

**Report for: Planning Policy  
Advisory Panel**

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<b>Date of Meeting:</b>	3 <sup>rd</sup> October 2022
<b>Subject:</b>	Tall Buildings Supplementary Planning Document (SPD) – scoping and draft principles and objectives
<b>Key Decision:</b>	No
<b>Responsible Officer:</b>	Dipti Patel, Corporate Director Place Viv Evans, Chief Planning Officer
<b>Portfolio Holder:</b>	Cllr Marilyn Ashton Portfolio Holder for Planning & Regeneration
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	No
<b>Wards affected:</b>	All Wards
<b>Enclosures:</b>	Appendix 1 – Draft objectives / principles table

## **Section 1 – Summary and Recommendations**

This report sets out the proposed approach to be taken to prepare specific tall building guidance by way of a Tall Building Supplementary Planning Document (SPD) and invites the Panel's comments on this. Draft objectives and principles to inform the drafting of the document are also included. The draft document will be presented to the Panel at a meeting later in 2022.

**Recommendations:**

The Panel is requested to:

- A. Note the contents of the report and the recommended approach to bringing forward a Tall Building Supplementary Planning Document
- B. Note the draft Objectives & Principles contained in Appendix 1

- C. Note the proposed timetable headlines contained paragraphs 3.5 – 3.6
- D. Provide comments / feedback in relation to the information set out in this report and associated appendices.
- E. Agree to progress the preparation of a draft Tall Building Supplementary Planning Document.

**Reason: (for recommendation)**

To outline the approach to preparing a Tall Building Supplementary Planning Document.

## **Section 2 – Report**

### **1.0 Introduction**

- 1.1 The Council has committed to prepare a Tall Buildings Supplementary Planning Document (SPD)<sup>1</sup>. This report sets out an approach to progressing a Tall Building SPD, which will directly respond to meeting a stated priority of the Council in regard to tall buildings in suburbia.
- 1.2 This report reviews the relevant legislation / policy framework relating to tall buildings, and local evidence base. It then sets out how a tall building SPD will be brought forward in that context. Specifically, it provides a context-based approach (linked to existing Local Plan policies), supported by a formula to assist in determining height (within each context), which will allow for a tall building definition to be determined across the differing character areas of the Borough.

### **2.0 Options considered**

- 2.1 To do nothing and rely on the existing local policy framework (Core Strategy and Development Management Policies adopted in 2012 and 2013 respectively). The London Plan 2021 has been subsequently published and the update to the Local Plan will not be completed and adopted for at least three years meaning to do nothing would leave a significant period without contemporary local guidance relating to tall buildings. It would also not reflect the stated priority of the Council to bring forward a Tall Buildings SPD.

### **3.0 Why a change is needed**

- 3.1 The Local Plan process can span several years as it involves evidence gathering, policy development, at least two statutory periods of consultation and independent examination of the draft Local Plan by the Planning Inspectorate (which may also trigger further consultation).

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<sup>1</sup> See Cabinet meeting 24 May 2022, item 5

<https://modern.gov.harrow.gov.uk/documents/s176909/Cabinet%20Report%20-%20May%202022%20-%20Tall%20Buildings%20and%20Conversions%20-%20FINAL%20V2%20-%2020220517.pdf>

- 3.2 Proposals for tall buildings are coming forward in the meantime, with limited guidance (especially outside the Harrow and Wealdstone Opportunity Area) in the current Local Plan.
- 3.3 It is considered that to introduce specific design guidance through a Tall Building Supplementary Planning Document would provide greater clarity across the borough for any applications that would involve a building that would be substantially taller than the context within which it is located (whether or not defined as a 'tall building' in the context of either the Harrow Local Plan or the London Plan).
- 3.4 Specifically, a Tall Building SPD will provide contemporary advice and guidance that would cover the entire borough and set out an approach to providing a context-based analysis for any location that a building that is substantially taller than its surroundings, and would articulate what would be considered a tall building subject to its context. Whilst assisting in determining what would be a tall building for a development in relation to its context, the SPD would also provide design guidance to ensure a high-quality development.
- 3.5 In bringing forward a Tall Building Supplementary Planning Document, the following sets out the key timetable actions required to be undertaken (Dates may be subject to change);
- i. Scoping Report for Planning Policy Advisory Panel (this report): 3<sup>rd</sup> October 2022
  - ii. Draft SPD for Planning Policy Advisory Panel: November 2022
  - iii. Cabinet Approval to Consult on SPD: December 2022
  - iv. Consultation Period: January – February 2023
  - v. Report back to Planning Policy Advisory Panel: February 2023
  - vi. Cabinet Approval to Adopt the SPD: March 2023
- 3.6 In the preparation of the Tall Building SPD, officers will also engage internally with relevant departments (Development Management for example), and the Harrow Design Review Panel. This will assist in ensuring a more robust and defensible SPD is achieved.

