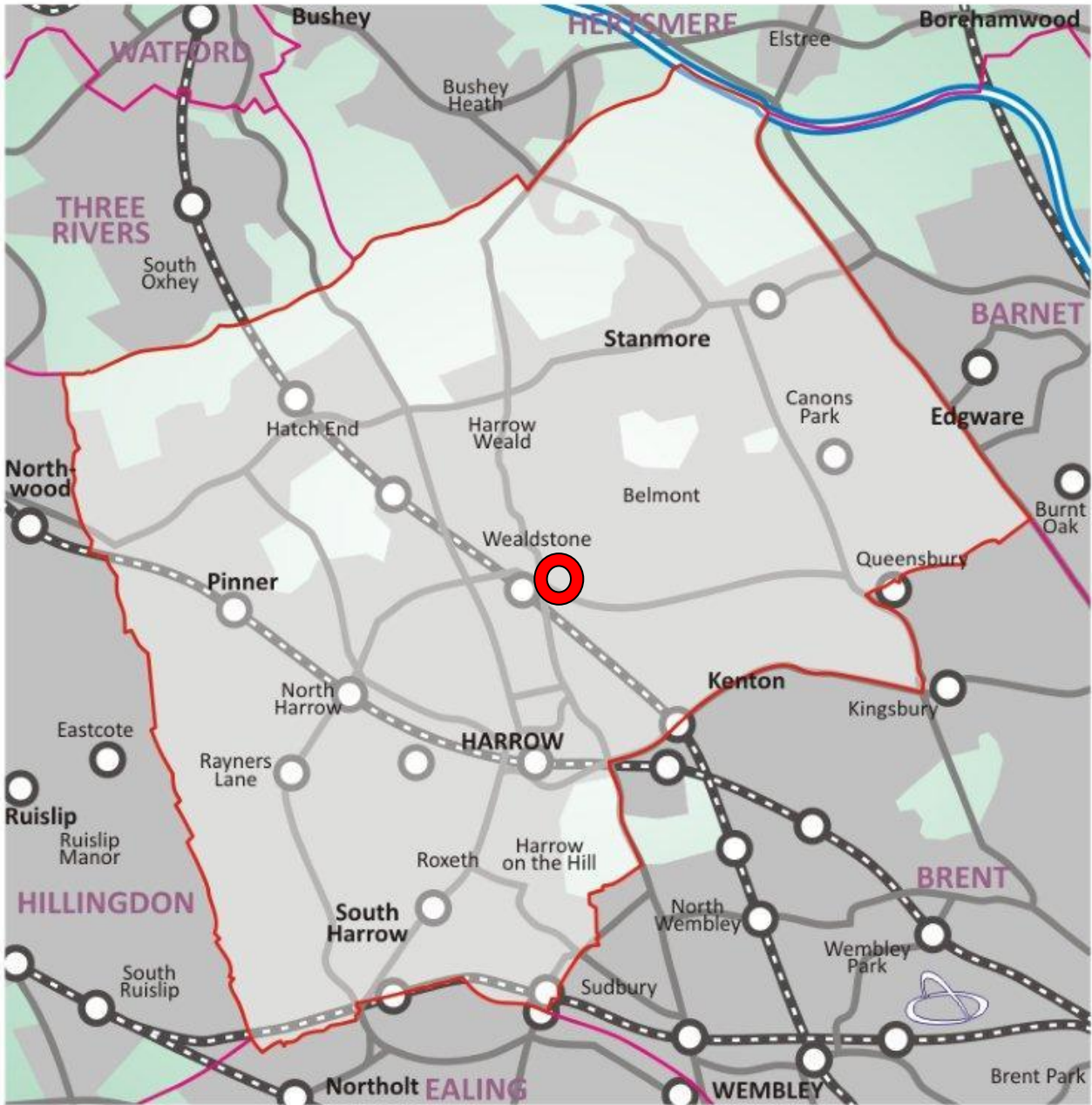


 = application site



Albro House, 59 Palmerston Road, Harrow, HA3 7RR

P/0842/21



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd June 2022

APPLICATION NUMBER: P/0842/21
VALID DATE: 09/04/2021
LOCATION: ALBRO HOUSE, 59 PALMERSTON ROAD, HARROW,
HA3 7RR
WARD: MARLBOROUGH
POSTCODE: HA3 7RR
APPLICANT: REGENCY PROPERTY SERVICES LIMITED
AGENT: PPM PLANNING LIMITED
CASE OFFICER: TOM BLACKMAN
EXPIRY DATE: 29TH JUNE 2022

PROPOSAL

Redevelopment to provide part 8 and part 9 storey connecting buildings comprising of dry cleaners (Use Class B2), and commercial laundry (Use class E(g)) to the ground floor. industrial use (Use Class B2 to the first floor, offices (Use class E(g)(iii)) to the second floor and 32 serviced apartments (C1) on the upper floors; landscaping; bin and cycle stores (demolition of existing building).

RECOMMENDATION A

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 authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, and no objection from HSE regarding fire details, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The S106 agreement Heads of Terms would cover the following matters:

TENURE AND MANAGEMENT STRATEGY

- (a) A tenure and management strategy.

EMPLOYMENT AND TRAINING

- (a) A contribution to fund local employment and training programmes;
- (b) The use of local suppliers and apprentices during the construction of the development
- (c) A training and recruitment plan
- (d) An employment management plan

DESIGN REVIEW AND DESIGN CODE

- (a) The retention of the existing architect (or one of equivalent standard) until the development is completed; or the submission of a Design Code for approval by the Council that details the quality of the development.

DECENTRALISED ENERGY NETWORK

- (a) Payment of carbon offset contribution prior to commencement of development calculated at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan) and using the carbon offset requirement outlined in the approved revised Energy Assessment submitted as a condition of any planning permission.
- (b) Provisions safeguarding the potential for connection to any future heat network capable of serving the development.
- (c) Submission of final 'As Built' carbon emissions calculations and payment of any additional carbon offset contribution upon completion (in order to ensure development achieves zero carbon).
- (d) Compliance with requirements of the Mayor's 'Be Seen' energy monitoring guidance.
- (e) Sufficient space and safeguarded route to allow connection to any future district decentralised energy network.

LEGAL COSTS, ADMINISTRATION AND MONITORING

- (a) S106 legal and administrative costs.

RECOMMENDATION B

That if, by 22nd September 2022 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies D2, E10, S12, S13, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP9 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM13, DM34, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

INFORMATION

This application is reported to Planning Committee as it is a Major Development and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	All other Largescale Major Development
Council Interest:	None.
Net Floorspace:	1,934 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£146,220
Harrow CIL requirement:	£134,715

HUMAN RIGHTS ACT

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

EQUALITIES

In determining this planning application, the Council has regard to its equality's 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

Policy D11 of The London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.1 The application site consists of a detached two-storey rectangular brick warehouse building located on the southern side of Palmerston Road. The subject site is currently being used as a dry cleaning works.
- 1.2 The Palmerston Centre is adjoining the site to the east, which is an industrial estate, and to the west is two recently approved schemes that are currently being constructed. The nearest development adjoining the site being the co-living scheme at 55 Palmerston Road which also adjoins to the rear, and further west, the residential development at 9 – 11 Palmerston Road (Origin Housing). Beyond the rear boundary of the site is the residential properties and rear gardens on the northern side of Masons Avenue.
- 1.3 The application site is located within the Harrow and Wealdstone Opportunity Area and has a PTAL rating of 5. The roads surrounding the site are included within a Controlled Parking Zone (CPZ).
- 1.4 The site is within Flood Zone 2 and 3, and a critical drainage area.
- 1.5 The site is approximately 0.06ha.

2.0 PROPOSAL

- 2.1 The proposed development is a redevelopment of the existing site comprising of dry cleaners (Use Class B2), and commercial laundry (Use Class E(g)) at ground floor. At the first floor an industrial use is provisioned (Use Class B2), and an office use (Use Class E(g)(iii)) on the second floor. On the upper floors is 32 serviced apartments. This is facilitated by a part 8 and part 9 storey building, connected by a three-storey element.
- 2.2 The mix size of aparthotels proposed is 22 x studios, and 10 x 2bedroom.
- 2.3 The ground floor will include cycle stores and refuse stores for occupants and users. The proposed development would be car free with the exception of disabled parking spaces and a servicing space that is accessed via a shared surface from Palmerston Road.
- 2.4 On the roof of all three elements intensive green roofs are proposed.

3.0 RELEVANT PLANNING HISTORY

- 3.1 No recent or relevant planning history to the proposed development.

4.0 CONSULTATION

- 4.1 A total of 299 consultation letters were sent to neighbouring properties regarding this application.

- 4.2 A site notice was posted on the 16th April 2021. A Harrow Times advert was published on the 15th April 2021. The overall public consultation period expired on the 7th May 2021.
- 4.3 2 objections have been received and are summarised below.

<p>Character</p> <ul style="list-style-type: none"> • Too much density in the area as a result of the proposal. <p><i>Officer response: Noted, please refer to section 6.3 below.</i></p> <p>Impact to Residential Amenity</p> <ul style="list-style-type: none"> • Loss of privacy due to overlooking and reduction in light from the proposed development especially in the garden area. <p><i>Officer response: Noted, please refer to section 6.4 below.</i></p>
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Statutory and Non-Statutory Consultation

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

Consultation Responses
<p>LBH Principal Urban Design Officer The overall design of the proposal, and specific aspects of the scheme are generally supported subject to conditions.</p> <p><i>Officer response: Noted, conditions included.</i></p>
<p>LBH Highways Officer No objection, subject to requested conditions.</p> <p><i>Officer response: Noted, conditions included.</i></p>
<p>LBH Economic Development Officer No objection, following the additional information received regarding the retention of the dry cleaners as an occupier for the scheme, and the commercial consideration, and lettability, of the industrial uses.</p>
<p>LBH Drainage Engineer No objection subject to conditions.</p> <p><i>Officer response: Noted, conditions included.</i></p>
<p>LBH Principal Landscape Architect No objection to the proposal, subject to relevant conditions.</p>

Officer response: Noted, conditions included.

LBH Biodiversity Officer

Subject to appropriate conditions there appears to be no reasons why the scheme should not proceed on biodiversity grounds. Provision of the mix of green and bio-solar roof spaces and suitable wildlife shelters should provide welcome benefits for wildlife and help contribute to access to nature. A biodiversity condition is required.

Officer response: Noted, condition included.

LBH Environmental Health Officer

Contamination – no objection to the details subject to conditions.

Air Quality – no objection to the details subject to conditions.

Noise – no objection to the details subject to conditions.

Officer response: Noted, conditions included.

LBH Waste Management Officer

No comment received.

LBH Planning Policy

Subject to the relevant condition, s106 clauses relating to energy, and the proposal following the Agent of Change principles, the proposed development in this instance can be supported.

Officer response: Noted, conditions included.

Transport for London

No objection subject to conditions.

Officer response: Noted, conditions included.

NHS Harrow

No comment received.

Designing Out Crime Officer

No objection subject to a condition to ensure the development achieves SBD accreditation.

Officer response: Noted, condition included.

Environment Agency

No objection to the application as submitted. The flood risk assessment uses the flood levels modelled by the neighbouring site 9-11 Palmerston Road, which have been approved by us. The model confirms that the site remains dry during all modelled flood events (using the conservative levels of 35% and 70%). An informative is requested if any permission is given.

