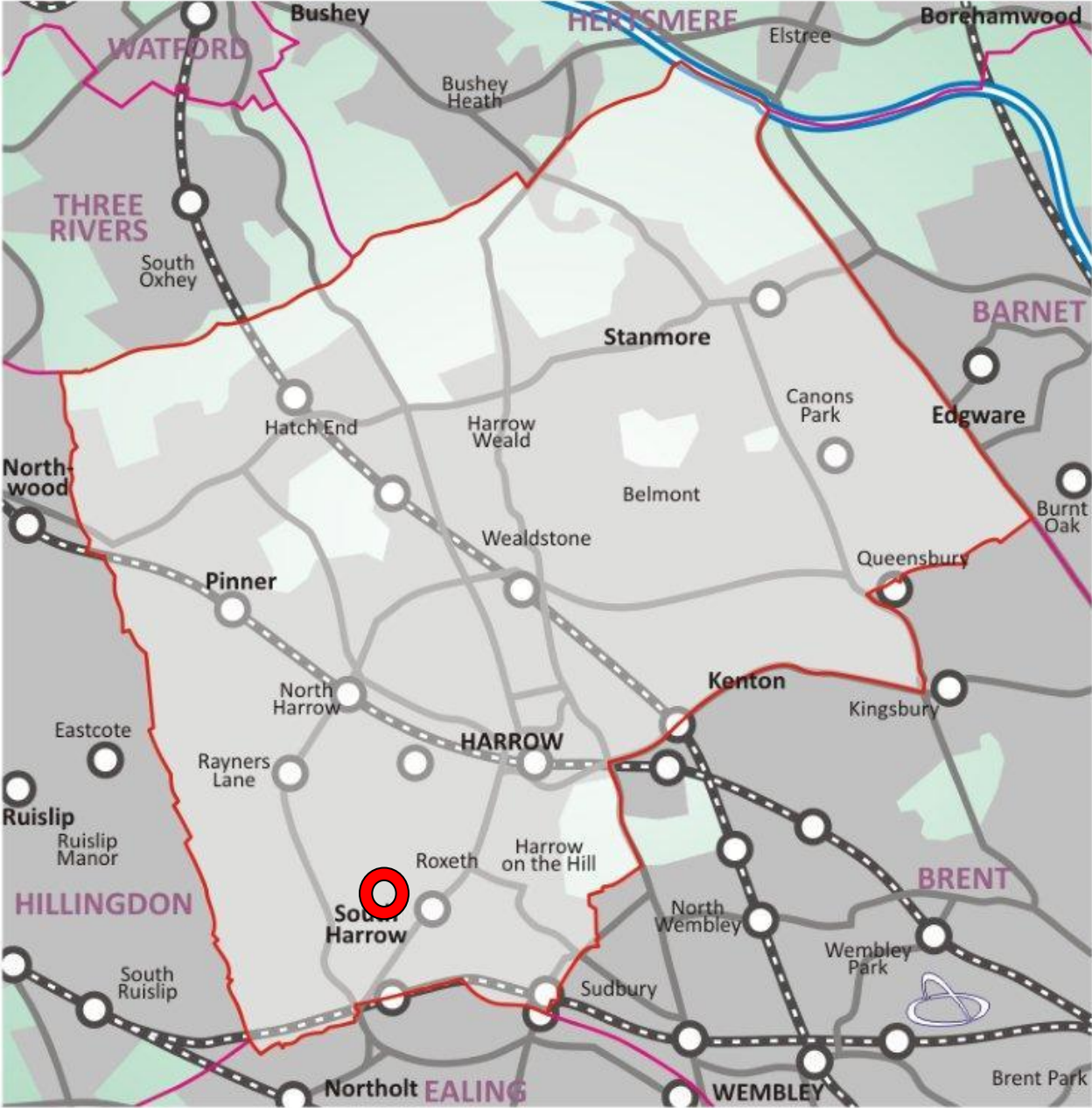


 = application site



143/145 Eastcote Lane & 172A Alexandra Ave	P/2844/22
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Location Plan

143/145 Eastcote Lane & 172A Alexandra Ave



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

24th May 2023

APPLICATION NUMBER: P/2844/22
VALIDATION DATE: 16 AUGUST 2022
LOCATION: 143/145 EASTCOTE LANE & 172 ALEXANDRA AVENUE
WARD: ROXETH
POSTCODE: HA2 8RW
APPLICANT: C/O AGENT
AGENT: MADDOX AND ASSOCIATES LTD
CASE OFFICER: KIMRY SCHLACTER
EXTENDED EXPIRY DATE: 31/05/2023

PROPOSAL

Demolition of existing buildings and redevelopment to provide 1 detached building comprising self-contained flats (use class C3), parking; landscaping; bin and cycle stores (amended plans)

Details: Height 3 storeys, with eighteen self-contained flats (2 x 3 bed; 10 X 2 bed and 6 X 1 bed)

The Planning Committee is asked to consider the following recommendation:

RECOMMENDATION A

- 1) To agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the 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 legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - a) Early and Late Stage Review Mechanism.
 - b) Construction Employment Opportunities through (a) a training and employment plan that will be agreed between the Council and the developer prior to start on site; and (b) (ii) a financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This is usually calculated using the formula: £2,500 per £1,000,000 build cost.

- c) Highways agreement for the undertaking of alterations to the existing vehicle crossings, with details of the proposals to be submitted prior to commencement of work on-site
- d) A carbon-offset contribution of (TBC) shall be paid to the relevant department of the Council within one month of approval of the Revised Energy Strategy to offset 5.55 tonnes of carbon at a rate of £2,850 tonnes (£95 / tonne / year over 30 years).
- e) Requirement for final “as-built” Part L calculations of the Building Regulations through energy efficiency measures to ensure at least a 10% reduction is achieved. This is to be submitted within one month of practical completion of the development, confirming the actual carbon emissions to be offset, with any shortfall to be paid through a further offset.
- f) Financial Contribution (TBC) towards off-site tree planting (and maintenance for 30 years) along the existing grass verges on Alexandra Avenue and directly opposite the site frontage on Eastcote Lane (as shown in Drawing: PL06).
- g) Legal Fees: Payment of Harrow Council’s reasonable costs in the preparation of the legal agreement; and
- h) Planning Administration Fee: Payment of [TBC] for the agreement administration fee for the monitoring of and compliance with this agreement.

RECOMMENDATION B

That if, by **29th November 2023** or such extended period as may be agreed in writing by the 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:

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 D7, H5, G6, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), policies DM1, DM13, DM20, DM21, DM24, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

REASON FOR THE RECOMMENDATIONS

The redevelopment of existing dwellings on the site for the provision of 18 residential homes is appropriate in this location and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from a high standard of living accommodation. It is considered that the proposed building would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. Accordingly, the development would accord with development plan policies and is recommended for approval.

Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the application is worthy of support.

INFORMATION

This application is reported to Planning Committee it proposes construction of more than three dwellings on the site, which is outside Part 1(b) of the Scheme of Delegation.

Statutory Return Type:	Major Development
Council Interest:	None
Net additional Floorspace:	1,410.6sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional)(£60p/sqm) (Excluding Indexation):	£84, 636
Local CIL requirement (Provisional) (£110p/sqm) (Excluding Indexation):	£245,909.90

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 equalities 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 is a corner site on a busy highway intersection of Eastcote Lane and Alexandra Avenue and currently contains bungalows on three separate plots. Numbers 143 and 145 Eastcote Lane was severed in the mid-1970s and contains another bungalow (172A Alexandra Avenue), accessed via a service road off Alexandra Avenue.
- 1.2 At present, three of the four corners of the junction and surrounding area is predominantly residential in nature with metroland one and two storey properties located on Eastcote Lane and Alexandra Avenue. The adjacent crossroads consist of a local neighbourhood parade (opposite the bungalows fronting Eastcote Lane), and a two storey dwellinghouse on the south west corner of the crossroads. The remaining, north-west corner of the junction comprises a four storey residential development, formerly the Matrix Public House.
- 1.3 The site is located within a PTAL 2 location considered to be poor in terms of public transport accessibility. The site is not within a conservation area and is not a listed building. It is within a critical drainage area but is not subject to any other flood constraints.

2.0 PROPOSAL

- 2.1 It is proposed to demolish the existing three bungalows and redevelop the site to erect a three storey building comprising a total of 18 flats to create 2 x 3 bed; 10 x 2 bed; and 6 x 1 bed units.
- 2.2 Communal amenity area to the rear of the site, with children's playground, in addition to private amenity space.
- 2.3 11 car parking spaces are proposed (including 2 blue badge spaces and 2 electrical charging points). This would utilise the existing vehicular entrances from Eastcote Lane, while the central front entrance would be dedicated for pedestrians. The vehicular access would be retained.
- 2.4 Separate refuse and cycle stores would be provided externally at the rear of the site, and two short stay cycle spaces would be accommodated to the front. A refuse holding areas for servicing is also proposed within the rear car park adjacent to the vehicular access point.

Revisions

- 2.5 Based on the initial consultation responses the following revisions were made to the proposal:
- Removal of fourth floor to reduce height and scale of the building, with amended detailed design for the 3rd floor terminus.

