

Report for: **Cabinet**

Date of Meeting:	24 May 2022
Subject:	Tall Buildings and Residential Conversions
Key Decision:	No
Responsible Officers:	Dipti Patel Corporate Director Place Beverley Kuchar, Chief Planning Officer
Portfolio Holder:	Councillor Marilyn Ashton, Portfolio Holder for Planning and Regeneration
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	None

Section 1 – Summary and Recommendations

This report sets out proposals to prepare guidance in relation to tall buildings and residential conversions within the borough, including broad process and timeframes.

Recommendations:

Cabinet is requested to:

1. Note the report and instruct officers to prepare a proposed Tall Buildings SPD and residential conversion guidance and bring them back to Cabinet for adoption.

Reason: (for recommendations)

To enable Cabinet to consider additional guidance in relation to tall buildings and residential conversions.

Section 2 – Report

1.0 Introduction

- 1.1 This report suggests the preparation of guidance in relation to tall buildings and residential conversions.

2.0 Options considered

- 2.1 To do nothing and rely on the existing local policy framework (Core Strategy and Development Management Policies adopted in 2012 and 2013 respectively). The London Plan 2021 has been published and the update to the Local Plan will not be completed and adopted for at least two years meaning to do nothing would leave a significant period without contemporary local guidance relating to tall buildings and residential conversions.

3.0 Background

- 3.1 Tall buildings have been the subject of significant public interest in the context of the new London Plan 2021 and a number of recent proposals for tall or taller buildings in more suburban areas within the borough. Matters raised have included the character of the borough, the definition of a tall building (having regard to context), suitability of tall buildings (generally and in specific areas) and the most appropriate planning mechanisms to inform the consideration of planning applications.
- 3.2 Concern has also been expressed about the standard of accommodation and design quality of residential conversions. These concerns include the quality of streetscape created through any physical alterations / extensions to the building itself, as well as additional infrastructure required to support the additional dwellings (i.e. hard standing for car parking, refuse containers etc).

4.0 Current situation

- 4.1 The Council has previously committed to a review of its Local Plan in the context of policy changes at national and spatial (regional) levels. The London Plan 2021 for example introduced a specific policy relating to tall buildings (Policy D9) that emphasises the role of Local Plans in defining tall buildings (having regard to local context), identifying appropriate locations for tall buildings and the importance of good design. At present the Harrow Local Plan only specifically identifies the Harrow and Wealdstone Opportunity Area as being appropriate for tall buildings (defined within that area as being 30 metres or more).

- 4.2 In response to the London Plan, the Council has to-date completed a Characterisation and Tall Buildings Study for the borough; this will form part of the evidence base for the Local Plan review. However, it will be at least two years before this review is complete and the replacement Local Plan adopted.
- 4.3 In terms of residential conversions, updated design guidance in relation to small sites and householder development was consulted on in December 2021 – January 2022. The draft guidance covers a range of design considerations that are applicable to residential conversions. However, this is in a more general context and hence the necessity the need to adopt specific guidance about the quality of residential conversions.

5.0 Why a change is needed

- 5.1 The Local Plan process can span several years as it involves evidence gathering, policy development, at least two statutory periods of consultation and independent examination of the draft Local Plan by the Planning Inspectorate (which may also trigger further consultation).
- 5.2 Applications for tall buildings are coming forward in the meantime, with limited guidance (especially outside the Harrow and Wealdstone Opportunity Area) in the current Local Plan context.

6.0 Proposed action

- 6.1 It is proposed to prepare and adopt more immediate guidance in relation to tall buildings and residential conversions.

Tall Buildings

- 6.2 The proposed more immediate measures relating to tall buildings will provide greater clarity with respect to what the Council considers to be acceptable in relation to the character of the area. Matters likely to be covered include what constitutes a tall or taller building, relative to its context / location in the borough, factors to be considered in determining the suitability of tall or taller buildings in a given location, and design requirements.
- 6.3 In providing guidance, the SPD will draw upon the existing development plan (London Plan 2021 and Harrow Local Plan) and the National Planning Policy Framework (NPPF). This will include providing tall building specific guidance on Harrow Local Plan Policy DM1 (All Development) and building upon the principles of London Plan Policy D9 (Tall Buildings). It will also draw upon the Characterisation and Tall Buildings Study where appropriate.
- 6.4 It is proposed that a draft of the SPD will be reported to Cabinet at the earliest opportunity given the urgency to bring in local guidance.

Residential Conversions

- 6.5 As noted in paragraph 4.3 above, updated design guidance in relation to small sites and householder development was consulted on in December 2021 – January 2022. The draft guidance covers a range of design considerations that are applicable to conversions, but in a general sense. It is proposed to develop specific guidance relating to conversions for inclusion in any amended draft presented to Cabinet for adoption.

7.0 Ward Councillors' comments

- 7.1 Ward Councillor input will be sought during the preparation of guidance and any formal consultation.

8.0 Environmental Implications

- 8.1 Proposed guidance and accompanying Cabinet reports will address environmental implications where appropriate.

9.0 Legal Implications

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states 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.
- 9.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 provide guidance on the preparation and adoption of supplementary planning documents.
- 9.3 Although the proposed SPDs are not development plan documents they will, on adoption, be a material consideration in the determination of tall building and residential conversions development proposals within Harrow.
- 9.4 The Council is required by law to consult on the SPD and to take into account all consultation responses received before adopting the SPD. As soon as reasonably practicable after adopting an SPD, the Council must (i) make available the SPD and an adoption statement and (ii) send a copy of the adoption statement to any person who asked to be notified of the adoption of the SPD.

10.0 Financial Implications

- 10.1 The cost of preparing and implementing the guidance on tall buildings and residential conversions will be met from Planning Policy Team resources.

11.0 Equalities implications / Public Sector Equality Duty

11.1 By definition, supplementary planning documents cannot introduce new policies nor modify adopted policies and do not form a part of the development plan. Rather, their role is to supplement a 'parent' policy in a development plan document. The proposed SPDs the subject of this report will supplement adopted policies within the Harrow Core Strategy and subsequent Development Management Policies Local Plan. A full equalities impact assessment was carried out at each formal stage in the preparation of the Core Strategy. Similarly, the London Plan (including Policy D9: Tall Buildings) was subject to an Equalities Impact Assessment as part of the broader Integrated Impact Assessment of the Plan.

12.0 Council Priorities

12.1 This report and the proposed guidance have been requested by the Portfolio Holder for Planning and Regeneration reflecting the priorities of the new administration.

Section 3 - Statutory Officer Clearance

Statutory Officer: Dawn Calvert

Signed by the Chief Financial Officer

Date: 16 May 2022

Statutory Officer: Hugh Peart

Signed by the Monitoring Officer

Date: 17 May 2022

Chief Officer: Dipti Patel

Signed off by the Corporate Director

Date: 13 May 2022

Section 4 - Contact Details and Background Papers

Contact: David Hughes, Planning Policy Manager,
david.hughes@harrow.gov.uk

Background Papers:

- National Planning Policy Framework (2021)
- London Plan (2021)
- Harrow Local Plan
- Harrow Statement of Community Involvement (2013)
- Amendment to Statement of Community Involvement to Covid-19 (2020)