Officer response: Noted, informative included.

Ministry of Defence (RAF Northolt)

No objection subject to a condition relating to a Bird Hazard Management Plan.

Officer response: Noted, condition included.

5.0 POLICIES

“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.’

5.1 In this instance, the Development Plan comprises The London Plan 2021 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.2 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of Development
- Design, Townscape, Character, and Appearance
- Residential Amenity
- Traffic, Parking, Access, Servicing and Sustainable Transport
- Environmental Considerations – Contamination, Noise, Air Quality
- Development and Flood Risk
- Biodiversity
- Energy & Sustainability
- Secured by Design
- Fire
- Aviation

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021):
- The London Plan (2021): E4, E7
- Harrow Core Strategy (2012): CS1
- Area Action Plan (2013): AAP9
- Harrow Development Management Policies Local Plan (2013):DM34

Industrial and Business Use Area

- 6.2.2 The application site is located within a designated Local Strategic Industrial Site (LSIS), within the policies map.
- 6.2.3 Part A of Policy E4 of the London Plan (2021) requires a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews, industrial land audits and the potential for intensification, colocation and substitution (see Policy E7 Industrial intensification, co-location and substitution). The policy specifies the provision for the varied operational requirement of light and general industry (Use Classes B1c and B2).
- 6.2.4 Part C of Policy E4 of the London Plan (2021) states the retention, enhancement and provision of additional industrial capacity within a LSIS should be planned, monitored, and managed.
- 6.2.5 Following on, Policy E7 of the London Plan (2021), Part B, states that development plans and planning frameworks should be proactive and consider, in collaboration with the Mayor, whether certain logistics, industrial and related functions in selected parts of SIL or LSIS could be intensified to provide additional industrial capacity. Intensification can also be used to facilitate the consolidation of an identified SIL or LSIS to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal. This process must meet the criteria set out in Part D below. This approach should only be considered as part of a plan-led process of SIL or LSIS intensification and consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications. In LSIS (but not in SIL) the scope for co-locating industrial uses with residential and other uses may be considered. This should also be part of a plan-led or master planning process.
- 6.2.6 Part D, of Policy E7 states that the process set out in Part B of Policy E4 must ensure that:
1. the industrial and related activities on-site and in surrounding parts of the SIL, LSIS or Non-Designated Industrial Site are not compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation noting that many businesses have 7-day/24-hour access and operational requirements.
 2. the intensified industrial, storage and distribution uses are completed in advance of any residential component being occupied.
 3. appropriate design mitigation is provided in any residential element to ensure compliance with 1 above with particular consideration given to:
 - a) safety and security
 - b) the layout, orientation, access, servicing and delivery arrangements of the uses in order to minimise conflict
 - c) design quality, public realm, visual impact and amenity for residents
 - d) agent of change principles

- e) vibration and noise
- f) air quality, including dust, odour and emissions and potential contamination.

6.2.7 It is considered that the retained B2 use in its proposed form can still operate effectively as part of a mixed-use scheme, therefore meeting the requirements of Part B within Policy E7. The applicant has also provided evidence that a strategy is in place to retain the existing occupants during the construction period, officers fully support the retention of the B2 industrial floorspace, and the retention of the industrial dry cleaners on the site, within the designated LSIS.

Proposed Uses – Employment & Serviced Apartments

6.2.8 The proposed development includes E(g)(iii) industrial use on the second floor which is an accepted industrial use as identified in Part A of Policy E4. Therefore, the overall industrial floorspace is intensified on the site increasing from 480m² to 758m², and the proposal facilitates co-location of aparthotels which is a further intensification of the site and is compliant with Part B of Policy E7 of the London Plan (2021).

6.2.9 It was highlighted to the applicant during the pre-application process that multi-storey employment space is not attractive within Harrow, and whilst it would work for the existing use on the site any forthcoming application would need to robustly demonstrate that the layout would be futureproof. The details submitted show a flexibility in the configuration of the E(g)(iii) floorspace, this has been considered acceptable by the economic development officer.

6.2.10 The principle of the E(g)(iii) use is therefore considered acceptable, subject to any acceptable mitigation required to ensure no disturbance between the E(g)(iii) use and the aparthotels located above.

6.2.11 Officers therefore consider the intensification of the existing industrial use on the site within the lower floors, the inclusion of a B(g)(iii) use, and the co-location of the hotel use on the upper floors is supported.

Proposed Serviced Apartments

6.2.12 The proposal would provide 32 serviced apartments (Use Class C1) on the upper floors of the scheme. Notwithstanding the considerations relating to the industrial uses, Policy DM34 of the Harrow Development Management Policies (2013) directs new hotel development to the Harrow & Wealdstone Opportunity area.

6.2.13 A clause will be required within the S106 agreement to provide a tenure and management strategy to confirm the general management of the aparthotels, and to confirm the length of stay for occupants, which would not be beyond 90 days, to ensure the units remain a hotel use, and not fall within residential use.

6.2.14 The location of aparthotels on the upper floors is therefore supported.

EA Flood Zone 2 and 3 – Sequential Test

- 6.2.15 Paragraph 167 of the NPPF states that, when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
- 6.2.16 In addition, London Plan Policy SI12 requires development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.
- 6.2.17 The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding, as confirmed by paragraph 162 of the NPPF (2021). Paragraph 163 of the NPPF states that where it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may also be applied.
- 6.2.18 Local Plan Policy AAP9 states that with regard to the sequential test, the area of search will be confined to the Heart of Harrow area where the proposal involves the creation of more than 50 jobs, more than 50 net new homes, or contributes significantly to the regeneration of Wealdstone. With regard to the application of the exception test, a high priority will be accorded to the delivery of physical and social regeneration within Wealdstone district centre.
- 6.2.19 The application site is within Flood Zone 2 and 3 therefore a sequential test must be undertaken to confirm whether any other sites have a lower risk of flooding than the application site.
- 6.2.20 The planning application includes a Flood Risk Sequential Test (prepared by Freeths – February 2021). The proposed development has confirmed that it would create 59 jobs, which has been corroborated by the economic development officer. Therefore, in line with Policy AAP9 the sequential test is confined to the Heart of Harrow area only as the scheme will contribute to the local economy of the Wealdstone area.
- 6.2.21 The following sites have been identified as potential sites to accommodate the proposed development:

Identified Sites within the Opportunity Area	Commentary
Site 5a: Wealdstone Infills – Former Public House, High St (Rear of site)	Planning permission for this site was granted in January 2013 (P/2418/12). This has now largely been constructed and as such the site is not considered to be available.
Site 5b: Wealdstone Infills - Vacant land at the junction of Canning Road and George Gange Way	Planning permission for this site was granted in October 2009 (P/1770/09). This has now been constructed and as such not considered to be available.
Site 5c: Wealdstone Infills – Former Public House, High Street (Front Car Park and to rear extending to George Gange Way)	Planning permission for this site was given in August 2013 (P/0960/13). This has now been constructed and as such the site is not considered to be available.
Site 6: Palmerston Road / George Gange Way	Planning permission for this site was given in August 2019 (P/1619/16). Conditions are currently being discharged, and construction is well under way.
Site 12: Greenhill Way Car Park North	<p>The sequential test details states that the western as site has planning permission and has commenced. Officers are aware that the planning permission for this site has actually expired. So this part of the site is available. The hotel in the east portion of the site has been completed and is operating.</p> <p>As a hotel has already been completed on the site, the AAP identifies only a C3 use for the west of the site, and does not refer to use class C1, B1c, or B2, as such the available part of the site is considered to be suitable.</p>
Site 16: Havelock Place	There is no extant permission for redevelopment. However, whilst large enough for the proposed development, it is a constrained site to the rear of existing buildings and the allocation does not allow for C1 or B2 uses, as such the site is not considered to be suitable.
Site 18: Harrow-on-the-Hill car park west	It would appear there are extant or current planning applications for this site, so it is available and of a comparable size to accommodate for the quantum of development proposed. However, the allocation does not allow for C1 or B2 uses, as such the proposed development would be contrary to policy, therefore the site is not suitable.
Site 20 – Harrow-on-the-Hill car park east	As above.

6.2.22 The results demonstrate that the identified sites have either been implemented, are subject to current planning applications, or are not available for a similar type of development in the foreseeable future. As a result, and in accordance with the advice in the NPPF, it is concluded that there are no reasonable available sites of a comparable size or capacity with lower probability of flooding where it would be appropriate to accommodate the proposed development. In this regard, officers are satisfied the sequential test is passed.

Exception Test

6.2.23 In accordance with the NPPF, as it is not possible for development to be located in alternative allocated sites within the Opportunity Area with a lower risk of flooding; the exception test would need to be applied. Paragraph 164 of the NPPF states that for the exception test to be passed it should be demonstrated that:

- a) The development would provide wider sustainability benefits to the community that outweigh the flood risk: and
- b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

6.2.24 Furthermore, the Harrow and Wealdstone Area Action Plan affords a high priority to the physical and social regeneration of Wealdstone.

6.2.25 The application site is previously developed land located in a highly accessible location. As detailed more comprehensively in other sections of this report, the proposed development would deliver a wide range of planning benefits for the site and surrounding area. The regeneration of the site would enable the delivery of modern, flexible, and affordable workspace, and increase the quantum of employment within the designated industrial and business use area. Furthermore, the proposal would provide a reprovision of the existing B2 use class on the lower floors, a provision of use class E(g)(iii), and 32 serviced apartments which is supported within the intensification area the site is located in, and contributes to, the physical regeneration of Wealdstone.

6.2.26 Officers therefore consider that the proposal passes the exception test, and the scheme is considered acceptable with regard to its benefits and the flood risk.

6.3 Design, Layout, and Appearance

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D1, D2, D3, D4, D5, D8, D12, D13, G5, G7
- Harrow Core Strategy (2012): CS1
- Area Action Plan (2013): AAP3, AAP4, AAP6
- Harrow Development Management Policies Local Plan (2013): DM1, DM45

6.3.2 The Harrow Core Strategy defines tall buildings within the Opportunity Area as 30m and above. The proposed development is 29.92m at its maximum height and

therefore is not defined as a tall building. An assessment is not required against Policy D9 (Tall Building) of the London Plan (2021).

Site Strategy

- 6.3.3 The retention of the industrial use space in its entirety at ground floor level with the inclusion of a street-fronting commercial element is highly welcome and will serve to retain the industrial use of this wider allocation and activate the frontage of this part of Palmerston Road. The use of a buffer floor of E(g)(iii) use to separate the true B2 industrial use from the aparthotel units is also welcome.
- 6.3.4 The applicant has included a central void to reduce the massing of the development to form two blocks in order to limit overshadowing and daylight and sunlight reductions to the west. The provision of an aparthotel as opposed to residential provision is appropriate given the Opportunity Area location and the immediacy of industrial use to this site.

