

**HARROW COUNCIL**

**ADDENDUM**

**PLANNING COMMITTEE**

**DATE: 28<sup>th</sup> July 2021**

**AMENDMENTS TO MINUTES OF 30 JUNE 2021**

**328. Minutes**

Councillors Marilyn Ashton and Ajay Maru advised an amendment to the minutes of the meeting held on 9 June 2021 on declarations of interest. They were not Harrow Weald Ward Councillors where Agenda item 2/09, 328 High Road, P/4459/20 is located. Councillors Ashton and Maru had spoken to the proprietor of the restaurant when they had eaten there as customers.

**334. (a) 1/01, STANMORE AND EDGWARE GOLF CENTRE, P/3088/20**

The Committee resolved to defer the application, and that the applicant should submit the additional information by early August 2021 for the reasons for refusal to be further assessed by the Committee and the application to be considered at the 1st September 2021 Planning Committee meeting.

**ADDENDUM – PLANNING ITEMS**

<b>1/01</b>	<p><b><u>ADDENDUM ITEM 1:</u></b></p> <p>Technical Response to Consultation Comments document received from the applicant responding to points raised during the public consultation:</p> <ul style="list-style-type: none"> <li>• Note change to use class order (September 2020) and new legislation that has come into force since application submission</li> <li>• Summary of consultation responses provided</li> <li>• Response to consultation responses provided:             <ul style="list-style-type: none"> <li>○ Disagree with assertion that land is not brownfield land</li> <li>○ Stress that site is allocated for development in the Local Plan and the importance of the proposal in delivering new affordable homes in the Borough</li> <li>○ Adoption of new London Plan which stresses the need to optimise the potential for housing delivery, including on public section sites, PTAL 3-6 and redevelopment of car parks</li> </ul> </li> </ul>
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- Reduction in car parking - Provide justification for reduction in station car parking (surveys undertaken to determine appropriate level of parking; development prioritizing sustainable modes of transport and active travel; mitigation proposed, including Station Travel Plan)
- Reduction in parking for Wembley stadium - Stanmore Station car park is not part of Wembley's formal car parking offer and not advertised as such. Also, Wembley events are outside of peak demand periods for the station car park and so is likely to provide adequate capacity regardless
- Concerns about car free development – the site is highly accessible and suitable for a car free development. Mitigation is also proposed (Travel Plan; cycle parking; car club bay; TfL Cycle Hub; CPZ review and implementation contributions)
- Increase in traffic and congestion – Due to the residential development being car free, and the reduction in public car park spaces, the development will result in a reduction in daily vehicle trips.
- Step free access – not possible to include the lift within the station building due to the locally listed nature of the building.
- Height and massing fronting London Road – Proposal has been through a robust design process, is of a high quality design and provides a balanced response to the Landsby building on the opposite side of the station.
- Impact of Building A on the Conservation Area and locally listed station – The design responds to the Conservation Area. Historic England raise no objections.
- Quantum of play space and open space – the proposal provides improved public realm and play space in line with GLA requirements.
- Perceived overbearing and privacy - Various mitigation proposed to alleviate perception of overlooking.
- Impact on daylight – planning application supported by a comprehensive technical daylight and sunlight assessment. Some breaches to BRE requirements are identified but not considered to be detrimental.
- Noise and air quality – the development will not result in increase noise pollution due to reduction in car parking and car free development
- Flooding – The site is at low risk of flooding and the proposal significantly reduces surface water runoff which can be appropriately managed
- Ecological impact – In response to comment received in respect of the presence of slow worm on the site, the submitted Ecological Report considers this matter and concludes that the loss of a relatively small amount of habitat will have no significant effect on the local reptile population.
- Impact on local infrastructure – funding towards necessary infrastructure, required to support the Local Plan housing requirement, is secured through the Community Infrastructure Levy.
- Crime and anti-social behavior – The proposal will help to address crime and anti-social behavior through increased natural surveillance. Secured

by Design can be secured by condition. CCTV is proposed covering the Block A entrance and seating proposed adjacent to the station has been removed.

