



THE HARROW HILL TRUST

Caring for the heritage of the Hill and its future

The Chair
Harrow Council Planning Committee
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12^h November 2021

Via email to:

Cc CAAC committee, Harrow on the Hill Ward Councillors

RE: CAAC Constitution

Dear Councillor Fitzpatrick

The Harrow Hill Trust proposes the following change to the constitution of the Harrow Conservation Area Advisory Committee.

Proposed change

Section 1 to be amended to the following

1 The Committee shall consist of one nominee each from the following:

National Appointments

*RIBA
RTPI
Landscape Institute*

Historical Societies

*Georgian Group
Victorian Society
Ancient Monuments Society
20th Century Society
SPAB*

Local

*Harrow Hill Trust
The Pinner Association
Stanmore Society
Pinner Local History Society
Stanmore & Harrow Historical Society
Hatch End Association
Any Other Organisation – 1000+ members*

The proposed change is for Harrow School to no longer be written into the constitution as a member.

Reason for the proposed change

Harrow School, unlike the other CAAC members written into the constitution, is a major owner and developer of property within the Harrow Hill conservation areas.

The purpose the CAAC is to give independent advice to the Council about proposed developments. Including among the committee's membership the major developer in the Harrow Hill conservation areas is not consistent with ensuring independence of the committee's advice.

Even though Harrow School is expected to step back from any committee discussions in which it has an interest, we do not consider this an effective safeguard against potential conflicts of interest. This has indeed proved to be the case as evidenced in the appendix. Harrow School has a very large number of properties and land throughout Harrow on the Hill. It is therefore extremely hard for the Harrow School representative on the committee to establish, and for the committee as an entity to monitor, when Harrow School's interests may be affected directly or indirectly by a proposed application near one of its properties. Also more generally, by precedents that CAAC advise on which, although they may appear unrelated to anything in-hand relating to the School, they may well have an impact on the School's role as developers and future plans, which the committee would not be aware of. The potential conflicts from such advice concerning policy or precedents are unique to this member.

To go further, Harrow School is the only member with its own Supplementary Planning Document ('SPD') and any policy or precedent, or different approaches adopted by the CAAC which conflict with that and other Borough-wide policies which could impact on school property or the school's future plans under the SPD or its internal estates master plan creates a conflict. The members of the committee are not party to the future plans of the developer and as such would not be able to identify where input to the committee may actually represent a conflict of interest.

An example would be discussions and views of the CAAC about the policies concerning the retention of retail shops or offices and their loss to residential uses. This would be of relevance to the School and not necessarily in relation to a specific third party application in the vicinity of one of their buildings. Such a conflict arises purely due to their development and estate owning position.

In addition, on two occasions the representative from the school has directly intervened to counter opinion from our representation to the Council on conflict situations, including seeking to stop this detailed submission, which is being presented to you. This hinders the working of the committee. It also creates an unpleasant committee environment which arises directly from the conflict of interest.

A Neighbourhood plan for the area would have incorporated conservation area protection policies into Local Plan level as opposed to just at SPD level, thereby strengthening the conservation area status, but it was deemed to conflict with the objectives of the School and hence they opposed it despite it having support from 94% of respondents.

The school has on many occasions conflicted with planning policy, producing plans which conflict with the purpose of the conservation areas. The assessment of such harm to a conservation area are not just our view but have been upheld by other members of the CAAC, by the Council's Planning Committee, the Mayor of London and by Inspectors at a Public Inquiries.

We understand that the school is likely to be taking a recent application to the Inspectorate again for which substantiated objections relate to harm to a conservation area and listed buildings as agreed by local ward councillors and the Planning Committee.

No other CAAC member has such conflicts.

No other member has proposed developments which harm the conservation areas.

Other members have pointed out that a potential benefit from the experience of the School with regard to their property would be lost. On one occasion, the recent extension to Druries a verbal representation by the School's attendee was not just contained to factual information or confined to answering specific questions but was opinionated and not a neutral balanced opinion. The school should not be present when such matters arise or to be able to embellish an application. No other developer is allowed that opportunity.

Also, the Committee and the Harrow Hill Trust through its membership have extensive knowledge of the history of local buildings and their design merits and faults including those owned by the School. As with all other developments, the documentation should be sufficient for the CAAC committee to exercise their judgement especially as the school is normally very thorough. Where that may not be the case, the CAAC would point out any material deficiency to the Council. Permitting the School to embellish or enhance the information is not what is available to any other developer, nor would it be available to the public for their assessment.

Committee members do not need to be the owners of the property which is subject to an application to be able to provide its independent advice to the Council.

No other member has S106 legal agreements with the Council

No other member has responsibilities under the Local Plan.

The evidence is clear. We call on the School not to seek to defend the indefensible. In order to ensure that the CAAC is, and is also seen to be, providing independent advice without conflicts of interest, and to uphold good governance, the constitution needs to be amended as proposed.

Thank you.