Massing, Scale & Built Form

- 6.3.5 The setback distance to The Collective development appears as generous as from the Collective to the Deller and Palmerston development, the proposal is also setback from the eastern boundary of the Palmerston Centre to allow space for maintenance of the blank flank wall.
- 6.3.6 A building of part 9 and part 8 storeys is appropriate for this site, subject to the rest of the built form being responsive to its surroundings. The site is well within the opportunity area and close to Wealdstone district centre, providing a strong rationale for a taller building at this location.
- 6.3.7 The proposed central massing void to the development allows for eastern daylight and sunlight to reach the neighbouring The Collective development. There remain concerns regarding perceived overlooking to the east-facing habitable room windows of single aspect units of The Collective from the west elevation. This is primarily driven by the proximity of The Collective's eastern elevation to the site boundary and is addressed by an opaque treatment to west elevation windows.
- 6.3.8 The introduction of GRC-clad columns to the ground floor front elevation provides a material relationship with the neighbouring The Collective development and provide the appearance of a continuous frontage with upper storeys of the proposed development.

Internal Layout, Aspect, Orientation

- 6.3.9 The provision of measures to obscure the glazing to western elevation windows is accepted. This has been proposed to limit the perceived and actual overlooking between aparthotel units and neighbouring single aspect co-living units which form part of The Collective development immediately to the west of site. It is generally acceptable for aparthotel units to have obscured glazing to their secondary aspects, as each unit maintains a large principal window opening and aspect to the north or south, with limited overlooking to these aspects.

- 6.3.10 The communal roof terrace to the central portion of the building, whilst providing necessary break-out space for aparthotel users may result in noise pollution to neighbouring residents at The Collective. A suitable treatment such as a raised parapet for the terrace's western edge as well as planting would mitigate against this, a condition will be attached to any positive recommendation to require further details on the configuration of the communal roof terrace at the western elevation.
- 6.3.11 The location of the goods lift and stair core to the industrial unit entrance is successful in ensuring the efficient use of the floor plate.

Architectural Form, Composition & Materiality

- 6.3.12 The revision of a light render to a natural stone cladding system is highly welcomed in resolving staining and weathering concerns from GRC or light render panels. The proposed natural stone cladding is a high-quality material which is proven to weather successfully and provide visual interest.
- 6.3.13 The proposed zinc cladding is used sparingly for the banding and expressed frame of proposed elevations and has durable weathering properties. Due to its limited use, it is not overbearing on the warmer tones of the natural stone cladding, the principal rainscreen cladding material.
- 6.3.14 Ground and first floor external materials consist of a soft grey brick slip, which delineates the ground floor storey and is a durable material, as well as a GRC expressed frame cladding material to closely match the ground floor treatment of the neighbouring The Collective scheme. This is particularly successful for the street-facing elevation and forms a referential continuation of The Collective's colonnade.
- 6.3.15 A condition will be attached to any recommendation to grant planning permission to confirm the maintenance strategy of the building.
- 6.3.16 Glass balustrading to the shared amenity terrace is not considered appropriate and would raise additional privacy concerns to east-facing habitable room windows of The Collective development. This should be revised to a fully opaque balustrade or raised parapet to limit overlooking. The requirement for this will be combined with the noise mitigation condition required for the terrace, confirmed above.

Agent of Change

- 6.3.17 Policy D13 (Agent of Change) of the London Plan (2021), confirms the agent of change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Boroughs should ensure planning decisions reflect the agent of change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby.
- 6.3.18 Part B of Policy D13 states development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them. Part D of

the policy confirms development proposals should manage noise and other potential nuisances by:

1. Ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area.
2. Exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations.
3. Separating new noise-sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, soundproofing, insulation, and other acoustic design measures.

6.3.19 The proposed development adjoins the Palmerston Centre to the east, and so the proposed scheme has to prevent inhibiting the viability, continuation, and growth of the Centre's operation. In line with the guidance, the applicant has engaged at an early stage in the planning application process with officers to understand the Council's views on the design mitigation required to ensure there is no limitation on the operation of the Palmerston Centre as a result of the proposed development.

6.3.20 The east elevation is designed with no fenestration, and the configuration of the proposal has incorporated for a one metre gap between the proposed development and the boundary of the neighbouring Palmerston Centre that allows for ease of maintenance and a notable separation. The noise report has been assessed by the environmental health officer and the operations from the Palmerston Centre has not been raised as a concern. Instead, the interaction between the uses within the development itself has been highlighted.

6.3.21 It should also be noted that the neighbouring development, The Collective, which is a co-living development has fenestration serving living accommodation facing the Palmerston Centre, the subject scheme would now screen this neighbouring development from the Centre.

6.3.22 Officers consider the orientation of the proposed development, and the specific design solutions in consideration of the Palmerston Centre would restrict any possible nuisance or disturbances within the proposed development.

Landscaping

6.3.23 The ground floor area is to be hard surfaced with one tree proposed. The majority of the hard surface is allocated for vehicle access, servicing, disabled parking, and Sheffield cycle stands. It is noted that the hard materials are to be permeable, to match the adjacent development.

6.3.24 With reference to the floor 3 roof terrace, which is the link between the two building blocks, it is noted the proposed intensive green roof will be shaded and this would need to be taken into account when considering any planting. It is noted that the planting is to enhance the biodiversity and contribute to the urban greening and contribute to the adaption to and reduction of the effects of climate change. The proposed green roof is supported.

- 6.3.25 The proposal for extensive biodiverse green roofs on both blocks combining enhancement to biodiversity of the area together with PV bi-solar roof panels on one of the blocks. The proposal for irrigation to establish the green roof and use of irrigation during extended periods of drought is noted.
- 6.3.26 Further details would be required for the intensive green roof at the floor 3 roof, and the extensive green roofs, to explain the substrate, build up layers on the green roof, planting and irrigation, and this can be covered by a planning condition. Access to the roof for maintenance would be essential, the maintenance of both the extensive, and intensive green roof can also be covered by a planning condition.

Refuse and Servicing

- 6.3.27 A refuse store is proposed at ground floor level which is directly accessed from the shared surface area these services both the industrial and residential use.
- 6.3.28 The waste strategy and collection would be undertaken privately and based on the details provided officers have no objections to the proposal.

Summary

- 6.3.29 In conclusion, the proposed development, subject to the imposition of appropriate conditions, would achieve a high standard of design and layout, which would add positively to the built form, providing a high-quality development which would substantially contribute to the character and appearance of the area, subject to any conditions attached to any permission given being met.

6.4 Impact to Residential Amenity

- 6.4.1 The relevant policies are:

- The London Plan (2021): D3, D14
- Harrow Development Management Policies Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)
- Housing SPG (2016)

Amenity of Future Occupiers and Accessibility of the Aparthotels

Unit Layout and Size

- 6.4.2 There are no prescriptive space standards for visitor accommodation set out in the Development Plan. It is noted from the proposed floorplans that the rooms would largely consist of a 'studio' layout with a floor area range of 21.5m²- 27.6m². The two-bed units would be provided on the sixth to eighth floor with a floor area range of 45.8m² – 55m². Due to the position of the cores, and the width of the proposed development, this results in an 'L-shaped' design to the proposed units, creating a less efficient layout.

6.4.3 Officers requested that existing comparable accommodation is provided to evidence that the proposed development would be a suitable alternative short term let within the borough. The applicant has referred to the following developments,

- Kap House (Service Apartments) 31 Elm Grove Road, Harrow. Offer studios at 25m², and 1 bedroom at 37m².
- Wild Aparthotels by Staycity. Size of the apartments are 25m².
- The Collective (Co-living – Neighbouring Development) average size room of 19.5m².
- 1 Green Hill, self-contained apartment 21m².
- Travel Lodge Hotel, Green Hill Way (Hotel), approximately 16m².

Based on the comparable alternative's officers consider the room areas proposed are considered acceptable and provide an alternative option within the short term let market within the Harrow and Wealdstone area.

Outlook/Visual Amenities

6.4.4 Whilst there is no outlook from the proposed aparthotels at the side elevations to mitigate any impacts on the neighbouring properties, it is considered the fenestration at the north and south elevations (which consist of two windows for each unit) provide adequate visual amenities from the main areas of the proposed units and are considered acceptable.

Privacy

6.4.5 As the glazing on the west elevation is opaque glazed to 1.7m there is no opportunity of overlooking, or an infringement directly parallel with the proposed aparthotels from the neighbouring Collective development. There is potential from the neighbouring development to view the windows on the north and south elevations that serve the aparthotels that look out onto the communal roof terrace, but this is at an acute angle and is not considered to adversely impact the future occupants of the aparthotels.

6.4.6 There are no windows on the east elevation, and the spatial distances to the north and south of the site mitigate any opportunity of overlooking into the proposed aparthotels.

6.4.7 As highlighted above in paragraph 6.3.20 the proposed development is designed to mitigate any interaction between the Palmerston Centre and the proposed aparthotels as the scheme is orientated and designed with its back to the neighbouring industrial development. It has already been highlighted that a condition will be required in terms of the mitigation needed between the E(g)(iii) use and the lower aparthotels.

Accessibility

6.4.8 Part H of Policy E10 (Visitor Accommodation) London Plan (2021) to ensure sufficient choice for people who require an accessible bedroom, development proposals for serviced accommodation should provide either:

- 1) 10 per cent of new bedrooms to be wheelchair-accessible in accordance with Figure 52121 incorporating either Figure 30122 or 33123 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings. Code of practice; or
- 2) 15 per cent of new bedrooms to be accessible rooms in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings. Code of practice.

6.4.9 Three of the proposed aparthotel units would be fully accessible for wheelchair users, these being three of the 2 bed aparthotels as identified in drawing 7281/120 Rev N. A condition will be added to any positive recommendation to ensure these wheelchair units are implemented.

Summary

6.4.10 Officers therefore consider the quality of accommodation for future occupants of the proposed aparthotels is acceptable. There is no daylight and sunlight requirement for serviced apartments. Given that the outlook provided from the two windows on the north and south elevations are acceptable for each unit, officers consider the level of amenity within the units is supported.

Amenity Impact on the Neighbouring Occupiers

6.4.11 Part C (Privacy and Amenity Considerations) of Policy DM1 (Design and Layout Considerations) requires all development proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted.

Outlook/Visual Amenities

6.4.12 Given the industrial nature of the Palmerston Centre to the east, and the builders yard to the north, officers consider there is no relevant assessment needed of outlook and visual amenities from these neighbouring locations. Due to the spatial distance from the nearest residential property to the east, No.69A Palmerston Road, there is considered to be no adverse visual impact from this property.

6.4.13 The proposed development is set further north than the neighbouring Collective development, therefore its mass and scale is not as prominent in consideration of the visual impacts from the rear of the properties along the northern side of Masons Avenue than the neighbouring development previously approved. Officers consider the spatial distance from No. 57-61 Masons Avenue allows for acceptable levels of outlook and visual amenity from the rear of these neighbouring properties.

6.4.14 The east elevation of the neighbouring development, The Collective (No.59 Palmerston Road), is approximately 6 to 9 metres from the west elevation of the proposed development. Given the proposed scheme is part 8 and part 9 storeys it is notable that the windows central and the lower floors within the neighbouring

development would be impacted in terms of outlook and visual amenity. The majority of windows serve bedrooms to the neighbouring co-living development, which are deemed less sensitive as these rooms are not the main daytime living areas. It should be noted that the distance between the proposed scheme and the neighbouring development has already been established and accepted on the western elevation of The Collective development with the Origin Housing scheme. As also highlighted in the daylight and sunlight assessment below, officers consider the windows on the eastern elevation of the neighbouring development compromises the development of the application site, and given the neighbouring development is short-let accommodation, on balance, the visual amenity from the neighbouring development is considered appropriate based on the building heights, distances between buildings, and site circumstances.