Officer response:

- The Technical Response to Consultation Comments document has been provided by the applicant to respond to points made during the public consultation and not to provide new information or make amendments to the proposal. As such, these matters are addressed in the committee report.
- The following responses are, however, made:
  - It is acknowledged that the applicant's Ecological Impact Assessment considers the presence and potential impact of the development on reptiles, including slow worms. No surveys were undertaken to determine the presence of this species on the site. The Council's Biodiversity Officer made no specific comments (or concerns) in relation to the presence of slow worms on the site, or any potential impact. Paragraphs 6.8.27 to 6.8.69 of the committee report set out the direct and indirect impacts of the development on the SINC and which stands as a reason for refusal.
  - The Council's Highways Officer has confirmed that, in the event that planning permission is granted, future occupiers of the residential development should be prohibited from applying for CPZ parking permits, secured through a s106 legal agreement.

**Functional and Environmental Impacts**

Further to paragraph 6.4.60 (page 85) of the committee report, an Independent Microclimate Assessment Review received making the following conclusions:

- Best practice appears to be mostly followed but the report is not properly referenced and no justification has been provided of the methodology followed. Appropriate referencing is requested to justify the methodology and assumptions.
- The report does not currently satisfy the requirements of policy D9 of the London Plan, due to the lack of consideration of cumulative impacts. If no other consented schemes are identified in the vicinity of the proposed development, this should be clearly stated.
- Various other detailed points made relating to the methodology and findings.
- A revised report should be provided taking into account the above.

Officer comments:

- A response from the applicant to the independent Microclimate Assessment Review has not been received
- The comments raised by the independent assessor are requests for further information and, whilst important in determining the reliability of the Microclimate Assessment and the acceptability of the scheme, did not raise fundamental or insurmountable concerns. As such, officers do not deem this to warrant a reason for refusal and would recommend a condition requiring the submission of an updated Microclimate Assessment to address outstanding

matters.

Supplement to the Planning Statement Addendum document received from the applicant's agent which provides further assessment of the scheme (notably Building A) in relation to the design-related criteria set in Policy D9 of the London Plan (further to that already provided in the Planning Statement Addendum itself). This document provides details of the design, materiality, a proportion study (of the base, middle and top of the building), details of the ground floor commercial uses and CGIs of the building.

Officer response:

- This document does not provide any new information or propose any amendments to the scheme. A detailed appraisal of the design of the building, and an assessment against Policy D9 of the London Plan is included within section 6.4 of the committee report.

Email received from the applicant's agent listing various responses to the committee report:

- Paragraph 1.19 - question accuracy of PTAL rating
- Page 26 – the net additional floorspace is 33,531sqm not 10,577sqm
- Paragraph 2.11 – Buildings C and D provide 45 Shared Ownerships units each, not 50.
- Various references to London Plan (2016) should be deleted
- Paragraph 6.5.7 (bullet point 3) – Building A is positioned 35m away from the station, not 32m
- Paragraph 6.5.37 – in the final sentence, 3 bed shared ownership units should total 17 no. (not 7 no.) – this applies to paragraph 170 (page 150) also
- Paragraph 6.6.15 – “Finally, **11** LKD would have...” Figure in bold is missing
- Question separation distances
  - Distance between Buildings A and B and B and C should be **22m** (Paragraph 6.6.18 - page 107)
  - Distance between buildings F and G should be **15m** to 23m (Paragraph 6.6.19 (page 107)
  - Distances between town houses and Building D should be **12m** and Building F **12m** (Paragraph 6.6.20 (page 107)
  - Distance between Buildings C and D and Westbere Drive should be **27m** to 38m (Paragraph 6.6.40 (Page 112)
  - Distance between Building A and B should be **22m** (Paragraph 6.6.41 - Page 112)
- Plans and drawings in appendices seem distorted
- Other minor comments raised which are not considered to be material to the report/proposal

Officer response:

- The mixed PTAL rating of the site is identified in paragraph 6.3.36 of the committee report
- Accept net additional floorspace as being 33,531sqm
- Accept Buildings C and D provide 45 no. Shared Ownerships units each (not 50)
- Accept references to London Plan (2016) are no longer relevant
- Accept Building A is 35m from the station building
- Accept number of 3 bed shared ownership units totals
- Paragraph 6.6.15 – accept “11” should be inserted before LKD