- Reduced number of cycle parking spaces, from 38 to 32, to reflect the reduced number of units.
- The boundary at the junction between Eastcote Lane and Alexandra Avenue has been curved in order to improve pedestrian flow.
- Reduction of eastern elevation windows, also including a reduction in their size to stop perceived overlooking.
- Screening included for south-facing balconies.
- Removal of external seating and boundary treatment (in line with secure by design comments) and inclusion of additional soft landscaping to the rear.
- Inclusion of planted buffer strips to amenity spaces for courtyard-facing units – resulting in additional privacy screening.
- Inclusion of porous hardstanding material for the car park.
- Inclusion of Bio-solar Green Roof.
- Enlargement of rear amenity area (through reduction of hardstanding area).
- Additional on-site tree planting – including 3 x additional trees at the frontage (as a result of removing one of the access paths and amalgamation of two of the planting beds into one larger); and 5 x no. London Plane trees along the Alexandra Avenue façade, for a total of 14 new trees across the site. Existing T16 oak tree also retained in far corner of the site.
- A financial contribution will also be secured in the Section 106 agreement for additional off-site tree planting (8 trees) in the immediate vicinity of the site.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status and date of decision
Application Site (143/145 Eastcote Lane & 172 Alexandra Avenue)		
P/1180/18	Redevelopment To Provide Four Storey Building To Create 31 Flats; Landscaping And Amenity Space; Parking; Refuse And Cycle Storage	Refused 14/09/2018 Appeal Dismissed (APP/M5450/W/19/3224655) – 21 December 2020
Reasons:		
1.	In the absence of robust justification to demonstrate overriding wider public benefit, the proposed redevelopment of the site, by reason of the excessive footprint of the proposed building and encroachment on private rear garden area, would constitute Garden Land Development and represent overdevelopment of the site, and would be at odds with the Councils spatial strategy for growth to the detriment of the	

character and appearance of the locality, contrary to the National Planning Policy Framework (2018), Policy 3.5A of The London Plan (2016), Core policies CS1.A and CS1.B of the Harrow Core Strategy (2012) and the adopted Supplementary Planning Document: Garden Land Development (2013).

2. The proposal fails to provide the maximum reasonable level of affordable housing to the Boroughs housing stock. The proposal therefore fails to address the key aims of Policies 3.11 and 3.13 of the London Plan (2016), Policy CS1. J of the Harrow Core Strategy (2012), The Housing Supplementary Planning Guidance (2016) and adopted Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).
3. The proposal, by virtue of its excessive scale, width and positioning, would add an unacceptable amount of bulk and mass across the site's width and would result in the detrimental loss of the site's open character, representing an over-intensification of residential development on the site. The development would, therefore, not represent an appropriate high quality of design, would not maintain or enhance the character of the surrounding street scene and the visual interests of its surroundings and fails to appropriately respect and relate to its spacious context. Accordingly, the proposal is contrary to Policies 7.4 of the London Plan 2016, DM1 of the Harrow Development Management Policies 2013, the adopted Supplementary Planning Document Residential Design Guide 2010 and section 12 of the National Planning Policy Framework 2018.
4. The proposal, by reason of the failure to provide sufficient tracking of large, modern vehicles fails to alleviate concerns relating to on-street parking stress, should the provision of car parking not cater for such car types. This would give rise to an unsustainable development which would fail to contribute towards climate change mitigation, contrary to the National Planning Policy Framework (2018), policy 6.13 of The London Plan (2016) and Policy DM12 of the Harrow Development Management Policies Local Plan (2013) policies DM42 and DM43.

P/2156/19	Redevelopment to provide four storey building to create 26 Flats (7 X 1 bed, 17 X 2 bed and 2 x 3 bed); Landscaping and amenity space; Parking; Refuse and cycle storage	Refused 22/10/2019 Appeal Dismissed (APP/M5450/W/19 /3224655) – 21 December 2020
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Reason:

1. The proposal, by virtue of its excessive scale, height, width and positioning, would add an unacceptable amount of bulk and mass across the site's width and would result in the detrimental loss of the site's open character, representing an over-intensification of residential development on the site. The development would, therefore, not represent an appropriate high quality of design, would not maintain or enhance the character of the surrounding street scene and the visual interests of its surroundings and fails to appropriately respect and relate to its spacious context. Accordingly, the proposal is contrary to Policies 7.4 of the London Plan 2016, DM1 of the Harrow Development Management Policies 2013, the adopted Supplementary Planning Document: Residential Design Guide 2010 and Section 12 of the National Planning Policy Framework 2019.
2. The proposal would fail to provide a sufficient level of car parking, contrary to the National Planning Policy Framework (2019), Policy 6.13 of The London Plan (2016) and Policies DM12, DM42 and DM43 of the Harrow Development Management Policies Local Plan (2013).

143 Eastcote Lane

P/4608/15	Notification of householder extension- Single storey rear extension; 8.0m deep; 3m max height and 3.0m to the eaves.	Prior Approval Not Required 04/11/2015
P/2727/09	Demolition of existing dwelling & garage and erection of two semi-detached three storey dwellings and associated garages.	Grant 17/02/2010

145 Eastcote Lane

P/4610/15	Notification of Householder extension; 6.5m deep; 3.0m max height and 3.0m to the eaves:	Prior Approval Not Required 04/11/2015
P/2541/11	Vehicular access from Alexandra Avenue with Insertion of Gates' in side boundary:	Grant 15/12/2011

172 Alexandra Avenue

P/4611/15	Notification of householder extension: Single storey rear extension; 6.5m deep; 3.5m max height and 2.7m to the eaves;	Prior Approval Not Required 11/11/2015
LBH/6537	Erection of detached bungalow with integral garage to the rear of 145 Eastcote Lane:	Refused 25/08/1971

4.0 CONSULTATION

- 4.1 A total of 148 consultation letters were sent to neighbouring properties regarding this application. A site notice was also displayed. The overall expiry date of the first consultation was 14 October 2022.
- 4.2 A total of 43 responses were received.
- 4.3 After the receipt of amended details, a 14-day re-consultation was carried out, expiring on 28 April 2023. A total of 29 additional comments were sent (some of these being add-on comments to previous responses.)
- 4.4 A summary of the responses received along with the Officer comments are set out below:

Large block of flats opposite are mostly unsold, little justification for more flats. The corner plot has poached Council land which needs to be given back to the community.
Changes to the development do not alter above comments.

Officer comment: *There are no planning policies which preclude residential development of this nature at this site / within the site boundary. The provision of additional homes within the Borough would contribute to the national and local housing stock and housing targets set by The London Plan 2021. The LPA are unable to comment about market conditions and factors pertaining to the uptake in occupation of units within the Matrix development.*

Insufficient parking in the immediate with existing properties without this development adding more pressure. It will generate noise and traffic.

Officer Comment: *13 parking spaces were provided for the previous 26 unit refused scheme (P/2156/19). This was deemed acceptable by the Council's Highways Officer as well as by the Planning Inspector when reviewed at appeal, following refusal on this basis. The current scheme provides 11 car parking spaces for a reduced 18 unit scheme. The Council's Highways Officer has reviewed this quantum and considers this proposal to be unlikely to result in a severe or harmful impact for the surrounding highway network, subject to a pre-commencement conditions for a detailed construction logistics plan and cycle parking details.*

Further stress to local infrastructure and community. The reported impact on community infrastructure fails to take into account the cumulative impact of other development in the area /cumulative overpopulation.
More facilities (school, hospital, sewers drainage, etc.) are needed by the community.

Officer Comment: *Should the development be granted it would be liable for a contribution towards the Community Infrastructure Levy (CIL) which would go towards improvements to existing local infrastructure as well as new provision to mitigate against the impact of the development. The impact of other development and community facilities outside the site are outside the control of the developer are not a material consideration.*

Location of the slip road to the rear for vehicular cars is unsafe for children. It is on a small unadopted road which is already constrained for parking.

Officer Comment: *There is an existing vehicular crossover which allows for 2-3 cars. Whilst there would be an additional 4-5 cars using this entrance it is unlikely that the modest interest in vehicles would be a cause for concern in terms of safety over and above the existing situation. There will also be an access gate which would ensure that cars slow down to a stop before entering the site which would provide an improvement to the current situation and aid in providing safe access.*

The development should not destroy flora and fauna present at the site as well as refuge for animals such as bats.

Officer Comment: *The tree, landscape and biodiversity officers have reviewed the application and consider that the proposal would appropriately provide for high quality landscaping and replacement trees which would be lost as a result of the development. The biodiversity officer has stated that the information on bats appropriately summarises their status in relation to roost potential. The LPA have however suggested a number of detailed conditions to ensure that tree replacement, landscaping and biodiversity enhancement provided is of high quality.*

The development is far too big for the area – it should have some tweaks in comparison to the previous application. All other properties on that side of the road do not exceed 2 floors. Imposing development, will be out of character and scale to adjacent housing. Overdevelopment of site. Unsightly and out of place in suburban area.

Officer Comment: *The scheme has been reduced in size overall since the previous scheme. The design has also changed since the previous iterations to provide a scale which is more akin its surrounding context.*

Junction/surrounding area is already congested further development will exacerbate this, especially with schools nearby, which increases danger for cars and pedestrians. Parking is constrained in the area, including Alexandra Close, and number of parking spaces proposed will be inadequate, thus parking issues will be exacerbated. Not convenient for train stations.

Accidents are common with cars pulling out of Sandringham Crescent, this will worsen the situation. Accidents caused by heavy traffic elsewhere near the junction / near the school, which would be exacerbated. Bad behaviour by drivers (e.g. jumping red lights) is dangerous.

Traffic issues exacerbated by construction at other nearby sites. Would cause disruptions to bus service as it is on a bus route.

Tweaks to the development do not take away from the impacts on the junction.

Officer Comment: *The proposed level of car parking is compliant with relevant policies, and consistent with local census data on car ownership for flats. External issues affecting traffic safety such as individual driver behaviour and accidents/activity at other locations are outside the scope of the application and outside the control of the developers.*

There is a problem with not enough waste bins on the existing site.
There are problem with waste at a different site.

Officer Comment: *Should the proposal be granted, the existing site and waste storage would be replaced with a more suitable waste storage system which meets the Council's waste/recycling code. Issue related to waste at a separate site are not a material planning consideration.*

Proposal would block light and overshadow neighbouring properties, and would deny them privacy.