Overlooking & Privacy

- 6.4.15 The east elevation facing on to the Palmerston Centre does not include any fenestration, and due to the nature of the neighbouring industrial use, the design of the building does not affect the privacy of the neighbouring property to the east. Given the lack of fenestration on the east elevation and the spatial distance there is also considered no overlooking on to No.69A Palmerston Road to the east. Given the spatial buffer of Palmerston Road and the industrial nature of the uses to the north, it is also considered the proposed development would not create a situation of overlooking or infringement of privacy to these uses.
- 6.4.16 As all windows on the west elevation facing the recently constructed co-living scheme are to be opaque (up to 1.7m), officers consider there would be no infringement on privacy from the western elevation of the proposal to this neighbouring development. There are windows on the north and south elevations of the two blocks facing into the terrace area of the proposed development which would have a view of some windows of the eastern elevation of The Collective development. Due to the angle and relationship of these windows officers consider the scenario of overlooking would be limited, and the privacy levels of the neighbouring development would be acceptable in this regard.
- 6.4.17 The rear boundary of No.57 – 61 Masons Avenue rear gardens is approx. 23metres from the rear elevation of the proposed development, and approx. 44metres from the rear elevation of these neighbouring properties. The rear elevation includes fenestration serving the aparthotels from 2nd to the 7th floor. The supporting text of Standard 28 of the London Housing SPG (2016) states a useful yardstick for visual privacy is 18 – 21metres. Given the rear boundary of the neighbouring property is beyond 21metres, and the neighbouring property has a rear garden of over 20metres in length to the rear elevations of these properties, officers consider the overlooking scenario from the proposed development is in line with the London-wide guidance and is considered acceptable.

Daylight, Sunlight & Overshadowing

- 6.4.18 The applicant has submitted a Daylight & Sunlight Assessment Report (Right of Light Consulting February 2021). The assessment confirms that the analysis was undertaken in accordance with the advice and recommendation set out in the BRE

Guidelines 'Site Layout for Daylight and Sunlight: A Guide to Good Practice' (2011). There are three detailed methods for calculating daylight recommended in the BRE Guidelines: Vertical Sky Component (VSC), No Sky Line Contour (NSL) and Average Daylight Factor (ADF). The VSC and NSL are primarily used for the assessment of existing buildings, while the ADF test is generally recommended for proposed rather than existing dwellings. For sunlight, the Annual Probable Sunlight Hours (APSH) method is also provided.

- 6.4.19 There are no nearby gardens or amenity areas directly to the north of the proposed development, therefore no assessment has been undertaken with regards to overshadowing of gardens or open spaces.
- 6.4.20 It is noted that No.52 to 68 Palmerston Road, which are located on the northern side of Palmerston Road are non-domestic buildings, along with unit 5 – 8 in the adjoining Palmerston Centre, therefore there is not a requirement of specific daylight and sunlight level requirements to these buildings. Nevertheless, it should be noted all rooms and windows to these buildings pass the tests if they were to be habitable buildings.
- 6.4.21 It is concluded by the Daylight and Sunlight Assessment that the nearest residential property to the east, 69a Palmerston Road, and the nearest residential properties to the south, 59 and 61 Masons Avenue, all achieve the daylight and sunlight BRE requirements. This is further corroborated by the conclusion of the independent assessment undertaken by Avison Young (February 2022). The property immediately adjacent to the west of the site, 59a Palmerston Road (The Collective Development), is the only neighbouring property that has identified breaches in consideration of the BRE requirements for daylight and sunlight.

59a Palmerston Road (The Collective)

- 6.4.22 The applicant's assessment identifies 80 habitable windows that do not meet the VSC daylight requirements all located on the east elevation of the neighbouring property. The majority of these breaches are moderate to major breaches, with some breaches being as low as a 0.1 ratio of its existing value. These are bedrooms located on the lowest floor of the co-living units within the central area of the eastern elevation facing the proposed development.
- 6.4.23 In consideration of the resultant NSL daylight distribution levels at the neighbouring property, 53 habitable rooms do not meet the BRE guidance. Whilst there are some minor breaches within this total, many of these rooms are moderate to major breaches of the required levels. Again, these are bedrooms on the lower floors centrally within the eastern elevation of the neighbouring property.
- 6.4.24 The applicant's sunlight assessment to windows at No.59a has concluded that 59 habitable rooms do not meet the total annual sunlight hours test and the winter sunlight hours test. As per the failures already noted for the daylight measurements this is due to the location of the windows relative to the proposed scheme. The majority of these breaches are significant, and some bedrooms achieve as low as 0.01 of its former value, receiving no sunlight throughout the year.

- 6.4.25 The independent daylight and sunlight assessment by Avison Young reaffirms these significant adverse impacts to the habitable rooms. It is noted the independent assessment highlights that the living/dining/kitchen rooms appear to be unaffected, and that the majority of the rooms impacted are bedrooms, which are considered with less sensitivity in accordance with the BRE guidance as they are generally occupied at night-time when natural daylight is not being relied upon.
- 6.4.26 To justify the identified harm to the sunlight and daylight levels within the neighbouring development the applicant's consultant have undertaken a mirror massing study as an alternative assessment which is recognised by the BRE as an appropriate tool where you are building close to a boundary, the results of this approach deem the daylight and sunlight levels of the neighbouring development acceptable. Avison Young within their independent assessment confirm that the BRE Guidelines note that in certain situations it may be useful to consider alternative target values in relation to daylight and sunlight. One of the alternative target criteria provided by the BRE Guidelines is a 'mirror image' approach which is used to understand the levels of daylight (VSC) and sunlight (APSH) that would be experienced by an extant neighbouring property if there were a building of the same height and extent opposite.
- 6.4.27 Avison Young further summarise that the mirror massing assessment is quite simplistic as it merely mirrors an existing building across a boundary line, therefore the approach can sometimes be difficult to apply. Whilst Avison Young do support the use of mirror massing to contextualise the results, they conclude the assessment should not be the primary method for benchmarking daylight and sunlight impacts. Whereas Right of Light Consulting have concluded that the results are 'acceptable' on the basis that there will be no impact if you were to apply a hypothetical mirror massing. Avison Young highlight the use of the mirror massing should be used as an alternative target and not the primary target.
- 6.4.28 Officers consider that the design of the 59a (Collective Scheme) with windows on the eastern elevation at lower level has compromised the development potential of the application site to provide a more efficient use of land than what currently exists on-site. Therefore, the mirror massing approach is considered to be a suitable alternative assessment, and the daylight and sunlight impacts to No.59a should be considered acceptable on this basis. This is further justified because the rooms impacted within the neighbouring development are bedrooms to short-term lets rather than typical residential units, and because this type of relationship between buildings has already been granted and established at the western elevation of 59a with the Origin Housing scheme.
- 6.4.29 It should also be noted that Avison Young conclude in their experience working on sites of a similar scale across London and the surrounding counties, planning consent has been achieved where greater impacts to neighbouring daylight and sunlight amenity have occurred. Whilst this is caveated that this is not to apply any less significance to the impacts that may occur to the 59a Palmerston Road development but instead, to contextualise these impacts against other consents of a similar scale, based on the site's relationship with neighbouring development the harm identified is not unusual for this type of development.

6.4.30 With consideration of the submitted details by the applicant, and the independent assessment undertaken, officers consider on balance the daylight and sunlight impacts to neighbouring properties is considered acceptable.

6.5 Traffic, Parking, Access, Servicing and Sustainable Transport

6.5.1 The relevant policies are:

- The London Plan (2021): T4, T5, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM42
- Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

6.5.2 This location has a public transport accessibility level (PTAL) of 5. This means that access to public transport is considered to be very good. Harrow and Wealdstone station is a short walk from the site where there is access to the Bakerloo line Underground, London Overground and national rail services; furthermore, Wealdstone Town Centre is served by various bus routes. Nearby there are shops, supermarkets and open spaces. This is a good location for car free living. It is acknowledged that the intention for the residential use is serviced apartments which are planned to be short term rental accommodation.

6.5.3 This proposal includes car parking for three disabled bays and a loading bay. As this proposal is within a PTAL 5 location, in line with Policy T6.1 it is required to be car free; therefore, the proposed level of parking is considered to be acceptable. It is expected that the development would not result in an adverse parking impact for the surrounding area due to the existing extensive on-street parking controls. At present, visitors to the site can park in the public car parks within Wealdstone town centre.

Cycle Parking

6.5.4 All proposals must include cycle parking provision in line with London Plan 2021 minimum requirements. The level of cycle parking is compliant with London Plan policy T5 however further detail on the type of stands proposed and the access/layout of the stores is required. A minimum of 5% must be accessible stands and ideally lockers should also be provided. This information should be secured by condition.

Trip Generation

6.5.5 The trip generation analysis does not look at the existing site therefore it is not possible to evaluate the change in trips although it is expected that the intensification of uses on the site would result in an increase. As the proposal is for a reduction in floor space of 30sqm for the B2 use which is expected to continue and the shop remains the same, the figures provided for those elements should be fairly representative of the existing situation. This means that the E(g)(iii) use and serviced apartments are the only uses to generate new trips; this equates to around 24 additional trips generated by the site in the AM and PM

peaks however, the majority of these will be undertaken by sustainable modes due to the lack of on-site car parking provision.

Access and Site Layout

- 6.5.6 The site layout is generally acceptable however, there isn't much detail on the final treatment on the shared access road. Ideally there should be some delineation for a pedestrian safety area. Details can be secured within the landscaping condition as this information may be reliant on what is proposed by the adjoining site.

Delivery and Servicing

- 6.5.7 The level of activity likely for delivery and servicing to be generated by this element of the proposal beyond the existing use is considered minimal.
- 6.5.8 The serviced apartments are anticipated to receive two deliveries per day including laundry, of which the on-site facilities could be used thereby reducing trips. The different uses on site should be encouraged to try to consolidate delivery and servicing trips wherever possible; the same commercial waste collection company should be used, ideally, this could be co-ordinated with the adjacent site too in order to minimise trips; where there is an overlap in supplies required by the different uses, opportunities should be identified to combine orders or deliveries. A detailed delivery and servicing plan should be secured by pre-occupation condition.
- 6.5.9 A detailed construction logistics plan should also be secured by pre-occupation condition.
- 6.5.10 It is therefore considered that the proposed development is acceptable in Highway terms and would accord with policies T4, T5, T6, T6.1 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013), on the basis that if planning permission was granted it would be subject to the abovementioned conditions. Furthermore, the Highways Officer and TFL raised no objection to the proposed development.

6.6 Environmental Considerations – Contamination, Noise, Air Quality

- 6.6.1 The relevant policies are:

- The London Plan (2021): S11, D14
- Harrow Core Strategy (2012): CS1.U
- Harrow Development Management Policies Local Plan (2013):DM1, DM12 DM15

Contamination

Policy DM15 (Prevention and Remediation of Contaminated Land) of the Harrow Development Management Policies (2013), specifically Part A, which proposes the redevelopment or re-use of land known or suspected to be contaminated and development or activities that pose a significant new risk of land contamination will be considered having regard to:

- a. the findings of a preliminary land contamination risk assessment;
- b. the compatibility of the intended use with the condition of the land; and
- c. the environmental sensitivity of the site.