	<ul style="list-style-type: none"> <li>• Paragraph 6.6.18 (page 107) <ul style="list-style-type: none"> <li>○ Separation distance between A and B – 22m (approx.)</li> <li>○ Separation distance between B and C – 20m (approx.)</li> </ul> </li> <li>• Paragraph 6.6.19 <ul style="list-style-type: none"> <li>○ Separation distance between Building F and G of 16m (approx.) is not inaccurate</li> </ul> </li> <li>• Paragraph 6.6.20 <ul style="list-style-type: none"> <li>○ Separation distance between the townhouses and Building D is 12m (approx.)</li> <li>○ Separation distance between Building F in the officer report (10m) is accurate</li> </ul> </li> <li>• Paragraph 6.6.40 <ul style="list-style-type: none"> <li>○ Separation distance between Building D and the nearest property on Westbere Drive is 26.5m (approx.)</li> </ul> </li> <li>• Paragraph 6.6.41 <ul style="list-style-type: none"> <li>○ Accept separation distance between Buildings A and B to be 22m</li> </ul> </li> </ul>
1/02	<p><b><u>ADDENDUM ITEM 1: RESPONSE TO QUERY REGARDING LONDON PLAN POLICY D9</u></b></p> <p>Harrow’s Core Strategy sets out the definition of a ‘tall building’ in footnote 23. This footnote is referenced within paragraph 5.15 for development within the opportunity areas i.e. covered by the Area Action Plan (AAP), where taller development is generally directed.</p> <p>Footnote 23 defines ‘tall buildings’ as “<i>Any building at or over 30 metres high.</i>” Within the Core Strategy this definition is not confined to set locations as per London Plan Policy D9 and does not indicate that the presence of tall buildings outside of the area are inappropriate just that they should be addressed by London Plan Policy 7.7 (now superseded and replaced by Policy D9). Accordingly, the definition within the Core Strategy of what constitutes a ‘tall building’ can be used as a borough-wide definition and this is the consistent approach taken by the LPA on other schemes.</p> <p>Furthermore, Core Strategy paragraph 4.7 relating to windfall proposals for tall buildings outside the opportunity areas simply outlines the approach to how the Local Plan will set policies for tall buildings i.e. for development within the opportunity areas, guidance will be taken from the AAP; and for tall building proposals within the rest of the borough, the London Plan will be used.</p> <p>London Plan Policy D9 states: “<i>Based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.</i>” As discussed above, the LPA do have a local definition of a ‘tall building’ and the tallest elements of the proposed development fall under this threshold. As such, the tallest buildings proposed would not constitute a ‘tall building’ under Harrow’s local plan definition and are therefore not subject of Policy D9.</p> <p>It should also be acknowledged that had the proposed development been subject of Policy D9 this would not necessarily preclude the acceptability of the height proposed.</p>

Notwithstanding this, the requirements of Policy D9 have largely been addressed in various sections of the Planning Committee Report and the LPA consider the distribution of height across to site to appropriately address the site circumstances and surrounding context.

### **ADDENDUM ITEM 2: SECURE BY DESIGN OBJECTION**

The objections and concerns raised by secure by design officers have been acknowledged within paragraph 4.7 of the Report to Planning Committee. The changes required to attain Secured by Design accreditation were not considered warrant substantial design layouts that would result in grounds for refusal on this basis. Whilst it is acknowledged that in its current form, Secure by Design officers do not consider the development to be able to achieve Secure by Design accreditation, it is considered that through further discussion with SBD Officers and by way of post-permission amendment or condition, Secure by Design accreditation would be achievable. As noted within the committee report the LPA would have ensured that Secure by Design accreditation is secured by way of planning condition.

### **ADDENDUM ITEM 3: COMMUNICATION WITH APPLICANT**

The applicant requested an update on the planning application, which was subsequently provided by the LPA. This was in advance of the publishing of the Planning Committee Report. The draft reasons for refusal were also provided. The LPA had requested that discussions pertaining primarily to viability could continue provided that a final position could be agreed by 25<sup>th</sup> June 2021. It is noted that further site surveys were conducted on 28<sup>th</sup> June (noted by residents) with a view to resolving ecology issues. Whilst this was outside of the LPA deadline, to ensure the robustness of the reason for refusal with respect to ecology and to safeguard the position of the LPA should the application be subject of appeal, the LPA's Biodiversity Officer reviewed the late information and concluded this was still deficient.