## **4.0 Policy Context and Evidence Base**

### **National Planning Policy Framework 2021**

- 4.1 There is no specific national guidance on development of tall buildings. However, paragraphs 119 and 124 of the NPPF states that “planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”.
- 4.2 A central theme to the NPPF 2021 is that good design is a key aspect of sustainable development, which creates better places in which to live and

work and help make development acceptable to communities. In this context, Paragraph 124 of the NPPF states:

“Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.”

#### **Historic England tall buildings note / advice**

- 4.3 Historic England’s guidance on tall building’s is set out in ‘Advice Note 4’. This is a key document and reflects the importance of preserving the historic environment when planning for tall buildings. Historic England recommend that local planning authorities adopt a plan led approach to managing tall buildings. Part 3 of the advice note relates to Local Plans and states: “In a successful plan-led system, the location and design of tall buildings will reflect the local vision for an area, and a positive, managed approach to development, rather than a reaction to speculative development applications. It is therefore important that the appropriate scale and form of development is assessed as part of the formulation of the local plan. Techniques such as characterisation and building height studies provide evidence to support a local height definition for tall buildings and the identification of appropriate locations in local plans.”

#### **London Plan (2021)**

- 4.4 The London Plan was published in March 2021 and introduced Policy D9 (Tall buildings) which provides a prescriptive policy on the approach to tall buildings across London. Specifically, it states verbatim;

#### **Definition**

- A Based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.

## **Locations**

- B
- 1) Boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. This process should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations.
  - 2) Any such locations and appropriate tall building heights should be identified on maps in Development Plans.
  - 3) Tall buildings should only be developed in locations that are identified as suitable in Development Plans.
- 4.5 The policy then sets out what the impacts of tall buildings may be and provides boroughs with a range of matters which should be assessed as part of development proposals. In practice, this means that boroughs are unable to have a local tall building definition that is less than 6 storeys or 18m when measured from ground floor to the floor level of the uppermost storey. Buildings that are below this threshold will not (cannot) be considered as a tall building in terms of being required to be assessed against London Plan Policy D9C, which sets out impacts that should be addressed as part of any tall building proposal. Such buildings (below the definition of tall building) would have to still to be assessed against other planning policies to ensure that they are appropriate for their location and do not lead to unacceptable impacts on the local area due to their height) Whilst Harrow Council is unable to have a tall building definition that would be lower than these thresholds (6 storeys / 18m), this purely relates to a definition of a tall building, not the suitability of a tall building in a particular location.
- 4.6 Supporting Policy D9 (Tall buildings), paragraph 3.9.3 states '*Boroughs should define what is a 'tall building' for specific localities, however this definition should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey. This does not mean that all buildings up to this height are automatically acceptable, such proposals will still need to be assessed in the context of other planning policies, by the boroughs in the usual way, to ensure that they are appropriate for their location and do not lead to unacceptable impacts on the local area*'. It is clear within the London Plan (2021) that there is acknowledgement that what constitutes a tall building will vary from place to place, and that buildings that do not meet the London Plan (2021) definition of tall buildings are not necessarily acceptable and may harm the character of the area in terms of the context in which they are located (i.e they maybe unacceptably 'taller' than their context, even if lower than the minimum definition of a tall building i.e. not less than 6 storeys or 18 metres).

## **Harrow Local Plan**

- 4.7 Within Harrow, the development plan is made up of the London Plan (2021) and the following;
- a. Harrow Core Strategy (2012)
  - b. Harrow Development Management Policies Local Plan (HDMPLP) (2013)