Officer Comment: *A Daylight/sunlight report has been provided which demonstrates that the proposal would not result in impacts that would exceed accepted standards. Measures to protect neighbouring privacy have been implemented which include obscure glazing of windows and recessed balconies.*

Not clear if it provides maximum reasonable level of affordable housing, as per London Plan policies. No family units. More social housing and/or affordable flats needed, not private/rented/overly expensive properties.

Officer Comment: *The applicant's submitted viability information has been independently assessed on behalf of Harrow Council, which has confirmed the proposal could not viably provide affordable housing units. The proposal has therefore complied with the relevant policies relating to provision of affordable housing.*

The proposal includes 2 and 3-bed flats, thus does provide for family sized units. Social housing provision is outside the scope of this application.

Ground floor flats would be vulnerable to burglary.

Officer Comment: *The development will be subject to a condition for Secure by Design Accreditation, and will therefore be able to provide a better level of security than the existing houses on site.*

Flats facing the road will lead to residents inhaling pollution and putting greater strain on NHS, which is not addressed by the applicants.

Officer Comment: *An Air Quality Assessment has been submitted with this application, which demonstrates that the proposed development would be air quality neutral with respect to traffic generated by the site. Pollution from sources outside the site /development is outside the scope of the application and outside the control of the developers.*

Previous application was refused due to garden land issues, which also applied here.

Officer Comment: *The Garden Land issues have been addressed within this application (see section 6.2.4)*

Applicant should not be allowed to keep applying.

Officer Comment: *The national legislation governing the submission of planning applications allows developers to re-apply without restriction provided that new applications are materially different. The Local Planning Authority has a legal duty to consider the application.*

4.5 Statutory and Non-Statutory Consultation

4.6 The following consultations have been undertaken, together with the responses received and officer comments:

LBH Highways

Alterations are required to the existing vehicle crossings which can be undertaken by the applicant via a highway agreement. Details of the proposals should be submitted prior to commencement of work on-site.

This proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, subject to a pre-commencement conditions for a detailed construction logistics plan and cycle parking details, Highways have no objection.

Comments to amended plans: No additional comment on this amendment

Officer Comment: *The suggested conditions / obligations would be attached to any grant for permission.*

Drainage

No objection subject to conditions

In line with our Development Management Policy DM10, to make use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the management and maintenance of the measures used, the applicant should submit a surface water drainage strategy.

- The applicant should submit drainage details in line with our standard requirements attached.
- The applicant should consult Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 or on Thames Water website www.developerservices.co.uk regarding capacity of their public sewers for receiving additional discharge from the proposed development. The Thames Water confirmation letter should be submitted.

Proposed Parking/Hardstanding:

The use of non-permeable surfacing impacts upon the ability of the environment to absorb surface water, and hard surfacing of the front gardens and forecourts lead to localised surface water flooding. Hence the requirement for surface water to be contained within site and discharged to ground via the use of permeable paving or other suitable options.

Please request the applicant to submit a cross section of permeable paving construction with full details and their maintenance plan for our approval

Please be informed that the requested details can be conditioned with our standard pre commencement drainage conditions/informative mentioned below.

Officer Comment: *This will be secured by condition following consent.*

Waste Management Policy Officer

No comments received

Urban Design Officer

The reduced massing of this design iteration over previous proposals for the site is welcome. Pulling development away from the boundary with the rear garden of No. 141 Eastcote Lane is supported and locating servicing, parking, cycle and refuse stores away from the junction to the southern edge of the site is logical and appropriate.

The inclusion of dwarf walls, doors and garden space to east and south shoulder massing is highly positive, offering passive surveillance and frontage activation

and providing more suburban dwelling-like forms to flank the central corner massing element.

While the servicing strategy is noted, clarification as to how a typical delivery vehicle would serve proposed units is required in plan form. It would be preferable for the proposed cycle storage to be located within the footprint of the building. Additionally, the location of the store conflicts with the use of the amenity space. If the store was rotated through 90-degrees to be located on the site of the tree adjacent to parking space four, this would reduce unnecessary travel distance and remove this conflict.

Similarly with refuse storage, this should be located within the building footprint as opposed to a standalone store in the landscape, being highly visible from the main external access to the development.

Comments to amended plans: There is no concern with the removal of 1 no. storey, provided detailed design avoids an abrupt termination of the massing element. The amended design details as presented appear satisfactory.

There are minimal visible changes to floors below other than this removal.

Officer Comment: *Appropriate landscape and materials details will be secured by way of condition to ensure that the development achieves a high quality.*

Tree Officer

No objection subject to conditions.

The proposed development would necessitate the removal of 19 trees, 1 tree group, 8 hedges and 5 shrubs groups. In addition, all existing internal hedging would be lost, including mature private and hawthorn hedge groups on the frontage, and which currently provide decent natural screening on what is a constantly busy main road and junction.

The London Plan, Policy G7 (Trees and Woodland) states that existing trees of value should be retained ... if planning permission necessitates the removal of trees there should be adequate replacement planting ... and planting of additional trees particularly large-canopied species..”

There should be a presumption in favour of retaining and integrating existing mature trees on development sites. Although not highly visible from outside the site, the existing trees do have value and provide greenery in an otherwise urban and car-dominated landscape. The level of tree loss is unfortunate and it is a pity that none of the existing mature hedging could be retained / utilised. Proposed new planting is to include diverse species mix, and trees of varying size and form – all of which is welcome. New hedging should match that of the existing, mixed native species would be in keeping with the area.

The number of new trees proposed is 18 vs a total of 19 trees removed (not including tree group, hedges and shrub groups). This seems inadequate and new planting should be like-for-like numbers, as a minimum. If space onsite doesn't allow then is there scope for offsite planting, or within the nearby grassed verge, as this would allow for large canopied species trees.

The parking bays appear to be shown in green, as if part of the outdoor space; grasscrete is more concrete than it is grass, so this is somewhat misleading. A suitable cellular system / gravel should be used instead

Since all internal trees are to be removed under the scheme, it may not be necessary to condition a tree protection plan / method statement – details of new trees, hedging, species, size etc can be included as part of the landscape proposals. A contribution to the ongoing Green Grid work in this area would be an appropriate solution. This should be secured by way of S106.

Officer Comment: Detailed landscape and tree plans would be secured by way of condition. Revised landscaping details include an increase in the number of trees and the retention of 1 no. oak on site. Therefore a condition for a tree protection plan is attached, as well as the S106 obligation for the off-site tree contribution.

Landscape Officer

No objection subject to conditions.

This submission has been subject to previous submissions and preapplication advice. The LPA's recommendations for landscape have been incorporated within the current scheme and the layout appears to be well thought out and achievable, being both functional and attractive for future residents. Subject to conditions and appropriate detail, the landscape should complement this development.

The proposed native hedges, mixed native and single species, native yew planting would be acceptable. The hedges would require regular maintenance to ensure the height and spread were controlled sufficiently, rather than allowing the plants to spread too far and become wild and overgrown. The native planting is a welcome addition which would help to enhance the biodiversity.

The intention to retain T16 Oak is welcomed and the proposal for 6 additional trees on the site and 5 offsite trees, to be planted in the verge. The revised masterplan with the additional trees will show if there is sufficient space and how realistic the additional on site trees are, particularly trees close to the building. There may be insufficient space adjacent to the façade for 5 plane trees; there appears to be space for 4 trees in this verge, but there is space in the verges to the south.

The proposed offsite planting of 8 plane trees along Alexandra Avenue is welcomed, with the detail of the final locations to be agreed and would be subject to underground services, ensuring the locations are appropriate.

Off site species rich grass is noted on the John Davies Landscape GA drawing number PL01 revision date 12/12/2022, attached.

Green roofs are noted, but further detailed information required on the biodiverse roofs including how the flat roofs would be accessed for management and maintenance is required.

The bin store collection point will require careful detailed design to prevent car parking in this area.

A Landscape Management Plan outline has been provided with the aims, phasing, irrigation and general management and maintenance. This provides sufficient information at this stage and the further detail required can be covered by conditions.

Officer Comment: *Appropriate landscape and landscape management conditions will be secured by way of condition to ensure that the development provides high quality replacement greening.*

Biodiversity Officer:

No objection – subject to conditions

The applicant has submitted an updated Preliminary Ecological Appraisal and (belatedly) a report in relation to the findings of a recent bat roost emergence survey, together with an Urban Greening Factor evaluation and arboricultural report.

With regard to the submitted evidence, there are a number of concerns re: details of the submitted reports.

Comments to revisions:

The expectation in Harrow will be for a minimum of 20% appropriate gain over baseline in order to satisfy the requirements of DM21. There shouldn't be an issue with satisfying this by adding further trees (of appropriate species) and covering the cost of their maintenance by the Council for a minimum 30 year period subject to appropriate S106 arrangements.

The applicant has responded to officer comments with regard to trees, landscaping and biodiversity matters.

In general, the scheme now proposed would make good use of the site whilst providing appropriate greening and gain for biodiversity.

However, information about the green/bio-solar roofs is somewhat confusing at present. There are very definite expectations with regard to the composition of a bio-solar roof yet the applicant is referring to the use of Sedum, which will generally only be acceptable for small installations where roof-loading is a constraint. We can't be certain about the acceptability of the proposals or the BNG contribution until we have this. (BNG uplift should now be over what's required but there is also a requirement for the replacement of trees with the same or more distinct habitat – requiring offsetting) It should be possible to address this via condition, however.

Offsite: The proposed off-site trees form part of the mitigation/BNG provision required to meet DM20/DM21 contributions and any offsite provision will need to be fully funded for a 30+-year period. The Council would otherwise be creating burdens for itself to facilitate what is otherwise unacceptable development.