Part B of Policy DM15 confirms proposals that fail to demonstrate that intended use would be compatible with the condition of the land or which fail to exploit appropriate opportunities for decontamination will be resisted.

- 6.6.2 The submitted contaminated land survey concludes that a further range of surveys be completed prior to demolition and rebuilding, which has been reviewed and accepted by the environmental health officer. The further assessments include an assessment of volatile vapours, an assessment to confirm the risk of UXO within the site, and a pre-demolition of asbestos survey. All of these details will be conditioned if officers are to recommend the grant of planning permission.

Noise

Paragraph 109 states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

- 6.6.3 London Plan policy D14 seeks to reduce, manage and mitigate noise to improve health and quality of life. The policy states that residential development proposals should manage noise by a range of measures which include reflecting the Agent of Change principle as set out in Policy D13, mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses and improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity). The policy advocates separating new noise-sensitive development from major noise sources through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation and states that where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles.
- 6.6.4 A Noise Impact Assessment has been submitted as part of the planning application, and the environmental health officer has confirmed the assessment appropriately identifies internal and external noise issues and sets out the criteria for deciding between fabrication and mitigation measures to ensure that occupiers are protected from noise intrusion and transmission.
- 6.6.5 The environmental health officer has requested further details with regards to window and floor details to protect occupiers from internal intrusion and external noise intrusion, a ventilation specification, and a construction noise assessment. The noise impact assessment concludes that the noise levels between residential and commercial uses should be a minimum on-site sound insulation performance of 55db. All of these details and requirements can be conditioned if members are minded to grant planning permission.

Air Quality

- 6.6.6 Harrow is within an 'Air Quality Management Area (AQMA) due to the exceedance of the annual and hourly mean Nitrogen Dioxide and the 24 hours mean small airborne particles.

London Plan policy SI 1 (Improving air quality) Part 1 states that:

"Development proposals should not:

- a) lead to further deterioration of existing poor air quality
- b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits
- c) create unacceptable risk of high levels of exposure to poor air quality."

Part 2 of the policy sets out requirements to ensure that development proposals meet the above objectives including the requirement for developments to be Air Quality Neutral.

- 6.6.7 The application is accompanied by an Air Quality Assessment and is assessed as low risk. The environmental health officer has acknowledged that site dust is recognised as an issue and a risk assessment is recommended by the consultants prior to the commencement of the development, the assessment should cover the considerations identified in the assessment. This can be added as a pre-commencement condition.

Lighting

- 6.6.8 The application does not include any details of the lighting strategy for the scheme, as such, if members grant planning permission for the scheme, a condition to confirm the security and ambient lighting of the proposal with the on and off-site impacts identified and quantified.

6.7 Development and Flood Risk

- 6.7.1 The relevant policies are:

- The London Plan (2021): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM9, DM10

- 6.7.2 The application site is identified within fluvial flood zone 2 & 3 and is at high risk of flooding. This element of the assessment does not consider the sequential and exception tests, this is considered in section 6.2.

- 6.7.3 The Drainage Department was consulted who confirmed that the flood risk assessment and drainage strategy submitted is acceptable, however further details are required including further details on foul drainage, surface water drainage, permeable paving, the proposed green roofs, and the surface water management

(SUDS). These details can be requested via conditions if officers recommendation to committee is to grant planning permission.

6.7.4 The Environment Agency has also reviewed the submitted details and raise no objection.

6.8 **Biodiversity**

6.8.1 The relevant policies are:

- The London Plan (2021): G5, G6
- Harrow Core Strategy (2012):CS1
- Harrow Development Management Polices Local Plan (2013):DM1, DM20, DM21

6.8.2 The application is accompanied by a Preliminary Ecological Report.

6.8.3 The Biodiversity Officer was consulted on the proposal and advised that the application site is of relatively low biodiversity value and is adequately far from sites of importance for nature conservation to conclude that the scheme would have no impact on these.

6.8.4 The scheme is supported by a preliminary ecological appraisal (PEA) which incorporates a preliminary roost assessment (PRA) for bats, and a roost emergence survey proportionate to its findings. The surveys were conducted in May and June 2020 respectively and should be deemed to be out of date. The reports themselves were not updated to reflect changes in the NPPF or the eventual adoption of the new London Plan either. Whilst it would be expected that any application would be supported by adequate assessment based on current surveys, particularly for highly mobile species. However, considering the nature of the site and its surroundings, my view is that there would be little value in requiring survey/report updates. It will, however, be appropriate to require a precautionary approach with regard to the demolition of the existing buildings. This can be addressed via condition.

6.8.5 The PEA notes the Urban Greening Factor requirements and provides worthwhile suggestions with regard to biodiversity enhancement; some of which are reflected in the proposals as submitted.

6.8.6 Despite the PEA recommendations, the proposals lack provision for shelters for bats, birds and invertebrates. These should be provided on a one (single/double shelter) per accommodation unit basis and should have been incorporated within the design from the outset. This is particularly important with regard to shelters that should be integral to the building fabric, and it will be important for the applicant to identify how these will be included within the building. Specialist ecological advise should be sought but provision should incorporate a broad mix of features at low level, in association with the 3rd floor garden area, in the walls rising from this, and towards the building apex, with particular regard to provision for bats and swifts. Provision for invertebrates will be particular important with regard to the green roof areas and their vicinity. Given the height of the building and the fact that it won't be disturbed other than during maintenance, provision of breeding shelter opportunities

for peregrine falcon and kestrel could be considered. Part of the overall provision for bats should include features suitable for over winter hibernation.

- 6.8.7 There appear to be no 'internal' elevations showing the walls adjoining the 3rd floor green roof. It's not clear how this will be accessed for the purpose of maintenance.
- 6.8.8 Additional to such details identified above, there is a need for a plan relating to the installation and establishment of the identified features and for their management in the long term. Therefore, subject to appropriate conditions the biodiversity officer has raised no objection to the proposed development and the provision of green and bio-solar roof spaces and suitable wildlife shelters should provide welcome benefits for wildlife and help contribute to access to nature.

6.9 Energy and Sustainability

6.9.1 The relevant policies are:

- The London Plan (2021): SI1, SI2, SI5
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM12, DM14
- Harrow and Wealdstone Area Action Plan (2013): AAP10

6.9.2 An Energy Statement has been prepared by JAW Sustainability. The development will be served by ASHP for heating and cooling for each of the different types. PV panels are also incorporated. The development will also employ an efficient building fabric, including well insulated walls and highly efficient glazing.

6.9.3 At the be lean stage, the non-residential part of the development demonstrates a 16% reduction in CO₂ emissions over Part L from the implementation of energy efficient systems, fabric, and passive design measures. This is in excess of the 15% requirement. The serviced apartments only achieve a 1% reduction at this stage. However, this is skewed by a high hot water demand for this type of development which cannot be reduced through passive measures. Passive measures incorporated have reduced heating demand, and the hot water is addressed later in the strategy through efficient systems.

6.9.4 At the Be Green stage the overall results are 81.89% improvement for the proposed residential use, and 27% improvement for the non-residential use over Part L. This is in excess of the minimum requirements, which also helps to make up for the shortfalls at the Be Lean stage for the apartments.

6.9.5 The development follows the energy hierarchy, heating hierarchy, and cooling hierarchy. The development will connect to the energy centre at a neighbouring site as soon as it is available, which results in significant carbon reductions. In addition, the PV system is the largest that the roof can accommodate.

6.9.6 Following the energy hierarchy, passive design measures, energy efficient equipment have shown improvement of an 82.63% within the residential element of the proposal and 43% improvement within the non-residential element over Part L.

6.9.7 The Energy Statement includes the calculations for the carbon offset contribution required to achieve zero carbon development (consistent with the London Plan) within section 3.5. At 28.7 tonnes to offset (based on current Building Regulations Part L 2013, as per London Plan) and at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan), the offset contribution is circa £51,683, which should be paid prior to the commencement of development, to be secured via a Section 106 Agreement. The Planning Policy Manager has reviewed the Submitted Energy Assessment and noted that whilst the overall approach is acceptable, the overall reductions relating to the residential element appear particularly high compared to other schemes and that there is limited detailed calculations to support this (i.e. Part L 2013 design stage calculations). He has also noted that it is likely that since the energy strategy was prepared (February 2021) the 2021 version of Part L of the Building Regulations have been published and that the scheme may not meet the transitional timeframes for the development to be implemented under Part L 2013 (the basis of the Energy Assessment). In light of these two considerations, the Planning Policy Manager considers that a revised energy strategy should be submitted and approved prior to the commencement of development. Therefore, should permission be granted, the following requirements should apply:

- Any approval being conditioned to secure submission of a revised Energy Assessment (including full Part L calculations) based on the version of Part L of the Building Regulations that the scheme will be implemented under.
- S106 with the following heads of terms:
 - Payment of carbon offset contribution prior to commencement of development calculated at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan) and using the carbon offset requirement outlined in the approved revised Energy Assessment submitted as a condition of any planning permission.
 - Provisions safeguarding the potential for connection to any future heat network capable of serving the development.
 - Submission of final 'As Built' carbon emissions calculations and payment of any additional carbon offset contribution upon completion (in order to ensure development achieves zero carbon).
 - Compliance with requirements of the Mayor's 'Be Seen' energy monitoring guidance.

6.9.8 Subject to the above obligations and condition, the proposal therefore complies with the above-mentioned policies.

6.10 Secured by Design

6.10.1 The relevant policies are:

- The London Plan (2021) : D5, D11, E10
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM2

6.10.2 Following further details submitted, the Designing Out Crime officer has not raised any objections to the proposed development. A condition is appropriate if this

development was considered to be acceptable in all other respects to ensure that the development would achieve Secured by Design (SBD) certification prior to occupation. On that basis, the proposal therefore complies with the above-mentioned policies.

6.11 **Fire**

6.11.1 The relevant policies are

- The London Plan (2021): D5, D12

6.11.2 Policy D5 'Inclusive Design' and Policy D12 'Fire Safety' of the London Plan (2021) seeks for all developments to meet the highest standards of fire safety and requires all major developments to include the submission of a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

6.11.3 The applicant has submitted a fire strategy report during the determination period of the application, this is subject to HSE review. This application will not be granted planning permission until this review has taken place, and no objection is received from the HSE.

6.12 **Aviation**

6.12.1 The relevant policies are

- National Planning Policy Framework (2021)
- Harrow Development Management Local Policies: DM1
- The London Plan (2021): T8

6.12.2 The Ministry of Defence (MOD) was consulted on the proposed development and confirmed that there are no aerodrome height safeguarding concerns, subject to a condition requesting a Bird Hazard Management Plan to be submitted. On this basis, the proposal therefore complies with the above-mentioned policies.

7.0 **CONCLUSION**

7.1 The statutory position is that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant policies have been set out within the report above.

7.2 In summary the proposals are considered to be in accordance with the objectives of the London Plan (2021), Harrow Core Strategy (2012), and Harrow Development Management Policies (2013), and the National Planning Policy Framework (2021).

7.3 Accordingly, it is recommended that planning permission be granted for application reference P/0842/21, in line with Recommendation A of this report, and subject to the completion of a s.106 agreement, and the conditions listed in Appendix 1.