- c. Harrow & Wealdstone Area Action Plan (2013)
  - d. Site allocations DPD (2013)
  - e. Policies Maps
- 4.8 The Harrow Core Strategy (2012) identifies the Harrow & Wealdstone Opportunity Area as being the focus for development within the borough and potential for tall buildings. Tall buildings in the Opportunity Area are defined as buildings 30m and above<sup>2</sup>. This is consistent with the requirements for a building outside of the City of London to require Stage 1 referral to the Mayor of London. The subsequent Harrow & Wealdstone Area Action Plan (2013) provides detailed implementation policies, including tall buildings / building heights / site allocations. However, outside of the Opportunity Area (and outside of the remit of the Area Action Plan), there is no tall building definition, no identified areas suitable for tall buildings, and no tall building policies. In this context, paragraph 3.9.3 of the London Plan indicates: ‘Where there is no local definition, the policy applies to buildings over 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey’.
- 4.9 Within the Harrow & Wealdstone Area Action Plan (2013) (AAP) Policy AAP6 (Development Height) sets out design criteria for tall and taller buildings within the Opportunity Area only but does not set out detailed guidance on what would constitute a tall or taller building (see below). In any case, Policy AAP6 is limited to the Opportunity Area, and therefore does not provide guidance as to the locations of where tall buildings may be / not be appropriate across the remainder of the borough. It is also noted that AAP does not provide specific heights for the entire Opportunity Area, rather relying on the indicative heights and density for each of the ‘allocated’ development sites. Furthermore, whilst AAP6 provides guidance on design considerations when assessing tall building applications, some elements of the policy are dated and may now no longer be considered best practice. Furthermore, the policy wording of AAP6 is limited in terms of providing clarity in relation to acceptable locations and heights of tall buildings (outside of the allocated sites).
- 4.10 There are a number of policies within the HDMPLP (2013) where height is a consideration for proposals for tall or taller buildings under the current Local Plan;
- a. DM1 Achieving a High Standard of Development
  - b. DM3: Protected Views and Vistas
  - c. DM7: Heritage Assets
- 4.11 Each of the policies listed above are discussed in more detail below in the context of how the proposed Tall Buildings SPD supplements the current Local Plan.

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<sup>2</sup> Harrow Core Strategy (2012) Footnote 23

## Harrow Evidence Base

### Harrow Characterisation and Tall Building Study (August 2021)

- 4.12 In response to Policy D9 (Tall buildings) of the London Plan (2021) requirements for a context-based definition (or definitions) of what is a tall building, the Harrow Characterisation & Tall Building Study (2021) was commissioned and was completed in August 2021. This study was prepared on behalf of Harrow Council by Allies and Morrison.
- 4.13 The study was split into two main workstreams, with a complete character assessment of the entire borough, and secondly a specific tall building guidance element.

### Characterisation Study

- 4.14 The Characterisation Study in assessing the borough wide context makes it clear that within suburban Harrow (outside of town centres, neighbourhood parades, growth areas), the prevailing character is largely between 2 to 3 storeys. Building heights are greater in town centres, namely in Harrow & Wealdstone town centre that has seen recent mixed use and residential schemes over 10 storeys. Non-residential buildings such as institutions, big box retails, and industrial only make a small proportion of the building typologies across the borough.

### Tall Buildings

- 4.15 Specific to tall buildings, the study identifies a methodology which enabled a context-based definition of tall buildings, consistent with Historic England Advice Note 4 and London Plan Policy D9: Tall Buildings. As noted above, Policy D9 of the London Plan (2021) sets out that in defining tall buildings *'the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey'*. Notwithstanding this, the prevailing character of Harrow in terms of building heights is largely between 2 – 3 storeys, with building heights greater in town centres, namely in Harrow & Wealdstone town centres that has seen recent mixed use and residential schemes over 10 storeys. The Station Road corridor linking Harrow and Wealdstone town centres also represents generally taller prevailing heights.
- 4.16 By reason of the prevailing character of Harrow, and notwithstanding the London Plan (2021) 'minimum' tall building definition (Policy D9), it is unlikely that a 6 storey building would be considered acceptable across most of Harrow by reason of the predominant suburban context. However, there may be locations within the borough (outside the Opportunity Area) where taller buildings may be acceptable, but nonetheless will still require design scrutiny to ensure the highest design quality is achieved. Conversely, by increasing design aspirations and standards, schemes that fail to deliver against these will be refused. What is clear is that tall buildings and taller buildings and any corresponding height is based on the local context, and that a nuanced approach is required regardless of the London Plan (2021) definition.

- 4.17 Building on from the setting the prevailing pattern of development in any one location, the following formulae are applicable in determining what constitutes mid-rise or tall buildings (based on context, not the default London Plan definition of 6 storeys / 18 metres);

$mr > 1.5p$

mr = mid-rise  
p = prevailing height

$t > 2p$   
or  
 $t \geq 6s \text{ or } 18m$

t = tall  
p = prevailing height  
s = storeys  
m = metres

Formula to define tall dependent on context or 6 storeys / 18m, whatever is taller

Formula to define mid-rise dependent on context

- 4.18 The above approach is considered to be consistent with the supporting text (to Policy D9 London Plan (2021)) within paragraph 3.9.3, which notes that *'tall buildings are generally those that are substantially taller than their surroundings and cause a significant change to the skyline'*. Buildings across much of Harrow are 2 to 3 storeys in height, and within that context a building twice the height would be substantially taller and make a significant change to the skyline.