There are no in principle grounds for objection but any grant of planning permission should be subject to recommended conditions.

Officer Comment: *Suitable conditions to address the issues above have been attached.*

Fire Consultant:

As the development will have an evacuation lift hard wired communications should also be provided in the refuge, there is no mention of hard wired communication anywhere in the fire statement.

The operation of the evacuation lift is proposed to be automatic operation or remote assisted. As we know the guidance for the operation of an evacuation lift via an automatic interface is only contained in draft guidance and draft guidance should not be considered as the final document might not include this detail. The second operation, that of remote assisted evacuation is completely unacceptable.

Officer Comment: *An updated Fire Strategy was submitted, but does not fully address the above comments. A condition requiring a detailed Fire Strategy to be reviewed and agreed in writing by the Council's Fire Consultant and in line with London Plan Policy D12 is recommended.*

Energy Comments

No objection subject to conditions and obligations

The Energy & Sustainability Statement is considered acceptable. Any permission should be conditioned to require the development is undertaken generally in accordance with the statement. S106 planning obligations should be secured to require payment of the carbon offset contribution prior to the

commencement of development, with the final carbon emissions verified through the submission of the Building Regulations 'As Built' Part L calculations upon completion of the development and any required 'top-up' offset contribution paid at the rate of £2,850 / tonne of carbon (£95/tonne/year x 30 years). Obligations securing compliance with the Mayor's 'Be Seen' guidance and safeguarding for future connection to a district heat network should also be included in any S106 agreement.

Comments to revisions: Whilst the Energy Strategy remain acceptable, it is noted that it is unclear if the number of solar panels has been reduced. The applicant has not updated the information (including emissions to be offset / contribution to reflect the reduced height). Harrow's standard approach is to base the carbon offset contribution on the figure identified during the application and for this to be paid prior to commencement, followed by verification of actual emissions via As Built calculations, with an additional payment required. However, contributions cannot be refunded if greater emissions have been achieved as we will have already committed the contributions to offset measures. In this case, emissions required to be offset are likely to be lower than that stated in the energy strategy due to the loss of units but this won't be picked-up in the standard S106 agreement / process.

Officer Comment: *The carbon offset contribution will be secured by way Section 106 obligation and a condition requiring conformity with an amended Energy Statement will be added.*

Planning Policy:

- No additional comments to amendments on the principle of the development.
- Any s106 agreement will require early and late stage reviews

5 POLICIES

5.1 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.'

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] sets out the Government's planning policies for England and how these should be applied and is a material consideration in the determination of this application.

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

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

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Affordable Housing, Mix and Tenure
- Character of the Area and Design, Landscaping and Trees
- Residential Amenity
- Traffic, Parking and Servicing
- Flood Risk and Drainage
- Ecology and Biodiversity
- Energy and Sustainability
- Fire Safety
- Air Quality
- Planning Obligations and EIA Screening

6.2 Principle of Development

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- Policy CS1.A of Harrow's Core Strategy (2012)
- London Plan Policies H1, and H2
- Garden Land SPD

Principle of Redevelopment for Residential Use

6.2.2 Having regard to The London Plan (2021) policies H1 and H2 and the Council's policies and guidelines, it is considered that the proposal would not result in the loss of housing and is therefore not contrary to housing growth objectives.

6.2.3 In accordance with Policy H8 of The London Plan the loss of the existing homes is acceptable as it is being replaced by new housing at the same or a higher density.

Garden Land

- 6.2.4 There is a general presumption against 'Garden Land Development' within Harrow. The development would take place on garden land as defined by the Garden Land SPD (GLDSPD) by virtue of being, in part, on the 'garden of a house'.
- 6.2.5 Notwithstanding that the redevelopment takes place on garden land, the proposal is not considered to comprise 'garden land development' as the SPD permits 'the redevelopment of an existing dwelling to provide a replacement dwelling on the same building footprint, plus any appropriate enlargement'.
- 6.2.6 Appropriate enlargements are defined as
- i. the footprint of any permitted extensions (excluding outbuildings) that could be exercised for the dwelling(s); or
 - ii. the footprint of an extension (excluding outbuildings) that would be consistent with Harrow's Residential Design Guide SPD.
- 6.2.7 The recent appeal decisions (APP/M5450/W/19/3224655 & APP/M5450/W/19/3243513) at the site notes that both previous schemes provided an appropriate enlargement calculation which was "*somewhat flawed*" as firstly, the existing footprint had included an outbuilding which is specifically excluded under paragraph 3.7(i) of the GLDSPD and secondly the total footprints had been derived from adding together the footprint of what could be approved under both permitted development and Residential Design Guide SPD. However, paragraph 3.7(i)(ii) makes it clear that an appropriate enlargement would be the larger of either of these, not a combined total.
- 6.2.8 Following the appeal decisions, the current application seeks to rectify this and the footprint proposed has now been limited to what would be allowed only under permitted development i.e. under criteria (i). This is because all three bungalows benefit from prior approval for larger home extensions and therefore what could be achieved under permitted development would amount to the larger area. On this basis the maximum footprint which is considered an appropriate enlargement would be 556sqm. The proposed development does not exceed this footprint and as such the proposed development would not constitute Garden Land development and would be considered acceptable. The table below compares the footprint of all three schemes.

Table 1: Comparison of previous schemes

	Footprint	No. of units / dwellings	Decision
Existing Bungalows	252 sqm	3	N/A
Planning Ref:			
P/1180/18	660 sqm (850 sqm including FF overhang) ¹	31	Refused under delegated authority & Dismissed Appeal
P/2156/19	625 sqm	26	Refused at Planning Committee & Dismissed Appeal
P/2844/22	556 sqm	20	Under consideration

6.2.9 As the proposed development complies with the requirements of the SPD inasmuch as they relate to establishing a building envelope, the footprint of the development is considered acceptable, and is therefore considered to comply with the 'appropriate enlargement' requirements of the Garden Land SPD.

6.3 Affordable Housing, Mix and Tenure

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- Policy CS1.J of Harrow's Core Strategy (2012)
- London Plan Policies H4, H5, H6
- Harrow Development Management Policies (2013): DM24, DM50
- Supplementary Planning Document: Planning Obligations and Affordable Housing

6.3.2 Affordable Housing is detailed in the National Planning Policy Framework (2021) as housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the definitions within the following: affordable housing for rent, starter homes, discounted market sales housing or other affordable routes to home ownership (including shared ownership).

¹ Whether the overhang constituted footprint was a point of contention at the Planning Appeal. Although The Planning Inspectorate did not provide a view on this specific matter, the original scheme was deemed Garden Land.

- 6.3.3 The proposed development triggers an affordable housing requirement as it constitutes a major residential development. Policy H4 of The London Plan sets out a strategic target for 50% of all new homes delivered across London to be genuinely affordable. The policy also specifically requires that 50% of the quantum of housing is delivered as an affordable product on public sector land.
- 6.3.4 Having regard to Harrow's local circumstances, Policy CS1(J) of the Core Strategy sets a Borough-wide target for 40% of all homes delivered over the plan period (to 2026) to be affordable, and calls for the maximum reasonable amount to be provided on development sites. In terms of dwelling mix, London Plan Policies makes reference to the priority that should be accorded to the provision of affordable housing. Policy DM24 of the Development Management Policies requires development proposals to secure appropriate mix of housing on site and to contribute to the creation of inclusive and mixed communities, having regard to the target mix for affordable housing set out in the Councils Planning Obligations SPD. Considerations include the priority to be afforded to the delivery of affordable family housing, the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land.
- 6.3.5 In terms of tenure split, Policy H6 of the London Plan requires a minimum of 30% of homes to be affordable rent or social rent, 30% to be intermediate products which meet the definition of genuinely affordable housing, and the remaining 40% to be determined by the borough as low cost rented homes or intermediate products. At a local level, Harrow's planning obligations require that the Affordable units are split by tenure: 60% London Affordable Rent (LAR) to 40% London Shared Ownership / Intermediate (LSO).
- 6.3.6 The applicant submitted a Financial Viability Assessment (FVA) prepared by Turner Morum which concludes that proposed development would be unable to viably provide any affordable housing. Upon the revision of the proposal to remove the top floor and reduce the number of units to 18, an Addendum report was provided. The LPA procured JLL to independently review both the original and addendum Turner Morum reports. Based on their review of both reports, JLL concurred with the view that the scheme would be unlikely to deliver any affordable housing, on the basis that a scheme providing 35% affordable housing would result in a deficit. Furthermore, even when testing a 100% private rented scheme the results show there would still be a deficit, which would mean that no affordable housing could viably be delivered. JLL have stated that there are some differences in opinion in relation to individual inputs including the Benchmark Land Value, Affordable GDV, Construction Costs and Profit on GDV (private). However, JLL have confirmed that notwithstanding the difference in some values, the conclusion is the same that the proposal cannot viably deliver affordable housing at this site.