Interim Head of Development Management	05/07/2022
Corporate Director	07/07/2022

APPENDIX 1: Conditions and Informatives

Conditions

1. Time Limit

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. Plan List

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

Approved Plans:

7281-02 Rev E (Existing Plans), 7281-01 Rev E, 7281-02 Rev I (OS Location Plan), 7281-03 Rev E, 7281-04 Rev E, 7281/6.0 Rev I, 7281 Rev O, 7281 1.2 Rev O, 7281 1.3 Rev O, 7281 1.4 Rev O, 7281 1.5 Rev O, 7281 1.7 Rev O, 7281 1.8 Rev O, 7281 1.9 Rev O, 7281 2.0 Rev O, 7281/20 Rev O, 7281/5.0 Rev O, 7281/5.1 Rev O, 7281/5.2 Rev O, 7281/5.3 Rev O, 7281/5.4 Rev O, 7281/5.5 Rev O, 7281 1.1 Rev L, 7281/99 Rev N, 7281/110 Rev N, 7281/120 Rev N, Principal Visualisation,

Approved Documents:

Air Quality Assessment – Rev C, Daylight and Sunlight Study (Neighbouring Properties) 24/02/2021, Draft Delivery and Servicing Plan February 2021, Preliminary Ecological Assessment, Energy Strategy Report (25/02/2021), Flood Risk Assessment and Drainage Strategy Rev C (Vol 1 – 4), Statement of Community Involvement (December 2020), Transport Statement February 2021, Framework Travel Plan February 2021, Noise Impact Assessment (26/06/2020), Design and Access Statement February 2021, Phase 1 Contaminated Land Assessment Rev C, Bat Survey, Covering Letter (26/02/2021), Fire Statement Form, Fire Safety Overview & Fire Statement, Wash Letter (05/02/2022), MacGill UK Ltd Letter (10/12/2021), David Charles Letter – Economic Development Queries (24/02/2022), Comparison Letter – Peaksons Letting (22/03/2022), Right of Light Consulting Letter (25 June 2021).

REASON: In the interests of good planning and to ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

3. Secure by Design

Evidence of certification of Secured by Design Accreditation for the development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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 in accordance with policy D11 of the London Plan (2021) and policy DM1 of the Development Management Policies Local Plan (2013).

4. 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 road/highway(s), and any other changes proposed in the level of the site, 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.

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 in accordance with policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

5. Bird Hazard Management Plan

No development shall take place until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. In consultation with MOD, the Bird Hazard Management Plan shall include design measures to minimise any increase in the numbers of hazardous species (primarily large or flocking birds) as a result of the development proposed, in particular provisions to prevent gulls from breeding (using appropriate licensed means) on site should be provided. The development shall be carried out strictly in accordance with the details set out in the approved Bird Hazard Management Plan in perpetuity or until RAF Northolt is no longer operational.

REASON: To minimise the potential of the works approved to provide a habitat desirable to hazardous large and/or flocking birds which have the potential to pose a considerable hazard to aviation safety which is exacerbated by the proximity of RAF Northolt.

6. Foul Drainage

The development other than demolition works hereby permitted shall not commence until details of the works for the disposal of sewage to be provided on site have been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the works so agreed and the works shall thereafter be retained.

REASON: To ensure that there is adequate wastewater infrastructure in place to serve the development and to ensure the separation of surface and foul water systems, in accordance with policy SI13 of The London Plan (2021) and policy DM10 of the Development Management Policies Local Plan (2013).

7. Surface Water Drainage

The development other than demolition works hereby permitted shall not commence until details for the works for the attenuation, storage and disposal of surface water to be provided on site have been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the works so agreed and the works shall thereafter be retained.

REASON: To ensure that the development incorporates sustainable drainage systems and achieves greenfield run-off rates, and to ensure the separation of surface and foul water systems, in accordance with policy SI13 of The London Plan (2021) and policy DM10 of the Harrow Development Management Policies Local Plan (2013).

8. Surface Water Attenuation

The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF.

For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

9. Permeable Paving

Notwithstanding the approved details and prior to the commencement of development, full details of the permeable paving and details relating to the long-term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. Details thereby approved shall be retained thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with The National Planning Policy Framework (2018), policy CS1 of The Core Strategy (2012), policy SI13 of the London Plan (2016) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

10. Green Roof

Notwithstanding the approved details and prior to the commencement of development, full details of the Green Roofs (incl. build up layers on the green roof, planting and irrigation) and details relating to the long-term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. Details thereby approved shall be retained thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with The National Planning Policy Framework (2018), policy CS1 of The Core Strategy (2012), policy SI13 of the London Plan (2016) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

11. Car Park Design and Management Plan

Prior to the first occupation of the development hereby permitted, a Car Parking Design and Management Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The plan shall set out the following:

- a) Details of spaces that are to be 'active' electric vehicle charging point spaces and are to be 'passive' electric vehicle charging point spaces. The plan should outline the provision of one active Electric Vehicle Charging Point for at least 20% of spaces from the outset with the remaining 80% passive and the mechanism for converting passive provision to active should demand increase.
- b) Mechanism for increasing the number of spaces that have an 'active' electric vehicle charging point if monitoring demonstrates additional demand.
- c) Details of the allocation and management of the disabled car parking spaces.
- d) Details of monitoring, management and enforcement procedures for parking within the site.
- e) Details of future provision of disabled person's parking spaces should demand increase.

REASON: To ensure that the car parking is managed in a satisfactory manner and that the development contributes to more sustainable travel in accordance with Local Plan DM42 and Policy T6 and Policy T6.5 of the London Plan (2021).

12. Construction Logistic 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.

13. Delivery and Servicing Plan

The residential premises hereby approved shall not be first occupied until a detailed Delivery and Servicing Plan has first been submitted to the Local Planning Authority in writing to be agreed. The delivery and service plan shall be carried out in accordance with the approved details for the lifetime of the development.

REASON: To ensure that the transport network impact of deliveries associated with non-residential uses within the development is managed in accordance with Policy T7 of the London Plan (2021) and policy DM44 of the Harrow Development Management Policies Local Plan (2013).

14. Hard and Soft Landscaping

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until a scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, external furniture and structures, tree planting and tree pits and so on has been submitted to, and approved in writing by the Local Planning Authority which shall include:

- a) 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, plant container sizes (all at time of planting) and proposed numbers / densities and an implementation programme.
- b) The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.
- c) Green roofs, biodiverse intensive and extensive green roofs to include the planting and green roof detail, build-up layers of the material, including the substrate, growing medium, drainage, irrigation and written specification of planting, schedules of plants, noting species, plant sizes, types of vegetation (all at time of planting) proposed numbers / densities. The layout to incorporate biosolar roof with PV panels and planting combined.
- d) Details of all boundary treatment.

The development shall be implemented in accordance with the scheme so agreed and shall be retained as such thereafter. The brown roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation: of habitats and valuable areas for biodiversity; a high quality, accessible, safe, and attractive public realm and to ensure a high standard of design, layout and amenity, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1, DM21 and DM22 of the Harrow Development Management Policies Local Plan (2013).

15. Landscape Management and Maintenance Plan

The development hereby approved shall not be first occupied until a Landscape Management and Maintenance Plan has been submitted to and approved in writing by the Local Planning Authority, for all hard and soft landscapes areas, other than privately owned domestic balconies/terraces/gardens. The Landscape Management and Maintenance Plan shall include:

- a) Landscape Management: long term design objectives incorporating the overall functional aesthetic objectives of the landscape scheme; management responsibilities; programme of works and monitoring procedures; and
- b) Landscape Maintenance: including routine physical tasks required to satisfy appropriate standards of aftercare and enable the design and implementation objectives to be achieved, for the first year of maintenance, years 2-5 and 6 years onwards: maintenance responsibilities; a schedule of maintenance operations (calendar of tasks) set out graphically and in writing.

The Landscape Management and Maintenance Plan shall be carried out in accordance with the approved details.

REASON: To ensure the future success of the development and to enhance the appearance of the development, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

16. Planting

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), 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 or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the Local Planning Authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance

the appearance of the development, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1, DM22 and DM23 of the Harrow Development Management Policies Local Plan (2013).

17. Appearance of the buildings

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the building hereby approved.

The development shall be implemented in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policy D4 of the London Plan (2021), Policy CS1B of the Harrow Core Strategy (2012) and Policies AAP4 and AAP6 of the Harrow and Wealdstone Area Action Plan 2013.

18. External Lighting

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until details of the lighting of all public realm and other external areas (including buildings) within the site has been submitted to the Local Planning Authority. This includes all details of the lighting including sourcing/ manufacturer details, specification, elevations, light spillage and lighting levels.

The development shall be implemented in accordance with the approved details 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 quality in accordance with policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with policy DM20 of the Harrow Development Management Policies Local Plan (2013).

19. Building Maintenance

The development hereby approved shall not be occupied until a strategy for maintaining the external surfaces of the buildings has first been submitted to and agreed in writing by the Local Planning Authority. The strategy shall include details of the regime for cleaning, repainting and repairing the buildings and the logistical arrangements for implementing that regime. Maintenance of the external surfaces of the buildings shall adhere to the strategy so agreed.

REASON: To ensure that maintenance of the development is carried out to preserve the highest standards of architecture and materials in accordance with Policy D4 of the London Plan (2021) and Policies AAP 4 and AAP 6 of the Harrow and Wealdstone Area Action Plan 2013.

20. Television Reception

Prior to the first occupation of the development, details of a strategy for the provision of television reception (eg. aerials, dishes and other such equipment) shall be submitted to and agreed in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces in accordance with Policy 7.4 of the London Plan (2016), Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013) and DM 49 of the Development Management Policies Local Plan (2013), and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

21. Opening Hours

The opening hours of the non-residential uses hereby approved shall be as follows:

- 07:00 hours to 22:00 hours on Mondays to Saturdays (inclusive)
- 10:00 hours to 18:00 hours on Sundays and Bank Holidays

REASON: In order to safeguard the amenities of neighbouring residents in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

22. Wheelchair Units

The three wheelchair aparthotel units shall be implemented as identified within the approved drawings (7281 1.7 Rev O, 7281 1.8 Rev O, 7281 1.9 Rev O, 7281/120 Rev N).

REASON: To ensure sufficient choice for people who require an accessible bedroom within short-term let accommodation provision of 'Wheelchair and Accessible and adaptable' housing in accordance with policies E10 of The London Plan (2021).

23. Blue Badge Parking Spaces

The development hereby permitted shall not be occupied until the three accessible parking spaces of a standard size have been clearly marked out on site, in accordance with the approved ground floor plan (7281 Rev O). Such spaces shall not be used for any purposes other than for the parking of motor vehicles used by residents of the development for blue badge holders/disabled persons only, and for no other purpose, unless otherwise agreed in writing by the Local Planning

Authority.

REASON: To ensure car parking provision is available for use by the occupants of the site and in accordance with policy T6 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

24. Cycle Parking

The development hereby permitted shall not be occupied until details of shelters, racks, dimensions and location of cycle parking spaces shall be submitted to and approved in writing by the local planning authority. Such cycle storage should be designed in accordance with the requirements of the London Cycle Design Standards. The development shall be completed in accordance with the approved details prior to the occupation of the residential units and shall thereafter be retained.

REASON: To ensure that cycle storage is available for use by the occupants of the site in accordance with policy T5 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

25. Roof Terrace Screening – Western Elevation

The development hereby approved shall not be occupied until details of the proposed treatment of the west elevation of the communal roof terrace at third floor have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be installed on site before the occupation of the residential units and shall be maintained thereafter.