Understanding where tall buildings may be an appropriate form of development

- 4.19 The prevailing height across suburban Harrow is 2 and 3 storeys, and as such it is considered that a 6 storey building (18m above ground level), would be unacceptable and would not be supported by the LPA within such a location. Elsewhere, subject to the matters raised below and a contextual analysis carried out (and agreed by the LPA), taller buildings may be appropriate. Specifically, the assessment of proposals for tall buildings in the local context, will need to consider nearby sensitive receiving environments<sup>3</sup> which a tall building may harm.
- 4.20 Following on from undertaking a sieving process for the sensitive receptors (i.e. those local character and context features most likely to be impacted upon by tall/taller buildings), such buildings would need to be located within a sustainable location<sup>4</sup>. Sustainable locations are in principle more appropriate locations, which may potentially include buildings of height provided that they are responsive to their surroundings and demonstrate high quality design. Proposals must consider their immediate and local character, townscape and

<sup>3</sup>Harrow Characterisation & Tall Building Study (2021): Conservation Areas/Statutory listed buildings/Locally listed buildings/Heritage at Risk/Local views and landmarks/Safeguarded airspace (RAF Northolt)

<sup>4</sup> Harrow Characterisation & Tall Building Study (2021): Proximity to a town or local centre/proximity to a public open space/Accessibility by bicycle/Accessibility to public transport/Train Station Locations/Opportunity Areas/Movement Corridors.



socioeconomic context. The locational characteristics identified above are considered to contribute to Good Growth / Sustainable Development, as reflected in the London Plan and Harrow Local Plan and any proposals would need to demonstrate how they would contribute to Good Growth and represent sustainable development in every aspect.

- 4.21 In determining sustainable locations for tall buildings or those that are taller than the surrounding buildings, local plan policy and relevant evidence would suggest that such locations are likely to be town centres, neighbourhood parades, and corridors. There are generally locations which are highly accessible from a public transport perspective, and with close access to amenities (good & services / shopping / leisure / employment). Each proposal would be considered in the context of each of these respective locations, as it is noted each would be set within different contexts and different constraints (which are set out within policies in the Local Plan) would apply. For example, Pinner Town Centre is noted as having a high quantity of heritage assets which may be a development constraint, resulting in a direct impact reducing the ability for buildings with height being supported due to potential harm to such assets.

#### Tall Building Supplementary Planning Document

- 4.22 Supplementary Planning Documents (SPDs) build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making.
- 4.23 It is proposed to prepare a Supplementary Planning Document (SPD) in the context of the publication of the London Plan (2021) and with specific reference to Policy D9 (Tall buildings) and the Harrow Local Plan, to assist in determining applications where tall buildings are to be proposed. As mentioned previously, there is no specific tall building policy (i.e. following the approach set out in the London Plan 2021) within the current local plan, and therefore any SPD on this matter would have to support existing Harrow Local Plan policy(ies) seeking to protect against the potential harmful impacts of tall buildings (i.e.; Character and context / Heritage Policies) and those that promote sustainable forms of development (i.e. location within town centres / areas of good public transport accessibility). However, such an approach would require a nuanced approach, as a SPD that seeks to address matters that ought to be addressed by a policy, may be considered unlawful.
- 4.24 Design guidance will be provided for larger sites (either by individual site or through site assembly) to ensure that new development where height is proposed, would satisfactorily stitch into the surrounding fabric / context. Guidance of this nature will assist where a development site proposes buildings with height which are in close proximity / adjacent to a notably different character / context.

## Conclusion

- 4.25 The predominate built character across the majority of Harrow is 2 to 3 storeys, specifically in relation to the large amount of suburban character that makes up Harrow. By reason of this, buildings that would exceed the definition in terms of height (6 storeys or 18 metres measured from ground to the floor level of the uppermost storey) as set out within Policy D9A of The London Plan (2021), would not be appropriate within suburban Harrow. Accordingly, buildings that exceed 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey will not be supported other than when circumstances and design indicate otherwise to the satisfaction of the Council.
- 4.26 Whilst the prevailing character of suburban Harrow is strong in terms of height being 2 to 3 storeys, and the Council would not look to support buildings of 6 storeys or 18m from ground level in these locations, buildings of height may be appropriate in sustainable locations and subject to the context in which they are proposed. Specifically, it is acknowledged that the Harrow & Wealdstone Opportunity Area has over the Local Plan period undergone transformation, with multiple tall buildings (as defined in the current London Plan (2021 Policy D9A)). Furthermore, and subject to consideration against the above, taller buildings may be appropriate in other town centres, and corridors. Furthermore, larger sites are often able to set their own character and as such may provide suitable locations for tall buildings, appropriate guidance will be provided in this context, specifically to ensure that they would stitch into the surrounding context satisfactorily.