- 6.3.7 The Council's policy officer has reviewed the viability reports and reviews, and also concurs with the approach, assumptions / inputs and conclusions within the JLL report. The conclusion that the 18 unit scheme has a deficit at 100% market reflects the loss of eight units from the previous 26 unit scheme, which was marginal / modest surplus at 100% market housing. There is still however a positive residual land value and the sensitivity testing indicates the scheme becomes 'fully' viable with modest decrease in construction cost (5%) and increase in GDV (5%), so despite the scheme being in deficit, it is deliverable.
- 6.3.8 On the basis of the above, it is recommended that a review mechanism be sought to enable capture of deferred obligations if values and costs change during the delivery and completion of the development and as such an early and late stage review mechanism would be secured by way of Section 106 obligation. This has been included within the heads of terms for the scheme, which would ensure full compliance with the Council's Affordable Housing policy. Whilst the proposed development would not deliver affordable housing, the review mechanism as part of the heads of terms would safeguard any future provision should the scheme become viable if development and cost conditions change. The scheme would on balance meet the strategic housing aim for the borough and accord with policy H4 of The London Plan (2021), Policy CS1.J of the Harrow Core Strategy, policies DM24 and DM50 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

Housing Mix

- 6.3.9 The London Plan policy H10 encourages new development to offer a range of housing choices in terms of mix and housing sizes and types. This is reinforced by Core Strategy Policy CS1 which requires new residential development to promote housing choice to meet local needs and to maintain mixed and sustainable communities. Development Management Policy DM24 states that "the appropriate mix of housing will be determined having regard to the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land."
- 6.3.10 It is noted that the proposed development seeks to deliver 2 x 3 bed, 10 x 2 bed and 6 x 1 bed units. Whilst the Local Planning Authority is unable to prescribe a housing mix for market sale dwellings, it does seek to ensure there is an appropriate housing choice delivered within a scheme, which is in part informed by local evidence base. It is noted that the proposed housing mix is provides a suitable mix of 2 and 3 bed units suitable for families and as such the application would provide housing choice and a meaningful addition towards the Borough's housing stock.

6.4 Character of the Area and Design, Landscaping and Trees

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3, D11
- Harrow Development Management Policies (2013): DM1, DM22, DM23
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)

Planning Policy Context

6.4.2 Harrow Council is in the process of progressing a Building Heights Supplementary Planning Document (SPD), which will provide further guidance to Policy DM1 (Achieving a High Standard of Development) of the Harrow Development Management Policies Local Plan (2013). The Building Height SPD is intended to assist applicants in determining what would constitute a contextually tall building across Harrow. The Building Heights SPD would not conflict with the requirements as set out in Policy D9 (Tall buildings) of the London Plan (2021). The Building Heights SPD has not been through formal consultation, and is therefore still at a very early stage in the preparation of the document. By reason of this, no weight is able to be given to the SPD. The proposed development would not constitute a tall building as defined by the London Plan (2021) and no policy analysis has been undertaken by the Council to deem the proposed development contextually tall. Notwithstanding this, an assessment of scale and mass (including building heights) has been conducted against all adopted and relevant guidance.

Context

6.4.3 Three bungalows currently occupy the combined site and it is considered that there is scope to add increased density at this location whilst ensuring provisions set in the Garden Land SPD are met, and that any development is not to the detriment of the wider suburban character of the area. Within the appeal decision the Planning Inspectorate acknowledges the differing scale of development between the northern and southern sides of Eastcote Lane, stating that *“it can also be said that development on the north side of the junction, where The Matrix and a parade of shops with residential accommodation above are located, is of a broadly higher density than the residential development located on the southern side of the junction”* (Where the application site is situated).

Scale and Massing

- 6.4.4 In terms of scale and massing, paragraph 8 of the appeal decision goes onto to state: *“Both appeals are for a four-storey residential development. Development of this scale would be out of character with the overriding context of the site which is predominantly two storeys or lower. Added to this is that the side of the junction on which the site is located (the south) is arguably less dense and more suburban in character than the north side, which would further add to the incongruity of a four-storey development here. In design terms there is nothing before me in either proposal that would overcome my concerns in this respect.”*
- 6.4.5 The proposed development comprises a three storey building comprising 18 units. The reduced massing and height are welcomed compared to previous iterations, and the reduction in height is considered to be consistent with the Inspector’s comments cited above. The three storey development height is considered in keeping with the surrounding suburban context. There is also a set back of the sections of the third storey on the southern and eastern wings, closest to the existing adjacent residential properties, to reduce the massing further.
- 6.4.6 This massing on the shoulder of the development to the eastern and southern wings, at three storeys with a set-back, ensures that the development would relate well to the suburban character of Eastcote Lane and Alexandra Avenue. These benefit from a partially hipped roof design to further lessen the prominence of this third storey. The transition between the three storeys of the east shoulder massing and No. 141 Eastcote Lane is considered to be particularly successful. The images below show how the proposed scheme has evolved to the current proposal which is considered to be more compatible with the surrounding context.

Figure 1: Design-led comparison between the current and previous schemes





P/1180/18



P/2156/19

P/2844/22

- 6.4.7 The above demonstrates a notable change in building footprint, larger separation distances with the adjacent property and a development more akin to its surroundings and the footprint is efficient and well-rationalised as a single block with minimal projections and the use of inset elements serving primarily to disguise massing. The chamfering of the built form to the north-east corner of the site is successful in creating a softer termination to this corner and referencing Matrix House and the existing parade to the north. The language of chamfering is continued for the third-floor roof form, creating cohesive built form. In referencing The Matrix the Planning Inspector stated *“it is the only four-storey building in the immediate vicinity of the junction. That being said, it occupies a bigger site than the appeal site. The Matrix is also chamfered on the junction with a wide pedestrianised area to the front which creates space between the building and the highway. The proposals before me, however, both propose four storeys in far closer proximity to the highway.”* The current scheme sought to address the issues raised by the Inspector, by reducing the height and mirroring the chamfering along the junction. Furthermore, the chamfering of the north east corner offers a far more inviting and less intrusive development, and would offer greater opportunity for greening making a positive contribution to the streetscene.

Design and Layout

- 6.4.8 Most of the ground floor units are dual aspect (five of six) and feature sufficient and well-defined defensible space to their frontage, with adequate planting buffers to street-facing units. Amended plans show buffer planting to the courtyard facing units as well. Details of the buffer plantings will be secured by way of planning condition. The first-floor layout is generally acceptable with the majority (five of six) being dual aspect units and the second floor units would be dual aspect. Revisions were submitted to reduce the number of east facing windows to Units 11 and 17 and provision of screening to south facing balconies to units 11 and 12 to reduce perceived and general overlooking issues to rear gardens of Nos. 141 and 139. The stair well features a good amount of natural light and the lobby arrangement with plant and meter rooms either side is logical and supported.
- 6.4.9 Entrances have been provided along Alexandra Avenue offering street frontages to west facing ground floor units which would provide active frontages and offer passive surveillance of the street. The remaining units would be accessed by a single core at the junction of Alexandra Avenue and Eastcote Lane. Secure by Design Officers requested the removal of outdoor seating and provision of brick walls and railings boundary treatments to the front to align with the wider street scene. Revised plans reflect these changes, however, it was not possible to attain confirmation from the Metropolitan Police as to acceptability of the revised drawings. In addition, the proposed wall and railings are 2.2m high, which is considered excessive in height, in terms of design and the relationship between the street and the property. While the removal of internal seating is not considered strictly necessary for a private garden area, the removal of the benches has allowed for extra tree planting which is a net benefit. Revised details for the boundary treatment which strikes a good balance between security and an appropriate relationship between private and public realms has been included as part of the landscaping condition. Furthermore, a condition to ensure that the development achieves a Secured by Design accreditation to ensure measures are in place to reduce opportunities for crime and disorder is recommended.

External Appearance, Composition and Materiality

6.4.10 It is considered that the principal elevations are generally highly successful with a high degree of visual interest and logical and gridded fenestration. Architectural features like arched openings to the chamfered elevation and the use of stack-bonded brick work are particularly positive and contribute to a rich sense of architectural detail. Furthermore, it is considered that the materials used are positive and complementary with one another. The tonal relationship between standing seam, balustrading and gates is positive and the use of red brick, pigmented concrete and red zinc as principal external materials is supported. The north and west street elevations are successful and revisions to the eastern elevation to reduce window openings is now considered acceptable. Details of the external materials are required by way of an appropriately worded conditions.

Access

6.4.11 New designated entrances would be provided for vehicles, pedestrians and cyclists to serve the development. Access to the development can be gained from both Alexandra Avenue and Eastcote Lane. The main pedestrian entrance is at the northwest corner of the site along the frontage, although there is a secondary access via Alexandra Avenue to the cycle store, refuse area, car park, play space and communal garden.

6.4.12 The main car park is located at the rear off Alexandra Avenue utilising the existing access which currently serves 172 Alexandra Avenue. This would be gated and would also provide for one blue badge space. The second blue badge space is located at the front of the site and accessed via Eastcote Lane. Short stay cycle parking is provided for at the front of the site whilst cycle parking serving the residents would be located adjacent to the car park to the rear. It is noted that the urban design officer has raised concern with the location of the cycle store as it would conflict with the use of the private amenity space; however, given the layout of the rear garden area, it is considered that alternative locations would likely be more unsuitable. Details of the materials for the cycle storage are required as part of the landscaping condition.

Bin Store

6.4.13 The bin store is proposed at the rear of the property. It is noted that internal refuse stores are preferable however it is also noted that servicing can take place easily on Alexandra Road via a single access, with the exception of Unit 1 which is serviced separately from Eastcote Lane. This arrangement on balance is considered acceptable. The number of bins is also sufficient for the development.