Yours sincerely

Paul Catherall

Paul Catherall

Chair, Harrow Hill Trust Planning Committee

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Appendix

EVIDENCE FOR THE PLANNING COMMITTEE

The minutes of the CAAC of Monday 18th October 2021 record the attendance of a representative of Harrow School. No declarations of interest were made for any of the applications on the published agenda. The representative on behalf of Harrow School submitted written commentary to CAAC members by email earlier that day. This commentary covered 9 of the 18 applications. Then, at the meeting, their comments were presented by their representative with particular emphasis and time spent on application P/3890/21 for the Castle Pub 30 West Street, P/2895/21 West Hill Close and P/3907/21 the mast application. For the mast application a letter was presented to the committee on Harrow School headed paper.

For application P/3890/21 the Castle 30 West Street it is our belief that the school owns two of the three boundaries. Owning the next door property number 28 West Street (and number 26 West Street), and the rear boundary, which is Bradbys.

For application P/2895/21 West Hill Close it is our belief that the School agains owns two of the three boundaries. The properties to the rear being Mount Pleasant and West Acre and the next door property West Road. However, this is not the first time that the Harrow School representative has been present when independent advice was provided concerning this property. A prior application P/3897/19 was discussed at the CAAC meeting of 21st October, 2019 and the Harrow School representative was present and also on that occasion did not disclose an interest.

Just looking at those minutes of 21st October 2019 there was also a discussion under AOB about 25 High Street, and the Harrow School representative was present and did not disclose a conflict of interest, and yet it is believed that it is owned by the School as well as the School owning neighbouring properties.

For application P/3907/21 the mast application, the School wrote extensively on the matter, even having its representative present its letter on headed paper to the CAAC and no conflict of interest announced and yet a neighbouring property is West Acre, owned by the School.

An example of discussions about policy issues which create a conflict would be around conservation area and Metropolitan Open Land boundaries, the attributes of a particular conservation area, and public access to and enjoyment of open spaces.

The School has sought to change the Metropolitan Open Land boundary firstly by way of its own SPD suggesting a swap. Secondly by way of a section 106 agreement. Also, discussion about the attributes of two neighbouring conservation areas can create a conflict such as the replacement building for the current Oldfield House. The public access to a recent proposal for a path which adjoins a public footpath highlights general Local Plan policies about access where the School has been shown to hold opposing views. Other policy conflicts expected to increasingly arise with the focus on climate change could be the pursuit of green planning policies such as green walls and roofs. It would seem that the school has no green roofs and has removed both of its green walls.

Interference with the running of the committee by opposing input from other members on matters relating to the School has occurred. For example, recorded in the CAAC minutes of 15th

July 2019. The Harrow Hill Trust had not been represented at the previous two meetings as our previous liaison representative Andrew Reed had resigned after extensive period of service and our next representative had not joined until that meeting in July. At the May meeting there was an application for the replacement of Oldfield House which had minor comment from other CAAC members and yet it was of considerable importance to many HHT members. As it turned out, those views were supported by the planning committee, and it was refused permission. Hence the application as raised under any other business and recorded in the minutes as follows.

“Paul Catherall – We, The Harrow Hill Trust, have very strong feeling about the John Lyon School proposal. Comment on the heritage statement. Their own statement states it creates harm. Harm and this needs to be weighed against the public benefit. The S106 is location specific. Whilst there is inconvenience about building on the same site it is not really justified in varying the outline. The ridge height is the main concern. Impacts by infilling and impacts on the listed buildings”.

However, the Harrow School representative said the following.

WS asked it be minuted that John Lyon School application reference P/1818/9 was reviewed by the CAAC Committee on 20 May and comments were published. During the CAAC meeting on 15 July 19 and under any other business Paul Catherall expressed a personal view about the John Lyon School proposal however the application was not considered by the Committee at the meeting on 15 July 19.

Firstly, no declaration of interest was recorded, and the representative remained present, however they did not remain silent with a comment made and a request for it to be minuted. The Harrow School representative should not have intervened, not only should he have not commented, but also, he should not have sought to interfere with the other members' comments. It was a legitimate point being raised and the view of the Harrow Hill Trust's planning committee chaired at that time by Dr Simon Less. All members can have their views noted. The Trust have very detailed knowledge of this site and its associated S106 legal agreement between the developer and the local planning authority, having been a party to a recent Public Inquiry concerning that site where its views were upheld by the Inspector.

Another occasion was at the recent AGM and, whilst not in the CAAC minutes it was recorded in a report back to members of the planning committee of the Harrow Hill Trust. On this occasion the Harrow School representative opposed the writing of this letter to the Planning Committee stating that the Trust had already made its views known to the CAAC, thereby seeking to restrict comment from another member of the CAAC on a conflict matter. This was not accepted but it makes it an unpleasant atmosphere for the CAAC committee and shows interference with its workings again seeking the suppression of the views of a member.

Other policy conflicts situations have been provided in the main text of this letter.