## **5.0 Harrow Local Plan policies the SPD will expand upon**

- 5.1 In the context of the above, the following provides an overview of the policies within the Harrow Local Plan that it is proposed that any SPD providing further guidance in relation to tall buildings will expand upon;

### Policy DM1: Achieving a High Standard of Development

- 5.2 Policy DM1 of the HDMPLP is a policy within the Local Plan that relates (in part) to ensuring development would achieve a high standard of design in and of itself, and also within the context of the locality within which it would be situated. Whilst it does not specify where a tall (or indeed taller) building should be located and what an appropriate height would be in such a location, it represents a policy that a SPD would be able to provide more guidance for tall buildings developments, which would ensure that there would be a satisfactory relationship with neighbouring buildings, the local character and pattern of development. Whilst other potential policies are listed below, the general catch-all nature of DM1B is considered to be the most appropriate. Notwithstanding this, it is noted that any development would need to demonstrate compliance with all relevant policies within the Development Plan. DM1B specifically states;

## Design and Layout Considerations

*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.*

- 5.3 As mentioned above, a SPD is only able to provide guidance to an existing policy, and is unable to create new policy. In the event that it seeks to create new policy, it would fall foul of the regulations (Outside of Regulation 5(1)(a)(iii) or 5(1)(b) of The Town Country Planning (Local Planning) (England) Regulations 2012) and would most likely be unlawful if challenged at appeal or in the Courts.
- 5.4 With regard to any spatial (locational) element Policy DM1 provides criteria at DM1B(a) and (c).
- 5.5 What is clear is that the policy requires a consideration of massing, bulk, scale and height in relation to the location in which a development would be proposed. With specific regard to height, whilst it is not prescriptive in where specific height would be appropriate / inappropriate, it directs such an assessment to be undertaken to demonstrate that any new proposal would not be at odds with the prevailing pattern of development; the proposed SPD would provide guidance as to how to undertake that assessment based on the principles outlined in the Characterisation and Tall Buildings Study (2021) and summarised in section 4 above.
- 5.6 Following on from the policy requirements as set out above in terms of character and local context, DM1 then provides criteria in relation to design. Policy DM1B(b) provides specific criteria (also addressed generically elsewhere in Policy DM1) to be considered as part of ensuring a high quality design is achieved in any development.

- 5.7 On reviewing Policy DM1 of the HDMPLP (2013), it is considered that the policy would provide a sufficient policy basis to provide further tall building guidance and design on. It seeks to ensure that any development is brought forward without detriment to the surrounding context, and that it would be of a satisfactory design.
- 5.8 Policy DM1 sets out the criteria that shall be considered as part of any planning application, there is little further guidance to assist applicants to understand where appropriate locations would be for taller buildings, and how appropriate heights would be determined in each location.
- 5.9 The proposed Tall Building SPD will provide further detailed guidance in relation to the design and layout of developments (Policy DM1B). Specifically, greater clarity of the context in which a development would be located within, would be provided.
- 5.10 Following on from guidance in relation to what would constitute local character and pattern of development, the Tall Buildings SPD will provide guidance to ensure that new development would be brought forward in accordance with what Policy DM1B is seeking to achieve. Specifically, the SPD will provide methodology to where tall buildings are likely to be considered as more appropriate in terms of impacts on the prevailing pattern of development / constraints. It will then go on to assist in determining what would be an appropriate height to ensure that any new development would be appropriate within the local character and pattern of development.
- 5.11 Spatially, the SPD would be able to provide guidance for different areas across the borough, specifically in relation to the Harrow & Wealdstone Opportunity Area, Town centres, and corridors. Guidance for suburban character areas would not provide for buildings over 6 storeys (18m above ground level), as such height of buildings would be harmful and not supported. Each of these locations will respond differently to buildings of height, with some able to achieve a greater height much more comfortably than others. By reason of this, a nuanced approach would need to be taken, as a one size fits all approach across the borough would not be appropriate (such a nuanced approach would reflect the 'context' approach within the London Plan).
- 5.12 Whilst height is one of the primary material considerations that must be taken into consideration when assessing any development, achieving a high-quality design is essential for any development, particularly for those that may be taller than the prevailing pattern of development. The Tall Building SPD will provide further guidance on ensuring a high-quality design is achieved in any forthcoming planning application, with a greater emphasis on any developments that result in higher built form than the surrounding pattern of development. Where height is proposed, harm from poorly designed schemes is exacerbated by height / prominence. By reason of this, much more detailed design scrutiny is required on development where height is proposed. The