Notwithstanding this, the recommendation of the application was also relayed to residents prior to the publication of the report on the 20<sup>th</sup> July 2021, at their request.

### **ADDENDUM ITEM 4: COMMITTEE REPORT**

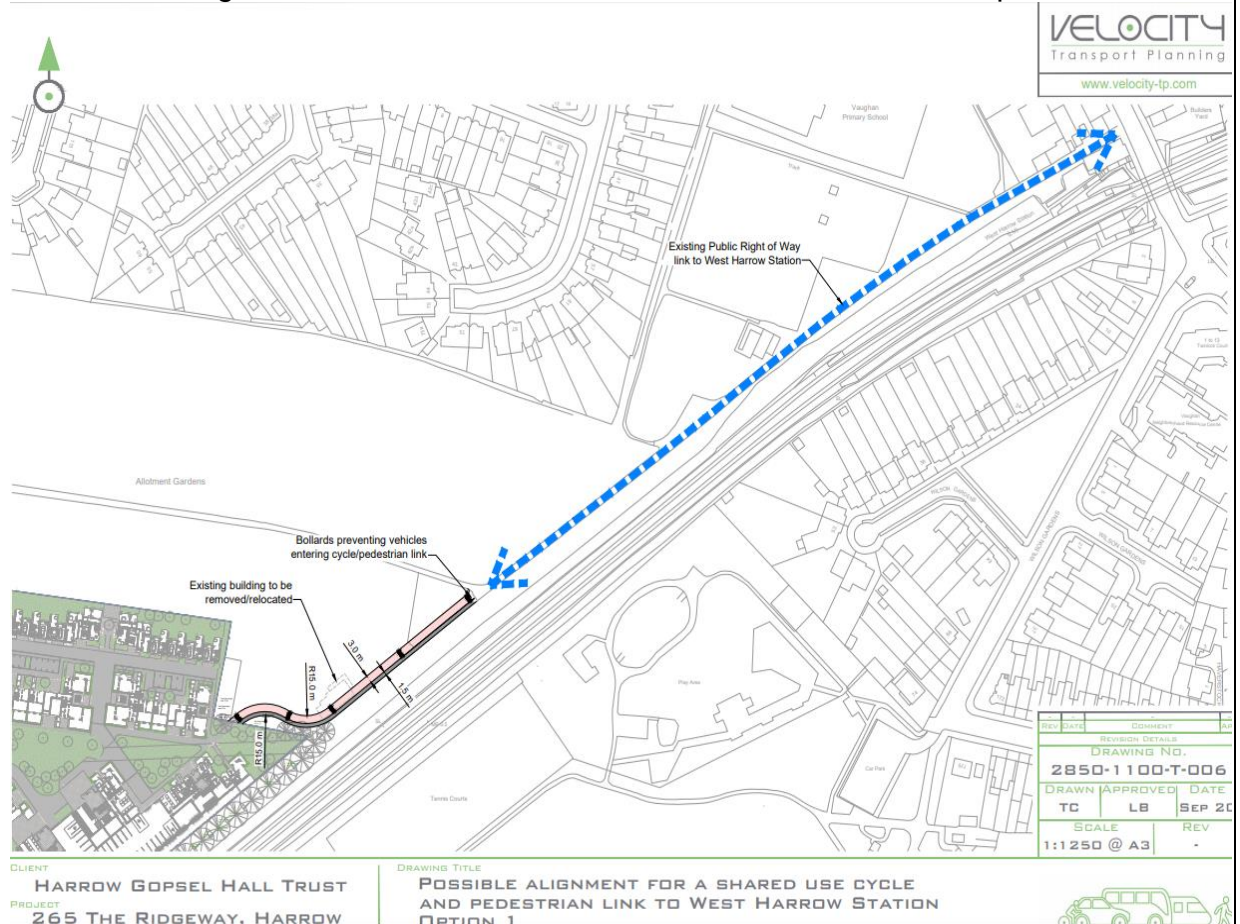
#### **Narrowness of report / reasons for refusal**

In relation to the narrowness of the reasons for refusal. Planning seeks to compare the benefits of a proposed development with the harm it would cause. Developments rarely are without harm, or entirely without benefit. The planning assessment has provided due regard to the views of the residents and weighed these against development plan policies, statutory and internal consultee responses. In considering all these matters, the key material planning considerations have been weighed either in favour or disfavor of the planning balance. Accordingly, in weighing up the planning balance, the LPA consider there to be four reasonable and substantiated grounds for refusal.

