the narrow gap between them, the buildings dominate the footpath, creating an imposing sense of enclosure. In addition, the adjacent buildings do not provide windows at ground floor level. Instead, Burnell House has a tall ground floor eaves height with no visual relief and No 12 Buckingham Parade has windows at first floor level. Accordingly, the footpath benefits from very limited natural surveillance. Due to the sense of enclosure and the lack of natural surveillance, the footpath is not a welcoming space and, in this regard, I note the comments from the Metropolitan Police in relation to violent crime and anti-social behaviour in the area.
6. The proposal would seek to make improvements to the footpath and has undergone an iterative approach in this regard. This would include improved landscaping, and the use of lighting, signage, and CCTV. Such interventions would soften the environment. However, they would not alter the dominant sense of enclosure provided by the two adjacent buildings. In addition, in the absence of the proposed development overlooking the footpath, they would not improve the natural surveillance of the space.
7. I note that the footpath already provides access for refuse and cycle storage areas for adjacent residents and that it also already provides access to the car park beyond. However, simply because the route is already used does not make it conducive to increasing its intensity. Even in an enhanced form, the footpath would be a narrow space between two imposing buildings with very little natural surveillance. As a consequence, the opportunities that it could provide for anti-social behaviour and other crime would not be satisfactorily reduced and the nature of the space would remain unwelcoming and uninviting for pedestrians. Accordingly, increasing the likely footfall would not be conducive to creating a safe and secure environment for future residents. This is a matter of fundamental concern to which I attach significant weight.
8. My attention has been drawn to perceived similarities with other development proposals in close proximity to the appeal site. However, it is apparent that the pedestrian access point is materially different to the Notting Hill scheme. That entrance is wider and is flanked by lower buildings and therefore the environment it would create would be demonstrably different. I do not have the full details of the Stanmore House access before me. Therefore, although I note the narrow pedestrian footpath, I am unable to give weight to any similarities. Finally, the London Borough of Redbridge Supplementary Planning Document is noted but this relates to a different borough and accordingly, I do not find it relevant to the appeal before me.
9. I also note that the proposal would provide an alternative pedestrian access. However, this would relate poorly with the existing vehicular access and service road, leaving pedestrians vulnerable and exposed to vehicular movements and the consequent safety concerns. Accordingly, it does not satisfactorily compensate for the shortcomings that I have identified above.
10. The appeal site is undoubtedly previously developed land that is located in a highly sustainable location and I note that the Council have raised no additional objections to the built form and site layout. I also have no reason to believe that the proposal would not generally relate well with the adjacent consent. All

of these matters weigh in favour of the proposal, indeed, as required by the National Planning Policy Framework (the Framework), I attach substantial weight to the value of using such land. However, for the reasons identified above, the proposal would fail to provide a safe, secure and appropriate accessible environment for future residents, which in my view, would give rise to significant and demonstrable safety concerns. This is a matter to which I attach a significant level of weight, and which outweighs the value of using previously developed land.

11. Accordingly, I conclude that the proposal would fail to provide suitable living conditions for future occupants. It would therefore fail to comply with Policies 3.5, 7.1, 7.3, 7.4 and 7.6 of the London Plan (2016), Policy CS1 of the Harrow Core Strategy (2012) (CS), Policies DM1, DM2, and DM22 of the Harrow Development Management Policies Local Plan (2013) (DMP), and guidance contained within the Residential Design Guide (2012) Supplementary Planning Document, and the Mayor's Housing Supplementary Planning Guidance (2016)(SPG). Taken together, these seek amongst other things, high quality development that creates safe, secure and appropriately accessible environments.

Housing mix

12. The appeal proposal would provide nine apartments and as a consequence, it would not trigger the requirements of Policy CS1 of the CS, which relates to proposals of 10 or more houses. Despite this, the Council raise concerns that due to the mix of the proposed apartments, as well as their proposed floor areas, the proposal could be reconfigured to provide more apartments and therefore, a commensurate level of affordable housing provision.
13. The mix of the proposed accommodation would provide 5 x 2 bed apartments, 3 x 3 bed apartments, and 1 x 1 bed apartment. In addition, many of the proposed apartments would exceed the minimum space standards required by local policy.
14. As identified by both parties, the appeal site is located in a highly sustainable location and as a consequence, it is the view of the Council, that the site would lend itself to a different housing mix with more smaller units. Despite this, their assertion has not been supported by information in relation to specific housing need in terms of size of units and proposed tenure. I do not doubt that a different internal configuration would enable a greater number of units to be provided which may facilitate some affordable housing. However, in the absence of substantive evidence, I have no reason to agree that it would be a necessary provision.
15. The Framework encourages the effective and efficient use of land. In this regard, the proposal would redevelop an area of previously developed land to provide both residential and commercial accommodation. In addition, the accommodation proposed would meet, and in some instances, exceed required floor areas. Accordingly, I have no reason to consider that the accommodation provided would not be of a high quality.
16. I am required to assess the appeal against the evidence presented before me, and on this basis, despite the perceived shortcomings of the Council, I have no compelling evidence before me to suggest that a different mix would be necessary in terms of housing need. I therefore conclude that the proposal

would make efficient use of the site and would therefore comply with Policies 3.11 and 3.13 of the London Plan (2016), Policy CS1 of the CS, Policy DM24 of the DMP, and guidance contained within the SPG, the Mayor's Affordable Housing SPG (2017), and the Planning Obligations and Affordable Housing Supplementary Planning Document (2013). Taken together, these establish affordable housing targets and thresholds and seek a housing mix which contributes to the creation of inclusive and mixed communities.

Other Matters

17. The proposal would make a small but useful contribution to local housing supply. In addition, it would bring with it economic benefits including the creation of new jobs and inward investment into the local economy. These matters weigh in favour of the proposal but do not outweigh the fundamental concerns that I have identified above.

Conclusion

18. I have found that the proposal would provide an acceptable housing mix that would contribute to local housing supply. This attracts some moderate weight in favour of the proposal. However, I have also found that the proposed pedestrian access would fail to provide a safe, secure and appropriately accessible environment. Accordingly, it would not provide suitable living conditions for future occupants and this is a matter to which I attach significant weight, and which outweighs the benefits of the proposal.
19. Accordingly, for the reasons identified above, the appeal should be dismissed.

Martin Chandler

INSPECTOR