Tall Building SPD will focus on the importance of considering and responding to;

- a) context of the built and natural environment;
- b) public realm design;
- c) the crown, middle and
- d) base of a tall building;
- e) key characteristics of London tall buildings;
- f) sustainability considerations;
- g) and the impact of proposals on microclimate.

- 5.13 The Tall Building SPD will carry these headings through, with each broken down further to provide detailed guidance to assist schemes being developed in a manner that will ensure a successful design. Proposed developments where height above the prevailing pattern of development is proposed, regardless of whether it meets the D9 definition of being a tall building (i.e. minimum 6 storeys / 18 metres), it will be required to follow the detailed guidance as set out within the SPD.

#### **Other relevant policies for the SPD**

- 5.14 There are a number of other policies (in addition to Policy DM1) that a Tall Buildings SPD would be able to provide further guidance to.

#### **DM3: Protected Views and Vistas**

- 5.15 As part of the Harrow Local Plan 2013 evidence base, a Views Assessment was undertaken (2012) which developed viewing corridors across the borough to protect significant components of local identity and sense of place. Specifically, such corridors sought to protect the landscape backdrop provided by the Green Belt to the north of the Borough, and also the profile of the Harrow Hill – with particular reference to St. Mary’s Church. Schedule 3 of the HDMPLP (2013) sets out the protected viewing corridors, which are also shown on the Harrow Policy Maps for a landmark viewing corridor (red layer) and a wider setting consultation area (yellow layer).
- 5.16 Development within the landmark viewing corridor (shown in red on the policy maps) sets a height restriction for new development that should not be exceeded. However, height above the restriction may be acceptable subject to achieving a high standard of design quality. Similarly, a high-quality design should be achieved within the wider setting corridor (shown as yellow on the policy maps), albeit not as strict as within the red. Whilst Policy DM3 provides guidance insofar as what the policy expectation for new design must achieve, it does not provide specific/detailed guidance to assist applicants on how to achieve such a high quality of design for new developments; the proposed SPD will seek to provide this guidance as part of the overall design guidance.

#### **Policy DM7: Heritage Assets**

- 5.17 Collectively and individually heritage assets are a unique, irreplaceable resource to be sustained for the present and future generations to understand

and enjoy. Issues of design, appearance and character are the main issues to consider in proposals for additions and alterations to heritage assets, and new development affecting heritage assets, as they have the potential to impact their significance.

- 5.18 Policy DM7B(b) sets out the relevant issues of design, which need to be considered when proposed development located within the setting of a heritage asset; such as a conservation area, listed building, scheduled ancient monuments, and archaeology areas of interest is brought forward.

### **Conclusion**

- 5.19 The above sets out the current Harrow local plan policies that are considered to lawfully provide a policy basis for the proposed Tall Building SPD to provide further guidance in relation to buildings, which would be taller than the prevailing pattern of development within which they would be located. Each of the policies indirectly provide detail in relation to the consideration of height (among other material planning considerations) that will be assessed as part of a planning application. However, whilst it is clear that the issue of height is a policy consideration, none of the listed policies provide detailed guidance on how height should be approached by an applicant as part of a planning application nor are any specific heights identified. Furthermore, there is limited guidance on how a high quality of design is able to be achieved, specifically in relation to developments that may be of height that is not consistent with the prevailing pattern of development.
- 5.20 The Tall Building SPD will provide further guidance to existing local plan policy, as set out above, in relation to guiding appropriate locations for buildings of height and achieve high quality design. It is considered that policy DM1 would be the most appropriate local plan policy to provide further guidance on height and design, as this policy requires and assessment against the prevailing pattern of development for any forthcoming planning application. The SPD will also be required to provide guidance to any new policy (either character or a tall building specific policy) as part of any local plan review.
- 5.21 Once adopted, the Tall Buildings SPD will provide greater clarity and certainty to applicants who are seeking to bring forward developments that may be noticeably taller than the surrounding context within which they are located within. Equally, it will ensure that a robust approach to addressing height and design quality is undertaken, and therefore schemes that fail to address these satisfactorily, will be refused.