Landscaping and Trees

- 6.4.14 The existing forecourts of all the properties are comprised of predominantly hard surfacing, albeit they contain large hedging to the front with soft landscaped gardens to the rear. The provision of soft landscaping to the front forecourt of the proposal is broadly acceptable and would offer additional defensible planting which would mitigate the impact of three car parking spaces to the front. The design of the entrance area has been revised to create a more rationalised pathway and allow for more planting to the front, which is welcome.
- 6.4.15 Policy G7 (Trees and Woodland) of the London Plan states that existing trees of value should be retained ... *“if planning permission necessitates the removal of trees there should be adequate replacement planting ... and planting of additional trees particularly large-canopied species..”* To the rear the tree and landscape officer notes that the removal of 19 existing trees as a result of the development would be regrettable, including one good quality category ‘B’ rated tree (walnut) although the remainder of the trees to be removed are lower quality C and U category. Notwithstanding this, it is noted that the newly designed landscape scheme would provide 14 trees within the site boundaries, plus retain the existing B category oak tree (T16), together with new hedging and a varied planting scheme. In addition, 8 trees will be provided off-site, along Alexandra Avenue, for a total of 1 retained tree and 22 new trees. It is also considered that the sinuous curves on the linear communal amenity space have created a good and interesting use of space, with gentle landforms, and play elements together with tree, shrub and herbaceous planting and a rain garden swale. Some of the proposed planting is native together with wildlife friendly ornamental plants, which would help to enhance the biodiversity. Additionally, there is green softening along the frontages which would enhance the streetscene and defensible space, with hedge planting and walls around the building.
- 6.4.16 The use of grasscrete in the car park was considered unacceptable. This has been amended in revised plans, to hardstanding. Details of the hardstanding, which must be permeable, will be dealt with by way of a condition. It is noted that green roofs are proposed with photovoltaic panels. Details of these would also be secured by way of condition.
- 6.4.17 The proposed landscape masterplans and proposals are considered to be broadly acceptable at this stage given that they would comprise a generous landscaped forecourt on the principle elevation fronting Eastcote Lane and a large expanse of amenity space to the rear and also to the boundary facing onto Alexandra Avenue (comprised of private gardens for some of the ground floor flats which would also provide for defensible space). Subject to the recommended landscape detail conditions and proposed boundary treatments for the entire site this element is considered acceptable.

6.4.18 In conclusion, the proposal is considered to have an acceptable impact on the character and appearance of the wider area and is of an appropriate design. Additionally, the proposed landscaping and impact on trees is acceptable subject to appropriate conditions.

6.5 Residential Amenity

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3, D5, D6 D7, D14, S4
- Harrow Development Management Policies (2013): DM1, DM2, DM27
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2016)
- Mayor of London Play and Informal Recreation Supplemental Planning Guidance (2012)

Impact of Development on Neighbouring Amenity

6.5.2 The most likely affected neighbouring residents of the development would be at Nos. 141 and 139 Eastcote Lane and Nos. 170 & 172 Alexandra Avenue. The proposed development would introduce a 3 storey building to the application site. The applicants have provided a Daylight / Sunlight assessment which was based around the originally submitted design including a 4-storey element at the junction. This report reviewed the potential impact of the proposed development on neighbouring occupiers. In terms of daylight, the report identified habitable rooms of the nearest sensitive receptors along Eastcote Lane, Alexandra Avenue and Alexandra Close. The results show that impact on the daylight to all habitable rooms of the 17 properties tested would be negligible albeit there would be a small reduction which is unlikely to be noticeable. Although the proposal has been modified by the removal of this 4th floor element, this has reduced the height and mass of the development, and new mass has not been added elsewhere. The potential for overshadowing and impacts on light to neighbouring properties has thus been further reduced. Therefore, the conclusions of the Daylight and Sunlight report hold with respect to the amended development design.

6.5.3 With respect to the impact of the proposed development on the sunlight to neighbouring properties, whilst there would be some reductions in the number of probable sunlight hours enjoyed by these windows/rooms, these would be within the prescribed limits of the BRE Guidelines. The report also indicates that the amenity areas of neighbouring properties would not experience any change to the sunlight levels they currently enjoy.

141 Eastcote Lane

- 6.5.4 The proposed development would maintain a distance of approximately 3.9m to the flank of no. 141 at its closest point, which has increased by just under 1m since the previous scheme (P/2156/19). The existing bungalow at 143 Eastcote Lane already projects forward of No. 141 Eastcote Lane, whilst the proposed development would reflect the existing building line it would not impinge the 45 degree code from the front edge of No. 141. Furthermore, the third storey would be set back from the main front elevation by 1.8m. This would essentially align with the front building line of neighbouring properties further east along Eastcote Lane and would therefore not be highly visible from that side. To the rear, the proposed development would project approximately 3.4m beyond the rear building line of No. 141. Whilst this is 0.4m deeper than the previous scheme, this has been mitigated by the increase in separation distances, reduction in height and mansard roof form which would offer further visual relief on that side. Furthermore, the depth to the rear would comply with the Council's horizontal 45-degree code.
- 6.5.5 With regards to privacy, all the side facing windows at first and second floor levels located in the front wing of the development would be secondary windows which can be conditioned to remain obscurely glazed. The balconies for the units closest to no. 141 would be entirely screened due to their being recessed within the building envelope. In this regard, it is not considered that there would be any loss of privacy on that side. Moving south along the building, the side facing windows within the recessed / central part of the development are non-habitable and would serve the stair core. The remaining windows on the eastern elevations have been reduced in size and number as a result of urban design comments. Whilst these would serve habitable rooms the separation distances at this point would be over 10.5m which would ensure there would be limited loss of privacy and perceived overlooking. It is also considered that the relationship with neighbouring gardens in these situations given the suburban character is not uncommon, particularly as these windows would not face any habitable rooms of the neighbouring properties. In light of this, it is considered that the living conditions of those neighbouring occupiers would not be unacceptably harmed.

Impact to Nos. 170 & 172 Alexandra Avenue

- 6.5.6 The closest property to the south-east of the application site is a semi-detached property containing maisonettes (Nos. 170 & 172 Alexandra Avenue). Due to the orientation of this property (to the north of nos. 170/172), it is considered that the proposed development would not result in undue impacts in terms of outlook, daylight sunlight or overbearing. This is reinforced within the submitted daylight/sunlight report. Since the previously refused scheme, projecting balconies have been introduced, however the separation distance to the boundary has been increased to 20m, which is consistent with suburban areas. Given this, and given that the south-east elevation of the proposed development would face the flank elevations of these properties, the relationship is considered acceptable in terms of privacy and overlooking. For

these reasons, it is considered that the proposed development would not result in a harmful impact to the amenities of nos. 170 & 172 Alexandra Avenue.

Surrounding Developments

- 6.5.7 The separation distances of between 30-50m from the other adjacent properties, including the residential units above the shopping parade opposite, the recent Matrix Development, and No. 147 Eastcote Lane on the opposite side of Alexandra Avenue are considered to sufficiently mitigate any significant detrimental harm caused in terms of amenity.

Noise & Disturbance

- 6.5.8 The greatest generation of noise and disturbance from the proposed development to neighbouring properties would be from the additional level of car parking proposed. Whilst there would be three parking spaces to the front of the site, this is not considered to generate additional noise and disturbance over and above the existing situation given its location to the busy junction and existing vehicular movement pertaining to No. 143 Eastcote Lane which benefits from off-site parking for up to 2 cars. Similarly, to the rear of the site, the existing crossover would be utilised to provide access to the private car park for the development, which would accommodate up to 8 car parking spaces, which is approximately 5-6 cars more than the existing situation. In previous comments made by the Council's Environmental Health Officer it was stated that whilst there would be an increase in vehicular movement throughout the day, this is unlikely to be detrimentally harmful given the existing noise and disturbance from the busy highway network directly adjacent. However, a condition requiring acoustic fencing on the rear boundary of the site would ensure any additional noise caused by the car park and deliveries to the rear would adequately safeguard the amenity in particular to Nos. 170 and 172 Alexandra Avenue.

- 6.5.9 Based on the above, it is not considered that the proposal would cause significant undue harm to the neighbouring residential amenity in accordance with policy D6 of The London Plan (2021) and policy DM1 of the Harrow DMPD (2013).

Future Occupiers – Internal Configuration and Quality of Accommodation

- 6.5.10 Policy D6 of the London Plan specifies that boroughs should ensure that, amongst other things, 'housing development should be of high-quality design and provide adequately-sized rooms with comfortable and functional layouts'. It also sets out the minimum internal space standards for new dwellings. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Policy DM26 of the DMP specifies that "proposals will be required to comply with the London Plan

minimum space standards. The National Technical Housing Standards provide additional detail.

Room Size & Layout

- 6.5.11 The internal floor areas would meet and exceed the minimum space standards as set out within the Mayors Technical Housing Standards – Nationally described (2016) and The London Plan (2021). The table below sets out the area schedule for the proposed development. The floor plans provided indicate that the stacking arrangements would generally place habitable rooms above similar rooms and the same would apply for non-habitable rooms. The London Plan also seeks 2.5m floor to ceiling heights for 75% of the Gross Internal Area (GIA), the development provides a minimum of 2.5m floor to ceiling heights on all levels.

Dual Aspect

- 6.5.12 The Mayor's Housing SPG seeks to avoid single aspect dwellings where: the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful levels of external noise; or the dwelling would contain three or more bedrooms. Policy DM1 Achieving a High Standard of Development undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers. The majority of units would be dual aspect amounting to 16 of the 18 units, approximately 89%, which would be acceptable. An acceptable level of daylight and outlook would also be experienced by all habitable rooms thereby ensuring that the quality of internal accommodation would be acceptable.

Table 2: Area Schedule

AREA SCHEDULE						
FLOOR	FLAT	Type	PROPOSED NIA		PROPOSED GIA	
			NIA m2	NIA ft2	GIA m2	GIA ft2
GROUND	1	2B4P*	87.6	943	501.8	5,401.3
	2	2B3P*	70.9	763		
	3	2B4P	70.1	755		
	4	1B2P	50.2	540		
	5	1B2P	50.8	547		
	6	2B3P	68.4	736		
FIRST	7	2B4P	74.4	800	469.1	5,049.3
	8	1B2P	53.9	580		
	9	2B3P	60.4	650		
	10	1B2P	50.0	538		
	11	3B4P	80.1	862		
	12	3B5P	88.8	956		
SECOND	13	2B3P	69.4	747	439.7	4,732.9
	14	1B2P	53.7	578		
	15	2B3P	62.4	672		
	16	2B4P	73.8	794		
	17	2B3P	64.8	698		
	18	1B2P	54.7	589		

Play Space

- 6.5.13 Policy S4 of the Mayor's London Plan seeks to ensure that development proposals include suitable provision for play and recreation, and incorporate good-quality, accessible play provision for all ages, of at least 10 sqm. per child. The proposed development will make provision for play space for children, in particular for those falling within the age group of 0-5 years in the communal amenity space to the rear of the building. This would include, indicatively, natural play features. The play space would be approximately 80sqm. The GLA's child yield place space calculator generates a yield of 7.5 children for all age groups (including a yield of 4 children for ages between 0-5) for this development and would therefore require a place space provision of 75.2sqm based on a provision of 10sqm per child.