Other matters, including those relating to highways, transport and scale, height and mass are acceptable.

## Change of use of Allotment land

The drawing below indicates that any improvements being made to the existing footpath outside of the red line boundary of the site would be confined to an area of grassed land, part of which is occupied by one of the Harrow and Leaf community huts. As per the plan below, the path adjacent to the allotments will remain unaltered and is already a public right of way which could be used by both pedestrians and cyclists. No loss of allotment gardens would therefore occur as a result of the development.



## Appendix C: Transport Technical Note: Response to LBH Highways Comments

### Accuracy of information

250 car parking spaces: The agent has stated that the existing survey data (topographical survey / Transport Assessment) shows there to be capacity for 250 car parking spaces based on the existing site. Notwithstanding this, the original permission had granted permission for 161 car parking spaces and a further 30 overspill parking at the site, providing a total of 191 spaces. It is noted that the Planning Committee Report references 250 car parking in accordance with surveys undertaken by the applicant, however it is noted that the bays are largely unmarked. It is therefore not possible to ascertain the exact capacity. Based on the information before the Council, the capacity of parking ranges between 191 and 250 spaces. Notwithstanding this, for the purposes of the current planning application the exact parking capacity of the existing site is not required, given that the proposal seeks a 'car-lite' scheme which would promote a shift towards sustainable travel as advocated by current planning policies.

Loss of apiary: The proposal would not result in the loss of the West Harrow apiary. Had this application been otherwise acceptable, the applicant has confirmed that the apiary would have been relocated as part of the legal agreement alongside the delivery of the footpath connection and relocation of the Harrow in Leaf hut. The details of each would have been required to be agreed by both the landowner (LB Harrow) and any other interested party (Harrow in Leaf / Beekeepers etc.). The principle of this was accepted by the LPA, provided that these elements could appropriately be secured by way of legal agreement.

Cycleway through allotments does not exist: The pathway through the allotments is a public right of way and does not preclude cyclists from being able to access the path.

The applicants cannot build half a path: Any planning obligations included as part of a grant for planning permission would be required to meet the 3 tests set out in Paragraph 57 of the National Planning Policy Framework (2019). The area proposed to be improved as part of the wider improvements is not currently a public right of way and therefore would require work to ensure it could safely and sufficiently facilitate pedestrian and cyclist movement. Improvements to this part of the pathway are considered to meet the tests set out in Paragraph 57 of the NPPF. The existing public of right of way already allows access for some vehicles serving the allotments, pedestrians and cyclists (should they wish to use this access). On this basis, it would be considered unreasonable to impose further improvements to a pathway is already used for those purposes.

Locked gate: At the time of the site visit on 29 October 2019, Officers at the Council observed the gate as locked and access West Harrow Station restricted. The Head of Traffic and Infrastructure has accordingly made comments based on what was observed at the time of the site visit and as shown in the picture below:



#### Quotes from applicants' addendum

Where the LPA have concurred with the applicant on the points raised, these details have been quoted directly. Where responses have required further input from the LPA, these have been included.

It should also be noted that many of the points raised during the public consultation were also addressed via separate email by way of responding to individuals, stakeholders, community organisations and Councilors in respect of the position of the LPA both prior to submission and during the planning application process. All the responses to the public consultation are consistent with comments previously made and are reflect the LPA's position.

Other references in the report:



1.2 'the Harrow and Leaf premises (serving the WH Allotments).'