### **6.0 Broad Outputs for the Tall Building SPD:**

- 6.1 The following outputs and outcomes are envisaged from the preparation of the Tall Building SPD:
- a. Borough wide character assessment to provide a benchmark of local context (character/prevaling heights etc)

- b. Objectives and Principles that provide a clear understanding of the approach taken by the Council when considering proposals for buildings taller than their surrounding context
  - c. A clear statement and position that (based on the evidence base noted above) that 6 storey / 18m high developments in a suburban context (prevailing heights of 2 – 3 storeys) would be inappropriate as evidenced in the Characterisation Study and Tall Building Study (2021).
  - d. Formula to provide guidance in determining what constitutes a tall building height for new development in relation to its context within the Opportunity Area / a Town Centre / Corridor
  - e. Specific design guidance for tall building development
  - f. Consideration of local views in the context of DM3: Protected Views and Vistas and the interaction with DM1.
  - g. Clarity for developers seeking to bring forward development that may be taller than their surrounding context.
  - h. Clarity for LPA decision takers when considering planning applications where tall / taller buildings are proposed.
  - i. The SPD could also set out the process for the consideration of tall building application – DRP etc.
  - j. Follow on piece of work with regard to tall buildings may be the progression of area/site specific design codes. This piece of work will be useful when dealing with areas/sites that have been designated as appropriate for tall/taller buildings through the local plan review. Following on from a local plan tall building policy, design codes are able to be much more prescriptive when dealing with height on such sites
- 6.2 Draft Objectives and Principles have been developed and these are included at Appendix 1 for consideration and comment by the Advisory Panel. These will inform the drafting of the full SPD.

## **7.0 Implications of the Recommendation**

### **Considerations**

#### **8.0 Resourcing**

- 8.1 The project will be resourced internally by the Planning Policy Team, from the existing revenue budget. Significant input will be required from the Council's Principal Urban Design Officer (located within Development Management).

#### **9.0 Ward Councillors' comments**

- 9.1 Ward Councillor input will be sought during the preparation of guidance and any formal consultation which is a statutory requirement.

## 10.0 Performance Issues

10.1 None: Report is for information purposes only. Performance issues will be considered as part of any future Cabinet Report.

## 11.0 Environmental Implications

11.1 None: Report is for information purposes only. Environmental implications will be considered as part of any future Cabinet Report.

## 12.0 Data Protection Implications

12.1 None: The report is prepared for information purposes only for the Planning Policy Advisory Panel, which is noted as being a publicly accessible forum

## 13.0 Risk Management Implications

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **No**

The relevant risks contained in the register are attached/summarised below. **N/A**

The following key risks should be taken into account when agreeing the recommendations in this report:

<b>Risk Description</b>	<b>Mitigations</b>	<b>RAG Status</b>
Non-compliance with regulatory requirements for the preparation of any guidance (i.e. scope of guidance, process.)	<ul style="list-style-type: none"><li>▪ Scope of guidance will have regard to previous Counsel advice regarding this</li><li>▪ Process (including formal consultation) managed to ensure it complies with regulatory requirements</li></ul>	Green
Non-(general) conformity / consistency with Harrow development plan (i.e. London Plan, Harrow Local Plan)	<ul style="list-style-type: none"><li>▪ Drafting to be undertaken in context of existing development plan.</li><li>▪ Opportunities to expedite ('twin-track') the development of relevant policy as part of Local Plan review to be considered in an effort to reduce any potential conflict with future Local Plan policy.</li></ul>	Green
Broader Planning Policy / Urban Design work programs impacted upon should additional resources to undertake the work outlined in this report not be forthcoming	<ul style="list-style-type: none"><li>▪ Broader work programmes adjusted to reflect the priority given to the preparation of the SPD within existing resources</li></ul>	Green



## **14.0 Legal Implications**

- 14.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 14.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 provide guidance on the preparation and adoption of supplementary planning documents.
- 14.3 Although the proposed SPD is not a development plan document it will, on adoption, be a material consideration in the determination of tall building development proposals within Harrow.
- 14.4 The Council is required by law to consult on the SPD and to take into account all consultation responses received before adopting the SPD. As soon as reasonably practicable after adopting an SPD, the Council must (i) make available the SPD and an adoption statement and (ii) send a copy of the adoption statement to any person who asked to be notified of the adoption of the SPD.