Private and Communal Amenity Space

- 6.5.14 The Mayor's Housing SPG requires a minimum of 5sqm per 1-2 person dwelling and an extra 1sqm for each additional occupant. All ground floor units would have their own private garden space (in excess of the minimum required size) and the upper floor units would have balconies which would meet or

exceed the required standard recommended in the SPG. In addition, there is a large communal garden to the rear which would provide external amenity space and play space (circa 260 sqm). It is therefore considered that there are ample high-quality amenity spaces within the development.

Accessibility

- 6.5.15 Policy D7 of The London Plan relating to Accessible Housing, requires at least 10% of new housing to meeting building regulations M4 (3) – ‘wheelchair user dwellings. Furthermore, it requires all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) ‘accessible and adaptable dwellings. The proposals would provide 10% of residential units (i.e. 2 units) as wheelchair adaptable units at ground floor level and as such the proposals would be compliant with the required building regulations. Furthermore, the Design and Access Statement confirms that all dwellings are designed to be fully compliant with Part M4(2) compliant. A condition is attached to ensure compliance with the regulations.

6.6 Traffic, Parking and Servicing

- 6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): T4, T5, T6
- Harrow Development Management Policies (2013): DM42, DM43, DM44, DM45
- Harrow's Core Strategy (2012): CS1

- 6.6.2 Policies DM1 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

- 6.6.2 This proposal is within a PTAL 2 location. The nearest bus stops are within a 1 minute walk and are served by 3 routes which connect with other towns and transport interchanges. South Harrow Underground station is within a 12 minute walk or 3 minute cycle whilst Northolt Park rail station is a similar distance. The shopping area of South Harrow is within an 11 minute walk.

Car Parking and Access

- 6.6.3 Application P/2156/19 was refused on the grounds of insufficient parking. This proposal provided 13 parking spaces for 26 units (a ratio of 0.5). The Transport Assessment submitted at the time indicated that the development would amount to a need of 15 parking spaces which would result in an undersupply of two parking spaces which was anticipated to overspill onto on-street parking. The Planning Inspector referred to parking surveys carried out in 2017, and more recently in October 2020 when The Matrix was partially

occupied which, “*indicate a parking stress of between 77% and 73% respectively. This indicates, therefore, that there is capacity for some further on-street parking and given the very modest amount of on-street parking the development could generate, this would not give rise to any significant highway safety concerns.*” On this basis the Inspector concluded that the proposed parking arrangements for the 26-unit scheme would not result in any harmful impacts on highway safety.

- 6.6.4 The current scheme seeks to provide 11 car parking spaces for 18 units (a ratio of 0.6). The Highways Officer notes that proposals must not exceed the London Plan maximum parking standards which in this PTAL 2 area would allow for up to 0.75 spaces per 1-2 bed dwelling and 1 space per 3 bed+ dwelling, a total of 15.5 spaces. The proposal includes 11 parking spaces of which 2 are disabled parking bays. 2 of the spaces would have active electric vehicle charge points whilst the rest will have passive provision. Overnight parking surveys were carried out in the local area in May 2022; these show that there is good capacity on-street with over 60% of potential spaces available. Census 2011 data (Isola 030A) shows that car ownership in this location is at 50% for flats. This would indicate that the proposed level of parking should be sufficient for the needs of the development.

Delivery and Servicing

- 6.6.5 This site is at a signalled junction meaning that stopping in the vicinity can cause short term problems due to overtaking, queuing and obstruction of traffic flow. As the current arrangement already allows for waste collection on Eastcote Lane, this proposal would not introduce any new activity and positively, the access closest to the corner is to be removed, thus resulting in an improved situation.
- 6.6.6 A delivery and servicing plan has been provided which is generally acceptable by the Council’s Highway Officer. Deliveries are anticipated to generate a maximum of 5 light vans/transit and 1 box van per day which is considered to have a negligible impact on the highway network. The plan refers to a site manager however, for this scale of development, it is not common for there to be an on-site person available at all times therefore, it will be necessary to ensure that signs directing deliveries to the rear are displayed on site and that residents are aware of the need to guide deliveries to this location. This can be secured by way of condition.

Cycle parking

- 6.6.7 The development is required to provide a minimum of 33 sheltered, secure and accessible long stay cycle parking spaces and 2 short stay spaces for visitors, for the 18 units proposed. The long stay store would need to accommodate at least 5% accessible stands. The submitted details are broadly acceptable, however the number of long-stay spaces would need to

increased from 32 to 33. Further details of the design of the store are required but can be secured by pre-commencement condition.

Trip Generation

- 6.6.8 The selected sites are generally acceptable although the data is slightly out dated. Notwithstanding this, the analysis indicates a very low level of vehicle trips likely to be generated in the peak hours, with 3 in the morning and 4 in the afternoon – this being based on the original 20-unit scheme, so the reduction to 18 units would not result in a greater number of trips. Public transport trips are also likely to be low and could easily be accommodated on the existing network. It is unlikely that this level of activity will result in a noticeable impact for the surrounding highway network.

Construction Logistics

- 6.6.9 An outline construction logistics plan has been provided; a full detailed document will be required prior to commencement on-site by condition. This should only be submitted when the final contractor has been appointed and is in agreement with the planned measures.

Summary

- 6.6.10 Alterations are required to the existing vehicle crossings which can be undertaken by the applicant via a highway agreement. Details of the proposals should be submitted prior to commencement of work on-site.
- 6.6.11 This proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, subject to pre-commencement conditions for a detailed construction logistics plan and cycle parking details, the Highways Authority have no objection.

6.7 Flood Risk and Drainage

- 6.7.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- London Plan (2021): S1 12, S1 13
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow's Core Strategy (2012): CS1

- 6.7.2 Policy DM9 B of the Development Management Policies Local Plan (2013) states, "proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused."

6.7.3 The site is not located within a flood zone. However, is located within a Critical Drainage Area and given the potential for the site to result in higher levels of water discharge into the surrounding drains, could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall.

6.7.4 The Drainage Authority have raised no objection to the proposal subject to conditions requiring a surface water drainage including a requirement for drainage details (surface water and foul), and permeable paving where applicable. These conditions will be imposed.

6.8 Ecology and Biodiversity

6.8.1 The relevant policies are:

- National Planning Policy Framework: Chapter 15
- London Plan: G5, G6, G7, and H8
- Harrow Development Management Local Policies: DM20, DM21, DM22

6.8.2 The development site is located in a relatively urban residential area, circa 0.7 km distant from the nearest Sites of Importance for Nature Conservation at Newton Ecology Park and Newton Park West along the Roxbourne. Whilst this means that the proposed development would not be affecting areas accorded high value this also reflects local deficiency in access to nature. As well as mitigating negative impacts, the overall enhancement for biodiversity which development is required to provide is a key consideration. The applicant has submitted an updated Preliminary Ecological Appraisal (PEA) and a report in relation to the findings of a recent bat roost emergence survey, together with an Urban Greening Factor evaluation and arboricultural report.

6.8.3 The Biodiversity Officer notes that the arboricultural report makes no direct reference to the wildlife value of the trees, although this is a major component of the CAVAT approach which it does cite. Given the proposed loss of trees, it would be important to apply a CAVAT valuation so that an equivalent value of the natural capital value of these trees may be provided rather than there be an acceptance of a reduction in value generally inherent in replacement of established trees with young replacements on a 1 for 1 basis. Revised information has been provided to address this point, and the number of trees provided (on and off site) has been increased.

6.8.4 The information provided in relation to bats is considered to offer an appropriate summary in relation to the roost potential and status but it would be expected that any new development would re-provide at least some of the identified roost potential. This will be secured via condition. Although some issues were raised with the initially submitted reports, additional and revised information was submitted to address the concerns raised, which is now considered largely satisfactory. However, further clarity is required regarding the details of the proposed green roof, and it is noted that sedum would not

be considered to be acceptable for this type of use. The details to the green roof do feed into the BNG (Biodiversity Net Gain) contribution required by policy DM21, and normally certainly with regard to the BNG uplift would be required prior to approval. However, the overall BNG uplift appears to be over the minimum requirements, and so in this case, these details can be secured via condition as well. Further conditions recommended by the biodiversity officer include a Construction Environment Management Plan (CEMP), a landscape and ecology implementation plan and a detailed lighting strategy to minimise energy use and, in particular avoid impacts on nocturnal species.

Urban Greening Factor

6.8.5 Policy G5 of The London Plan sets out that development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening, including the public realm. Elements that can contribute to this include tree planting, green roofs and walls, and soft landscaping. A target of 0.4 for residential development should be achieved in line with this policy.

6.8.6 The Urban Greening Factor was originally calculated incorrectly, as it misinterpreted the scoring of 'grasscrete', which is otherwise unacceptable, in parking areas. Revised details were provided, in conjunction with the revisions to the landscaping and biodiversity information, which shows the UGF to be scored at 0.41. The proposal would be considered acceptable in this respect.

