
1. ACTION PROPOSED

1/01, Stanmore & Edgware Golf Centre, Brockley Hill, P/3088/20

The planning committee resolved on 17th November 2021 to refuse planning permission for 3 reasons. The Decision Notice was issued on 26 November 2021, refusing planning permission on those 3 reasons. The reasons are as follows:

1.The proposed development would have a greater impact on the openness of the Green Belt than the existing development on the application site. The proposed development would therefore constitute inappropriate development in the Green Belt, to the detriment of the character, appearance and openness of the Green Belt, contrary to the National Planning Policy Framework (2021), policy G2 of The London Plan (2021), Core policy CS 1 F of the Harrow Core Strategy (2012), and policy DM 16 of the Harrow Development Management Policies Local Plan (2013), and no very special circumstances have been demonstrated by the applicant whereby the harm by reason of inappropriateness is outweighed by other considerations.

2.The proposed building, by reason of its design and form, would appear as unsympathetic and obtrusive in an open setting, to the detriment of the character and appearance of the locality within the context of a Green Belt site, contrary to policy D1, G2 London Plan (2021), policy CS1.B of the Harrow Core Strategy (2012) and policy DM1 of the Development Management Policies (2013).

3.The proposed development, by reason of failure to provide adequate on-site or off-site car / coach parking and lack of integrated drop off facilities to serve the proposed banqueting facility, would significantly intensify site usage and generated trips. The associated likely on site congestion and parking overspill into the London Borough of Harrow and the London Borough of Barnet, with particular reference to the residential streets to the south-east of the site, is therefore considered to be detrimental to highway and pedestrian safety, and the amenities of neighbouring occupiers, contrary to the National Planning Policy Framework (2021), Policy T4 of The London Plan (2021), and policies DM 42 E and F, DM 1 B (f) (C) and D (h), policy DM 42 E and F and DM 43 B and C of the Harrow Development Management policies Local Plan (2013).

The applicant has appealed the refusal. The Council has instructed Counsel to represent the Council at the public inquiry.

The Council's highway officers have carried out a survey of the roads surrounding the application site and have found that parking is possible on some side roads without impacting on highway safety.

Therefore, it has been agreed that reason 3 above will only be defended in relation to matters of highway safety on Brockley Hill. The other aspects of the reason for refusal relating to residential amenity will remain the same.

On this basis officers are seeking authority to amend reason 3 as follows;

3.The proposed development, by reason of failure to provide adequate on-site or off-site car / coach parking and lack of integrated drop off facilities to serve the proposed banqueting facility, would significantly intensify site usage and generated trips. The associated likely on site congestion and parking overspill will be detrimental to the amenities of neighbouring occupiers and to highway safety in Brockley Hill, contrary to the National Planning Policy Framework (2021), Policy T4 of The London Plan (2021), and policies DM 42 E and F, DM 1 B (f) (C) and D (h), policy DM 42 E and F and DM 43 B and C of the Harrow Development Management policies Local Plan (2013).

2. CIRCUMSTANCES, INCLUDING POLICY CONTEXT

Relevant Policies

National Policy

Paragraph 110 (d) of the Framework set out that in “In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: “any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

Paragraph 111 of the Framework states that: “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Paragraph 185 states that:

“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment as well as the potential sensitivity of the site or wider area to impacts that could arise from the development. In doing so they should (a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”.

Regional Policy

Policy T4 of the London Plan (Assessing and Mitigating Transport Impacts) states under part F that “Development proposals should not increase road danger”.

Local Policy

Policy DM 42 (Parking Standards) states that:

“E. The design and layout of parking areas (including those for scooters, motorcycles and bicycles) should be safe, secure and fit for purpose. Access to and from the public highway should maintain and, where necessary, improve safety and give priority to the convenience of pedestrians and cyclists.

F. that would result in inappropriate on-site parking provision, having regard to the criteria in this policy, and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists, will be resisted.”

Policy DM 43 (Transport Assessments and Travel Plans) states that:

“B. Proposals for major development will be required to satisfactorily mitigate the impacts identified in the Transport Assessment and any others arising from the Council’s assessment of it. Mitigation measures will be required to contribute to the desirability of achieving modal shift away from private car use and should include the preparation and implementation of Travel Plans. C. Proposals that fail to satisfactorily mitigate the transport impacts of development will be resisted.”

Policy DM1 of the Harrow Development Management Policies Local Plan (Achieving a High Standard of Development) states that:

“A. All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted.

B. The assessment of the design and layout of proposals will have regard to:

- a. the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;
- b. the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;
- c. the context provided by neighbouring buildings and the local character and pattern of development;
- d. the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;
- e. the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;
- f. the functionality of the development including but not limited to the convenience and safety of internal circulation, parking and servicing (without dominating the appearance of the development) and the appearance, capacity, convenience, logistics and potential nuisance of arrangements for waste, recycling and composting; and
- g. the arrangements for safe, sustainable and inclusive access and movement to and within the site.

C. All development and change of use 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.

D. The assessment of privacy and amenity considerations will have regard to a. the prevailing character of privacy and amenity in the area and the need to make effective use of land; h. the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution.”

3. I certify that this non-executive action meets the following criteria:-

- (a) the subject matter of the action will not give rise to substantial implications of a policy or resource nature for the Council in the future;
- (b) the cost of implementing the action does not exceed the agreed budget;
- (c) the decision taken will not conflict with any plan or strategy agreed by the Council;
- (d) the matter is of such a nature that it may be against the Council's interest to delay and it is not practicable to obtain the approval of the Council Committee.

Signature of Initiating Officer:



4. COMMENTS OF OTHER DEPARTMENTS

(including signature by or on behalf of Directors)

Finance Division

The planning appeal in this case includes the use of Counsel and urban design consultants, the costs of which are still to be finalised as the public inquiry is live. These costs will be charged to Planning Services. There isn't a specific budget allocation for dealing with planning appeals, therefore these would increase the budget pressure already identified in this service area.

Legal Division

Legal comments are incorporated into the report

Other Departments

5. REASON FOR URGENCY

Is the report urgent? Is the matter of such a nature that it may be against the Council's interest to delay and where it is not practicable to obtain the approval of the Council Committee

YES

NO

6. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Is this form exempt from inspection by the public?

YES

NO

If the answer is yes, specify grounds.

7. Please indicate whether you support the proposed action

Chair and Nominated Member of relevant Committee

I support the Proposal(s)

Signed: Marilyn
Ashton

Chair: Cllr Marilyn
Ashton

Date: 13 September
2022

Comments:

I support the Proposal(s)

Signed: Nitin Parekh /
Simon Brown

Nominated Member: Cllr Nitin Parekh /
Cllr Simon Brown

Date: 13 September
2022

Comments:

8. DECISION BY THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES IN CONSULTATION WITH THE CHAIRMAN AND NOMINATED MEMBER (OR THEIR NOMINEES)

I agree with the action proposed in Section 1.

Signature: 

Position: Director of Legal and Governance Services

Date: 13 September 2022