## **15.0 Financial Implications**

- 15.1 The cost of preparing and implementing the guidance on tall buildings will be met from Planning Policy Team and Development Management (Urban Design) resources.

## **16.0 Equalities implications / Public Sector Equality Duty**

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

## **17.0 Council Priorities**

### **17.1 Putting residents first.**

- 17.2 The progression of a Tall Building Supplementary Planning Document was a manifesto commitment by the new administration. This report and the proposed approach sets out the approach by the Council to deliver the Tall

Building SPD, which would reflect the priorities of the Council to put residents first. It reflects the commitment made by Cabinet at its May 2022 meeting.

### **Section 3 - Statutory Officer Clearance**

**Statutory Officer:** Jessie Mann  
Signed on behalf of the Chief Financial Officer

**Date:** 22 September 2022 – by email

**Statutory Officer:** Mrinalini Rajaratnam  
Signed by the Monitoring Officer

**Date:** 22 September 2022 – by email

**Chief Planning Officer:**



**Date:** 22 September 2022

### **Mandatory Checks**

Ward Councillors notified: No, as it impacts on all Wards / Information only  
EqIA carried out: No: refer to paragraph 16 above  
EqIA cleared by: N/A

### **Section 4 - Contact Details and Background Papers**

**Contact:** Callum Sayers, Principal Planning Policy Officer, 077 3159 1724, [callum.sayers@harrow.gov.uk](mailto:callum.sayers@harrow.gov.uk)

**Background Papers:**

- [National Planning Policy Framework \(2021\)](#)
- [London Plan \(2021\)](#)
- [Harrow Local Plan](#)

## Appendix 1: Draft Objectives and Principles

<b>Objectives</b>	<b>Principles</b>
<b>Addressing Place</b>	
A: Respect the character of suburban Metroland	<p><i>1.1 Contextually appropriate development in relation to the existing suburban pattern of development</i></p> <p><i>1.2 Increased height is proportional to surrounding and prevailing heights</i></p>
B: Protecting built and landscape heritage	<p><i>2.1 Respond sensitively to heritage assets</i></p> <p><i>2.2 Respond sensitively to protected views</i></p> <p><i>2.3 Tall buildings assist in preserving and strengthening Harrow's townscapes and landscapes</i></p>
C: Locating height appropriately	<p><i>3.1 Tall buildings should be located in sustainable locations</i></p> <p><i>3.2 Wayfinding and legibility</i></p> <p><i>3.3 Townscape and prominence</i></p> <p><i>3.4 Orientation and neighbouring plots</i></p> <p><i>3.5 Tall building proposals shall respond appropriately to existing / proposed tall buildings</i></p>
<b>Adding Quality</b>	
D: Liveable places	<p><i>4.1 Human scale at ground floor</i></p> <p><i>4.2 Overbearing and overlooking</i></p> <p><i>4.3 Public realm</i></p> <p><i>4.4 Residential amenity</i></p> <p><i>4.5 Transport and parking</i></p> <p><i>4.6 Servicing and waste collection</i></p> <p><i>4.7 Designing out crime</i></p> <p><i>4.8 Solar gain</i></p> <p><i>4.9 Daylight and overshadowing</i></p> <p><i>4.10 Wind, noise and microclimate</i></p> <p><i>4.11 Greening</i></p>
E: High quality architecture	<p><i>5.1 Tall buildings form and composition</i></p> <p><i>5.2 Elevational design</i></p> <p><i>5.3 Active ground floor frontage</i></p> <p><i>5.4 Materiality and detailing</i></p> <p><i>5.5 Roofscape</i></p>
F: Sustainable and climate friendly design	<p><i>6.1 Sustainable construction</i></p> <p><i>6.2 Passive towers and efficient envelopes</i></p> <p><i>6.3 Sustainable energy</i></p> <p><i>6.4 Sustainable heating</i></p> <p><i>6.5 Low carbon materials</i></p> <p><i>6.6 Biodiversity</i></p>
<b>Delivering Good Growth</b>	
G: Efficient use of land	<i>7.1 Tall buildings make effective but sensitive use of sites</i>
H: Providing new homes	<p><i>8.1 Tall buildings contribute to Harrow's delivery of high quality new homes</i></p> <p><i>8.2 Tall buildings effectively assist in Harrow's provision of affordable housing.</i></p>
I: Delivering economic growth	<p><i>9.1 Mixed use development</i></p> <p><i>9.2 Opportunity for ground floor employment uses</i></p> <p><i>9.3 Contribute to social and cultural life of the borough</i></p>