*Objector comments: Harrow in LEAF has a community building, 3 other buildings and a grassed area for events, which provide community facilities for 22 affiliated local groups and about 100 individual members. The facilities are situated on WH allotment site, but there is no other connection.*

Comments in relation to the accuracy of this statement have been noted. The Harrow and Leaf website states that the organization is: *an independent voluntary umbrella organisation for [allotment](#) and [Horticultural Groups](#) in Harrow, Middlesex whose aim is to encourage allotment use and protect open space in the Borough for the benefit of community, well-being, wildlife and bio-diversity.* On this basis, whilst the organisation does not solely serve the West Harrow Allotment site, is located within it and it is therefore the understanding of the LPA that the organisation does serve to manage the allocation of plots amongst other things for the West Harrow Allotment site.

1.3 'Existing access to the station from The Ridgeway is via the Ridgeway Playing Fields or West Harrow Allotments (approximately 13 minutes' walk). The nearest bus stops are located on Elm Drive and Imperial Drive approximately 350 – 600m north of the site respectively.'

*Objector comments: There are no Ridgeway playing fields. The land that was playing fields (part of allotment land) is now occupied by HGHT and Wiseworks. There are no bus stops in Elm Drive*

For the purposes of accuracy and in respect of comments made, the above sentence can be changed to include the word '(former)' "Ridgeway playing fields ..." given that this area is no longer used as such, although this does not change the meaning of the sentence. For clarification, the bus stop being referred to on Elm Drive is bus stop (NN) named 'Elm Drive.'

2.2 'The works also include creating a direct pedestrian and cycle path from The Ridgeway through the site which links to an existing path outside the site to West Harrow Station.'

2.22 '.....and the second would be at the south-eastern corner via the existing path linking West Harrow Station to the site'

*Objector comment: Neither of the above clearly state the fact that the proposed path would require making a new path through allotment land and the Harrow in LEAF community area.*

The section referred to above simply set out the main elements of the proposal. The details of the proposals are set out in subsequent sections of the report, namely Section 6.7.

*p. 16 2nd paragraph*

*'The scheme will provide for a pedestrian link to the existing footpath on land owned by London Borough of Harrow which will also benefit the wider public.'*

*Objector comment: There will be no benefit to anyone other than the residents of the proposed development. In fact, residents, plot holders and Harrow in LEAF are unanimous in stating there will be many disadvantages to the new path. It is only the size of the development that requires a new path at all.*

The LPA consider the proposed direct route to West Harrow Station to provide a well-designed, safe and attractive pedestrian route which would benefit both future occupiers of the development and residents and visitors of the local area.

*p.14 Officer Comment: 'The site is self-contained in character, bounded by infrastructure and allotments, surrounded by dense vegetation.'*

*Objector comment: Since the application was submitted, The Brethren have chopped down all the trees on their site. So they have removed the 'dense vegetation', apart from the northern boundary as the vegetation there belongs to TfL. The site is also bounded by Wiseworks' horticultural project and an apiary, not only by infrastructure and allotments.*

The removal of the trees along the northern boundary of the site are currently undergoing enforcement investigation which has been paused until the determination of the planning application. Notwithstanding this, the trees fall within the demise of the applicants. Should the application be refused, the removal of the trees will require further investigation by Enforcement Officers to determine whether any of the removed trees were protected by condition 12 of the original planning permission (WEST/321/97/FUL). Should this be the case, appropriate action will be undertaken. If planning permission is however granted, the restrictive condition will no longer apply as the previous permission would be superseded.

#### **ADDENDUM ITEM 5: BROWNFIELD SITE**

The National Planning Policy Framework (2019) provides a definition for 'Brownfield Sites' and directs us to the definition of 'Previously developed land' to provide this. This states:

***Previously developed land:*** *Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds 71 and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*

Objectors states that the following exclusion from the 'previously development land' definition applies in the case of the application site because it is: *land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*

However, this is not applicable in this instance because this refers to the 'remains' of a permanent structure and not structures which still exist and could still be used in its current form. The LPA consider that this part of the definition refers to a building that has fallen down / been abandoned and which, as a consequence been 'reclaimed' by the landscape; unlike the useable and well maintained building at the subject site. Furthermore, the remainder of the site was developed to serve hard surface car parking. Accordingly, the entirety of the site boundary falls within the definition of

brownfield land / previously developed land as per the definition within the National Planning Policy Framework (2019).