REASON: To ensure that the development preserves the highest standards of residential amenity in accordance with Policy D3 and D14 of the London Plan (2021), and Policy DM 1 of the Development Management Policies Local Plan 2013.

26. Sound Insulation

Prior to commencement of development, further details of a sound insulation scheme shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to occupation and carried out in accordance with the approved details for the lifetime of the development.

REASON: To ensure that the Council may be satisfied that the development is in compliance with Policy D14 of the London Plan (2021), and Policy DM1 of the Development Management Policies (2013). This is a pre-commencement condition because it necessary for the details to be approved, in order for them to be implemented as the construction of the development commences on site.

27. PD Restrictions

The approved ground and first floor commercial space (Use Class B2 and Use Class E(g)) shall only be used for the purposes as set out in the application and for no

other purposes.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities in accordance with policy D3 of the London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

28. PD Restrictions

The second-floor commercial unit (Use Class E(g)(iii)) shall only be used for the purposes as set out in the application and for no other purposes.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities in accordance with policy D3 of the London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

29. Air Handling & Ventilation Systems

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level until full details and specifications of any plant and equipment associated with the air handling and ventilation systems, including details for the control of noise and vibration emanating from such systems has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the air handling and ventilation system shall be implemented and maintained in full compliance with the approved details and shall be thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the amenities of neighbouring resident in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

30. Contamination

No demolition or clearance work shall take place on the site until a UXO risk assessment and an assessment of the risk of volatile vapours in the made ground of the site has been undertaken in accordance with the recommendations of the approved Phase 1 Contaminated Land Assessment (Rev C), and has been submitted to and agreed in writing by the local planning authority.

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. To ensure that measures are agreed and in place to identify and manage potential sources of contamination during the demolition and construction phases of the development.

31. Asbestos

No demolition or clearance work shall take place on the site until a refurbishment and demolition (R&D) asbestos survey has been submitted to and approved in writing by the Local Planning Authority. The R&D survey shall be carried out and then be acted upon by a suitably qualified person in order to deal with any asbestos found on site and shall include a detailed visual and intrusive investigation relating to the removal and disposal of asbestos-based materials. The demolition and disposal of materials from the site shall be carried out in accordance with the approved details.

REASON: In order to safeguard the environment, the surrounding area and prospective end users of the land.

32. Revised Energy Strategy

No development shall take place until a revised energy strategy has first been submitted to the Local Planning Authority in writing to be agreed. The details of the revised energy strategy will include full Part L calculations based on the version of Part L of the Building Regulations that the scheme will be implemented under.

The approved details shall be installed on site before the occupation of the development and shall be maintained thereafter.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework (2021), policies S2 of The London Plan (2021) and policies DM12, DM13 and DM14 of the Harrow Development Management Policies Local Plan (2013).

33. Biodiversity Enhancements

The development hereby permitted shall not commence above podium slab 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;

- a) A plan outlining full details of greening and biodiversity enhancements (ideally incorporated with other landscaping provision) to then incorporate these at the appropriate stages to ensure their successful inclusion/establishment.
- b) The works to be undertaken under the direction of an Ecological Clerk of Works to ensure that these would have no impact on breeding birds or roosting bats.
- c) Photographs of the greening and other biodiversity features to be provided to the Council for approval of the measures implemented under the approved plan (a).
- d) A plan for the ongoing maintenance of the features important for biodiversity (may be combined with the landscaping maintenance plan) for the next 5 years to be provide to the Council for approval in writing, and thereafter updated at 5 yearly intervals for a period of at least 30 years in order to ensure that the

agreed greening and biodiversity gain will be retained as part of the approved development

REASON: For the protection and enhancement of biodiversity and provision of access to nature in accordance with local plan policies (DM20 and DM21) in support of the Harrow BAP, the London Plan Urban Greening Factor and the National Planning Policy Framework.

Informatives

1. Relevant Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan (2021):

D1, D2, D3, D4, D5, D8, D11, D12, D13, D14, E4, E7, E10, G5, G6, G7, SI1, SI2, SI12, SI13, SI15, T4, T5, T6.1, T8

Harrow Core Strategy (2012): CS1

Harrow and Wealdstone Area Action Plan (2013):

AAP3, AAP4, AAP6, AAP9, AAP10,

Harrow Development Management Policies Local Plan (2013):

DM1, DM2, DM9, DM10, DM12, DM14, DM15, DM20, DM21, DM22, DM34, DM42, DM45,

Supplementary Planning Documents:

Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

Mayors Housing Supplementary Planning Guidance (2016)

2. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

3. Mayoral CIL

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 £146,220

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](https://www.planningportal.co.uk/) 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

4. Harrow CIL

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 £134,715

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.

5. 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.

6. Party Wall Act

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: communities@twoten.com

7. Compliance with Planning Conditions

IMPORTANT: 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.

8. Liability for Damage to Highway

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.

9. Sustainable Drainage Systems

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 (2016) 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.

10. Designing Out Crime

For further information regarding Secure By Design, the applicant can contact the North West London Designing Out Crime Group on the following: DOCOMailbox.NW@met.police.uk

11. Network Management

The developer is urged to make early contact with Network Management in order to agree any temporary traffic management measures required; these should then be included in the detailed CLP for submission.

12. Landscape Management and Maintenance

A Landscape Management Plan would be expected to set out, graphically and / or in writing, the overall functional and aesthetic objectives of the landscape scheme and the steps (eg legal arrangements including ownership and management responsibilities, planned maintenance tasks, any phased works, management programme of works, monitoring procedures etc.) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity.

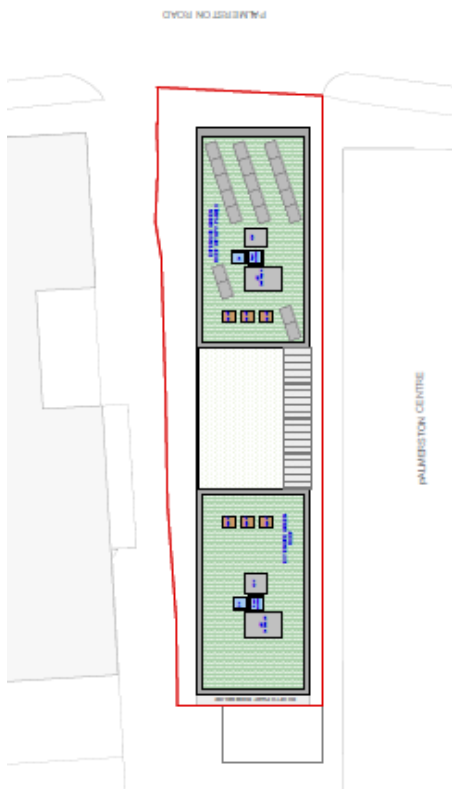
Landscape Maintenance refers to the routine physical tasks (e.g. strimming, pruning, weeding, plant replacement, watering, litter clearance, maintenance of furniture, any decorative landscape lighting etc.) required to satisfy appropriate standards of aftercare and to enable the design and implementation objectives in respect of planting to be satisfactorily achieved. It is essential to identify who is responsible for these tasks.

A Schedule of Maintenance Operations is normally a component of a Landscape Management Plan and commonly included within a Landscape Design Specification document.

APPENDIX 2: SITE PLAN



Existing Site Plan



Proposed Site Plan

APPENDIX 3: SITE PHOTOS



View of the existing principal elevation



Existing Western Boundary from Palmerston Road

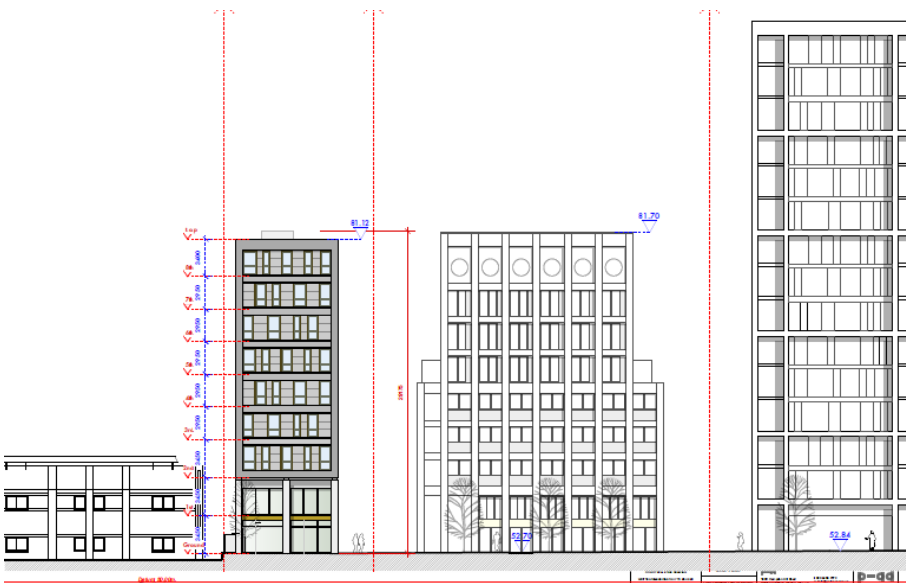


View of existing northern boundary / principal elevation in context of Collective Scheme / Origin Scheme / Palmerston Centre

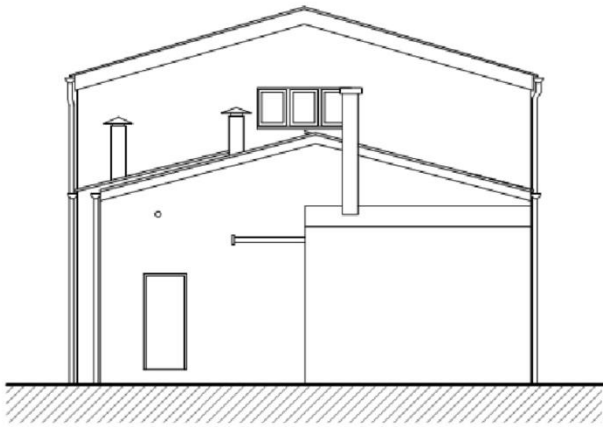
APPENDIX 4: PLANS AND ELEVATIONS



Existing Principal Elevation – Palmerston Road ↑

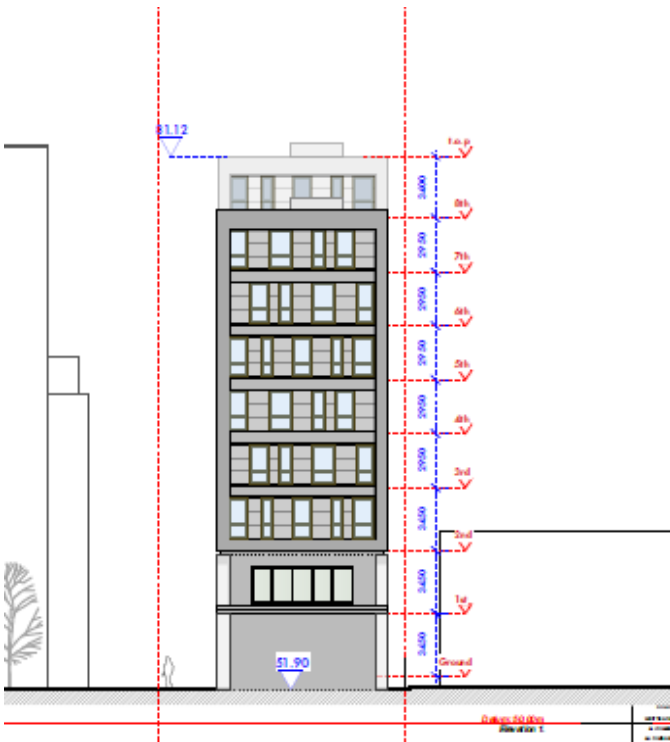


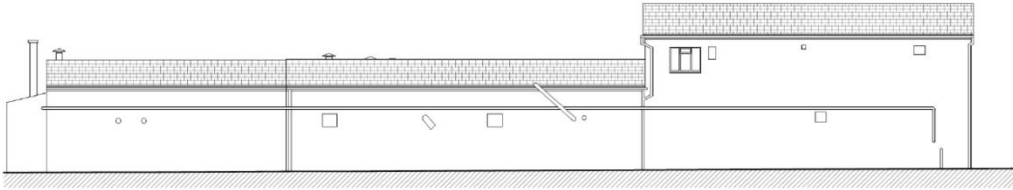
Proposed Principal Elevation – Palmerston Road ↑