### **ADDENDUM ITEM 6: FURTHER OBJECTIONS**

Nine further objections were received based on the following listed below. These points have all been addressed in relevant sections of the report or within this addendum:

- The proposed number of 178 dwellings is far too dense on this very small site.
- The provision of 72 parking spaces for 178 dwellings is totally unrealistic and would lead to destruction of any green area within the site.
- The disproportionately high number of one-bedroom flats does not provide a reasonable mix for families and the elderly in this predominantly family-oriented area. It would also attract a transitory population with no permanent ties to this community.
- The height of the buildings would dominate the skyline and is totally out of character with this mainly 3 bed semi-detached locality.
- The size, the height and overbearing nature of the development would totally overshadow the allotment plots, particularly those on a boundary.
- The removal of the green corridor/ drainage ditch that borders the Gospel Hall and the allotments has already caused a huge flood this spring and the proposed development will shield the sun needed to dry out the flooded areas in winter and spring.
- A Beekeeper's allotment is on a proposed cycling/ walking route to West Harrow station. A removal of a huge green area of the statutory Allotment Land will negatively affect the habitat of pollinators and other species of wildlife.
- A proposed cycle/walking route will deprive plot keepers of any security and privacy. The existing public path and free public access to the plots already create opportunities for theft of crops and tools.
- The allotment site will be viewed as a good location for fly-tipping, disposal of rubbish and vandalism.
- The plot keepers will forever be complained about for the noise they create with garden machinery and the smoke when bonfires are allowed.
- The proposed plans flout 1997 planning conditions which state that it can only be used as a low-intense faith premise "to safeguard the amenity of neighboring residents and character of the locality".
- It is not redundant as a faith premise as the Brethren were approached by 4 faith groups to buy the site for a very healthy profit.
- The proposal promises a new GP surgery when there is no demand for it. The health service can be changed to a commercial and business premise without needing planning permission.
- The road layout at the entrance onto the "Cattle Bridge" is unsafe due to the narrowness of the road and being near a blind spot on a brow of the hill.
- This large development will destroy the green link between West Harrow Park and West harrow allotments, devastate wildlife and reduce air quality which Council say they are committed to improve.
- Does anyone think about the quality of life of residents living on the proposed development? Who would want to live practically on a railway line, suffering from constant noise, vibration and pollution?
- The proposed development is out of space in a green low-rise area and is not in Harrow Council's Intensification Zone.
- We also were appalled at how the developer was made aware they needed a

	<p>detailed ecology survey and prior to this went ahead and cut down anything of significance and turned out and destroyed any habitats prior to the carrying out of the survey which is completely disingenuous and could be argued was malicious.</p> <ul style="list-style-type: none"> <li>• Strain on local infrastructure.</li> <li>• Developer has not followed any planning advice given and planning conditions are not enforceable. The Council has singularly failed to protect existing tree stands and now refused to TPO tree belts elsewhere despite being directly promised this would be done. There is no</li> <li>• doubt that this proposal will damage the existing biodiversity and it will influence the Green Corridor which is of strategic importance on a London wide scale as it enables free movement of seeds, bats, deer, badgers between green areas.</li> <li>• Inaccuracies within Planning Report and failure to address London Plan Policy D9.</li> </ul>
2/01	<p><b><u>ADDENDUM ITEM 1:</u></b></p> <p>The ward of this application should read as Canons, not Stanmore.</p> <p>Condition No 8 is deleted, as condition No 9 covers control of the Use Class as proposed in its entirety.</p> <p>An amendment has been made to condition No 9 to reflect the General Permitted Development Order, and not the Use Classes Order, and to amend Class PA, to Class P, with full text to include the Part and Schedule of the Order.</p> <p><u>Condition No 9</u></p> <p>The premises shall only be used for the purpose as set out in the application (B8 Storage) and for no other purpose whatsoever, including any other purpose permitted by Class P of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or with or without modification).</p> <p>REASON: To safeguard the amenity of the neighbouring residents and the character of the locality and in the interest of highway safety in accordance with polices DM 1 and DM 42 of the Harrow Development Management Polices Local Plan (2013).</p>
2/03	<p><b><u>ADDENDUM ITEM 1:</u></b></p> <p>The ward of this application should read as Canons, not Stanmore.</p> <p>An amendment has been made to the report to remove any reference to Use Class B2, and replace this with Use Class B1(c), it is noted that in this instance Policy E5 is still relevant however all references to Policy E7 of the London Plan, and to CS8 of the Harrow Core Strategy shall be removed.</p> <p>An amendment is made to Condition No 8 to refer to the additional permitted Use Class E, (g)(ii and iii) only, as per policy comments, and an amendment is made to Condition No 9 to refer to Use Class “B1(c) general industrial”, rather than “B2 Light industrial”.</p>

Amendments to Conditions 8 and 9 are made in respect of reference to the correct Orders corresponding with the intention of each condition. For example, condition No 8 refers now to the Use Classes Order, whilst Condition No 9 now refers to the General Permitted Development Order.

Condition No 8

Notwithstanding the provisions of Part A of Schedule 2, Class E, of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, (or any order revoking or re-enacting that order with or without modification), the proposed use shall only be altered to Class E, (g)(ii and iii), and to no other use whatsoever and no other development otherwise permitted by that part of the Order (or the equivalent provisions of any replacement Order) shall be carried out without planning permission having first been obtained by the local planning authority.

REASON: To safeguard the business use of the proposed development and vitality of the area.

Condition No 9

The premises shall only be used for the purpose as set out in the application (B1c General Industrial) and for no other purpose whatsoever, including any other purpose in Part 3 of Schedule 2, Class PA of the Schedule to the Town and Country Planning (General Permitted Development Order) Order 2015 (As amended) (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or with or without modification.

REASON: To safeguard the amenity of the neighbouring residents and the character of the locality and in the interest of highway safety in accordance with polices DM 1 and DM 42 of the Harrow Development Management Polices Local Plan (2013).

2/04

**ADDENDUM ITEM 1:**

Agent's response to committee report:

- Various minor comments on / clarifications to committee report
- Request removal of condition 3 (Section S278 Agreement) and seek alternative condition wording.
- Request that condition 4 (Construction Method Statement) is deleted as it is ultra-vires.
- Request amendments to condition 6 (Proposed Planting Strip) – it is Wednesbury unreasonable as it is unlikely to be possible to comply with this condition.
- Request amendments to condition 7 (Planting Strip Maintenance) – the condition and timeframes are unreasonable

Officer response:

- P/3519/18 was granted permission on 29<sup>th</sup> October 2018
- Condition 3 – accept condition as worded is unnecessary. Accept revised condition wording, to read as follows:

*The access hereby authorized shall not be brought into use for wheeled traffic until the crossover on the public highway has been completed in all respects.*

*Reason: To maintain highway safety and the free flow of traffic on this part of*

*Common Road*

- Condition 4 - accept that condition 4 is ultra vires. Condition 4 to be deleted.
- Condition 6 – accept that this condition is likely to be unachievable and recommend the removal of “prior to the end of July 2021” from the condition.
- Condition 7 – accept this condition is inflexible – to be amended as follows:

All planting, seeding or turfing comprised in the approved details of the planting strip shall be carried out in accordance with the approved plan in the first planting season following the completion of the development.

**AGENDA ITEM 10 – REPRESENTATIONS ON PLANNING APPLICATIONS**

<b>Agenda Item</b>	<b>Application</b>	<b>Speakers</b>
1/01	Stanmore Station Car Park, London Road, Stanmore (P/1221/20)	Councillor Ameet Jogia (Back Bench) Councillor Stephen Greek (Back Bench)
1/02	265 The Ridgeway, Harrow, HA2 7DA (P/1492/20)	Councillor Christine Robson (Back Bench) Councillor Stephen Greek (Back Bench) Councillor Kairul Kareema Marikar (Back Bench) Councillor Sasikala Suresh (Back Bench) Councillor Adam Swersky (Back Bench)
2/02	110 Howberry Road Edgware HA8 6SY (P/1374/21)	Mrs Emily Benedek (agent on behalf of Mrs Renee Gilbert - objector) Mr Hiten Chauhan (applicant)