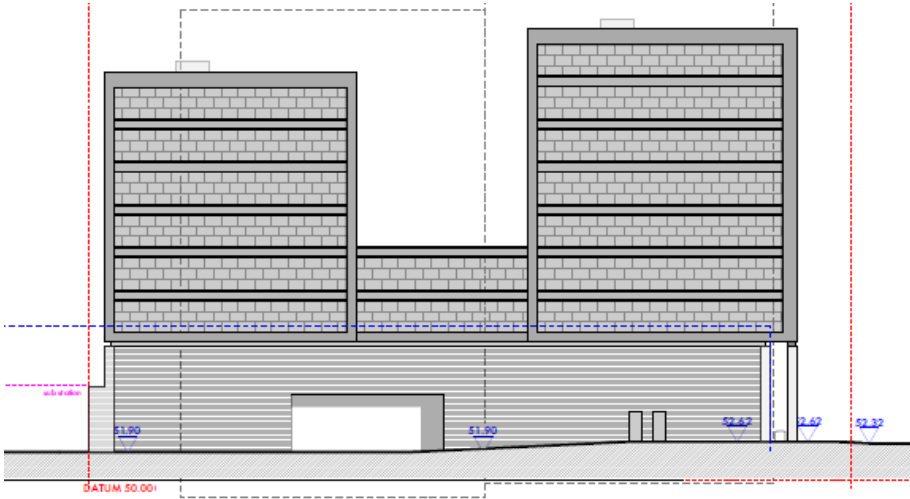
Datum: 50.00m.
Elevation 4.

Existing Rear Elevation ↑

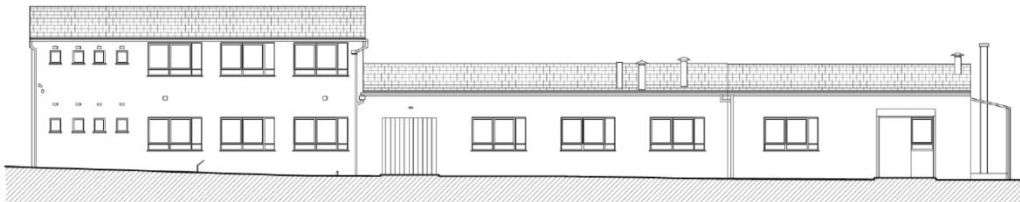




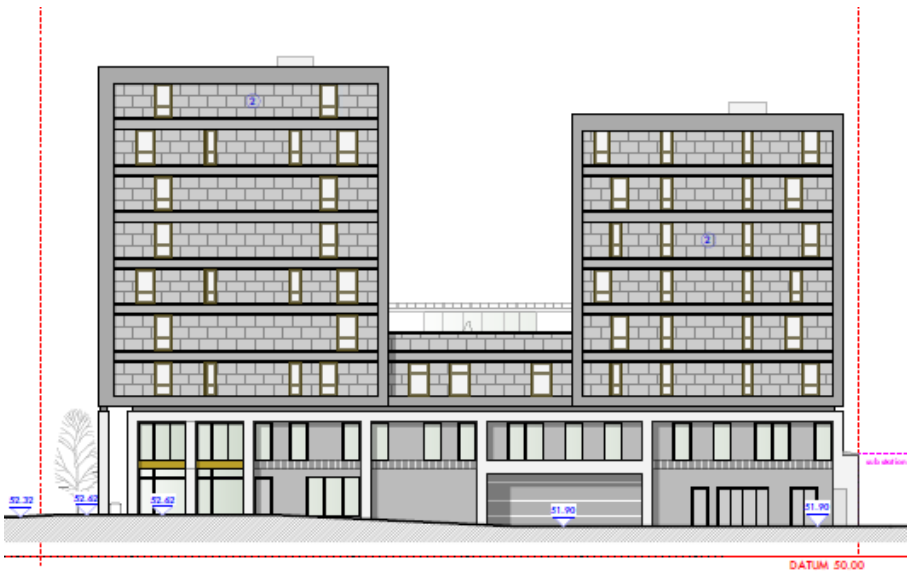
Existing East (Side) Elevation ↑



Proposed East (Side) Elevation ↑

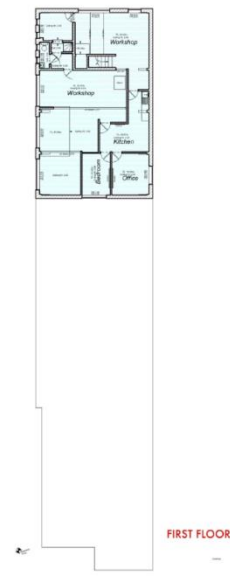
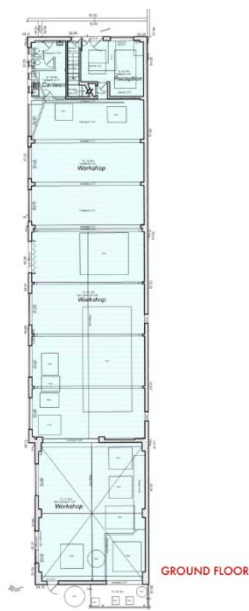


Existing West (Side) Elevation ↑



Proposed West (Side) Elevation ↑

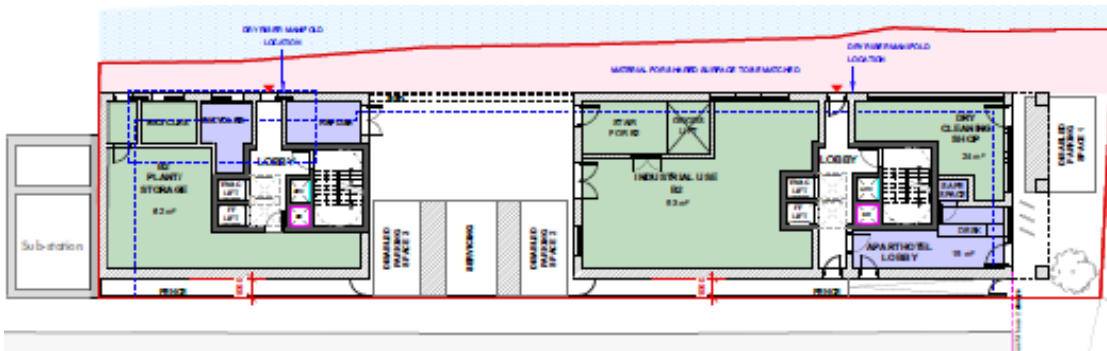
Existing Floor Plans



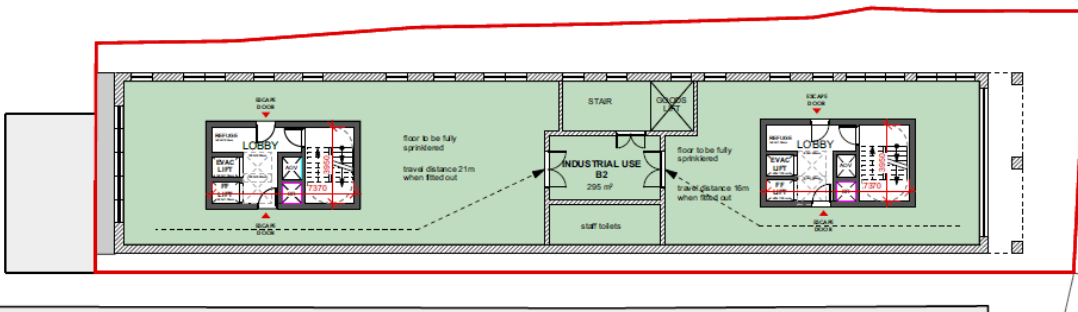
Existing Ground Floor Plan ↑

Existing First Floor Plan ↑

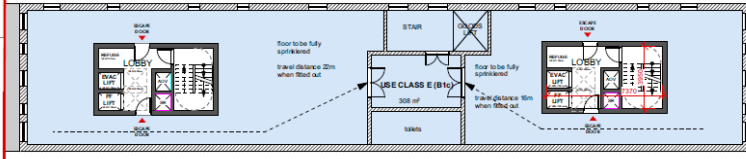
Proposed Floor Plans



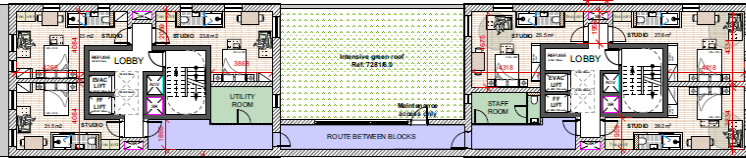
Proposed Ground Floor Plan ↑



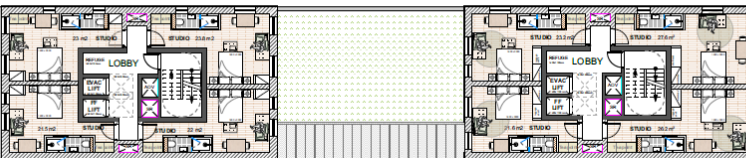
Proposed First Floor Plan ↑



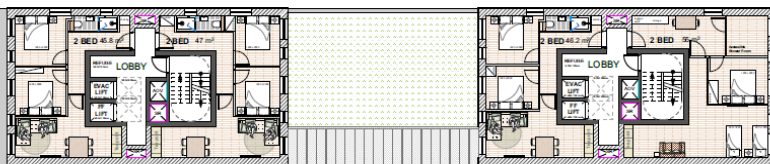
Proposed Second Floor Plan ↑



Proposed Third Floor Plan ↑



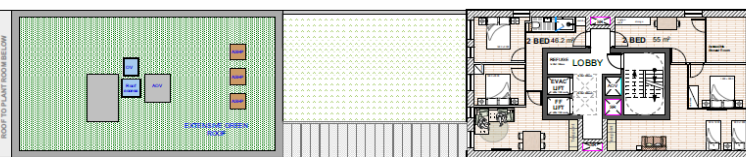
Proposed Fourth & Fifth Floor Plan ↑



Proposed Sixth Floor Plan ↑



Proposed Seventh Floor Plan ↑



Proposed Eighth Floor Plan ↑

Visualisation

Principal Elevation



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