6.9 Energy & Sustainability

6.9.1 The relevant policies are:

- National Planning Policy Framework: Chapters 2 and 14
- The London Plan (2021): GG6, S1 2, SI 3, S1 4, SI 5 and SI 7
- Harrow Core Strategy: CS1 T
- Harrow Development Management Local Policies: DM1, DM12, DM13 and DM14

6.9.2 The application is accompanied by an Energy & Sustainability Statement prepared by eb7 dated 13 June 2022. The statement generally follows the energy hierarchy and GLA guidance relating to such statements. The statement indicates the development would have achieved an 80.91% on-site reduction in carbon emissions relative to Part L Building Regulations 2013. This is comprised of a 21.46% reduction through energy efficiency measures (achieved through adopting the new standards required under the 2021 Building Regulations), which exceeds the 10% target in the London Plan 2021. The balance in reductions is achieved through provision of air source heat pumps and solar PV panels (17.82kWp). The 80.91% on-site reduction is well above the 35% target in the London Plan. Zero carbon development will be achieved through a carbon offset payment to offset the remaining emissions

from the development (5.55 tonnes per year x £95/tonne/year x 30 years). The proposal would therefore have meet the key targets within the London Plan. Air source heat pumps (ASHPs) with a good co-efficient of performance (COP) of 3.2 will provide communal heating / hot water for the development, consistent with the London Plan preferences for communal networks and heat pumps. The ASHP system will reduce emissions by appropriately 60% relative to the notional (baseline) 90% efficient gas boiler. However, with the amendment to remove the top storey and reduce the number of units to 18, the figures in the report will need to be adjusted to re-calculate the required off-set contribution. This can be dealt with by way of condition and through the S106 agreement.

6.9.3 The statement also acknowledges the site's location within a heat network priority area under the London Plan and the need for the development to be designed to enable future connection to any future district heat network. The provision of solar PV panels complements the electricity demand of the ASHPs and appears to represent the maximum achievable onsite given broader planning considerations relating to visual amenity, shading and outlook (although scope to incorporate further panels on the green roof could be considered). The applicant also acknowledges the London Plan's 'Be Seen' requirements. Finally, the broader sustainable design and construction proposals are considered reasonable for a development of this size.

6.9.4 In conclusion, the Energy & Sustainability Statement is considered acceptable, although updated calculations are required. Any permission should be conditioned to require the development is undertaken generally in accordance with an amended statement. S106 planning obligations should secured to require payment of the carbon offset contribution prior to the commencement of development, with the final carbon emissions verified through the submission of the Building Regulations 'As Built' Part L calculations upon completion of the development and any required 'top-up' offset contribution paid at the rate of £2,850 / tonne of carbon (£95/tonne/year x 30 years). Obligations securing compliance with the Mayor's 'Be Seen' guidance and safeguarding for future connection to a district heat network should also be included in any S106 agreement.

6.10 Fire Safety

6.10.1 The relevant policies are:

- The London Plan (2021): D5, D12

6.10.2 Part A of Policy D12 of the London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that development ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. Policy D5 encourages development proposals to achieve the highest

standards of accessible and inclusive design. A Fire Statement has been prepared by K&R Estates in support of the application.

6.10.3 The Council's Fire Consultant has reviewed the Fire Statement and considers the document at this stage to be broadly acceptable. However, the consultant has highlighted that as the development would have an evacuation lift, hard wired communications should also be provided in the refuge, however this is not mentioned in the fire statement. The operation of the evacuation lift is proposed to be automatic operation or remote assisted. As we know the guidance for the operation of an evacuation lift via an automatic interface is only contained in draft guidance this should not be considered as the final document may not include this detail. The second operation, that of remote assisted evacuation is completely unacceptable. An updated Fire Statement was provided to address these issues however, it has not been possible for the fire consultant to review within the timeframes available, and it is noted that the points above are not fully addressed. As such, a condition requiring an updated Fire Strategy would be necessary.

6.11 Air Quality

6.11.1 The relevant policies are:

- National Planning Policy Framework: Chapter 15
- The London Plan: SI 1
- Harrow Development Management Local Policies: DM1

6.11.2 The whole of the borough has been designated as an Air Quality Management Area (AQMA), due to exceedances of the annual mean objective levels for nitrogen oxide (NO₂) and particulates (PM₁₀). An Air Quality Assessment (AQA) was submitted with the application prepared by eb7. Policy SI1 states that this should take an Air Quality Neutral approach. The modelling indicated that the site is air quality neutral with respect to building-related emissions by default. Furthermore, transport related emissions from the site were also assessed as air quality neutral in line with the London Plan guidance.

6.11.3 An assessment was undertaken to examine the potential impacts on air quality during construction and operation of the proposed development. This showed that the release of dust and PM₁₀ (inhalable particles, with diameters that are generally 10 micrometers and smaller) are likely to occur during site activities. The risk of dust soiling impacts on neighbouring properties was assessed as medium, with the risk to human health assessed as potentially low. However, it is considered that suitable mitigation measures would ensure these impacts are mitigated against. A Construction Environmental Management Plan is therefore recommended.

6.12 Statement of Community Involvement

- 6.12.1 The NPPF, Localism Act and the Council's Statement of Community Involvement encourage developers, in the case of major applications such as this, to undertake public consultation exercise prior to submission of a formal application.
- 6.12.2 A Statement of Community Engagement Report was submitted which states that a public and stakeholder consultation and engagement process ran during July 2022 which included distribution of newsletters to 652 nearby residents and business which outlined the proposals and through the launch of a project website allowing residents to return feedback via a portal. Furthermore, a dedicated freephone consultation telephone line and freepost address were available for direct contact with the development team. As a result, 6 feedback slips were received by post and 5 online and email correspondence was received. The Council also sent out letters of consultation to local residents in the surrounding area inviting them to make representations on the proposed development and a total of 72 comments were received as outlined above.

6.13 Planning Obligations and EIA Screening

- 6.13.1 The application has not been formally screened by the Local Planning Authority (LPA) . However, the development does not fall under the the category of developments under Schedule 2 of the EIA Regulation 2017 and therefore the development is not an EIA development.
- 6.13.2 The Council has agreed heads of terms for a Section 106 agreement to be completed prior to determination of this application with the applicant. These have been set out above under Recommendation A of this report. Subject to this agreement, the proposal is considered to accord with the policy requirements of policy DM50 of the Development Management Policies Document, which seeks planning obligations to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL

7.1 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation and on the basis that the proposed development provides an acceptable and policy compliant residential scheme for future occupiers and does not unduly impact on the character of the area or the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord with the National Planning Policy Framework (NPPF, 2021) Policies GG6, D3, D5, D6, D7, D11, D12, D14,, S4, G5, G6, G7, T4, T5, T6; H1, H2, H4, H5, H6, H8; SI 1, S1 2, SI 3, S1 4, SI 5, SI 7, SI12; SI 13 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012) and policies DM1, DM2, DM9, DM10, DM12, DM13, DM14, DM20, DM21, DM22, DM23, DM24, DM27, DM42, DM43, DM44, DM45, DM50 of the Harrow Development Management Policies Local Plan (2013), along with the relevant supplementary guidance.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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. Approved Drawing and Documents

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 document Schedule of application documents:

Bat Emergence / Re-entry Survey [prepared by Green shoots ecology, October 2022]; Design & Access Statement, prepared by GPAD [April 2023]; Planning Statement prepared by Maddox Planning [August 2022]; Planning Statement Addendum [April 2023]; Statement of Community Engagement, prepared by Consult Communications, July 2022; Energy & Sustainability Statement, prepared by eb7 [V2, 13th June 2022]; Air Quality Assessment, prepared by eb7 [16th June 2022]; Air Quality & Energy and Sustainability Reliance letter prepared by PES; Arboricultural Report prepared by tma [220555-PD-11a, July 2022]; Fire Statement, Prepared by K&R Estates Ltd, [ref: 14164BC 4th April 2023]; Daylight and Sunlight Assessment, prepared by Herrington consulting limited [Rev 3, June 2022]; [Delivery and Servicing Plan, prepared by YES, November 2022]; Viability Study, Turner Morum LLP including appendices, July 2022; Addendum Viability Study Turner Morum LLP [March 2023] Preliminary Ecological Assessment prepared by green shoots ecology [November 2022]; Ecological Reliance letter, prepared by green shoots ecology [17th March 2023]; Foul sewage and utilities assessment prepared by Pitman Associates [ref 0355 Rev B, June 2022]; Noise Impact Assessment, prepared by ALN Acoustic Design [J0368_R02A, 27th June 2022]; Outline Construction Logistics Plan prepared by YES [July 2022]; Surface Water Drainage Strategy, prepared by Ptiman Associates, [0282/0355 Rev C, June 2022]; Transport Assessment, prepared by YES [July 2022]; Transport Reliance letter prepared by YES Engineering [22nd March, 2023]; Urban Greening Factor Calculation Report, prepared by green shoots ecology [December 2022]; Biodiversity Net Gain Calculation and Details of Bird, Bat, and Invertebrate Enhancements [December 2022]; Maddox

Eastcote Lane BNG Calculation Spreadsheet; Management Plan Outline prepared by John Davis Landscape [15 December 2022];

750-90-401-P2; 750-90-400-P1; IF 17-04/401; IF 17-04/400; 750-10-010-P1; 750-10-011-P1; 750-10-100-P3; 750-10-101-P2; 750-10-102-P2; 750-10-103-P3; 750-10-200-P2; 750-10-300-P4; 750-10-301-P5; 750-10-302-P4; 750-10-303-P5; 750-10-304-P2; 750-00-301-P1; 750-00-300-P1; 750-00-100-P1; ; (JD-143EL-) PL01 Rev A GA Plan; (JD-143EL-) PL02 Rev A Planting Plan; (JD-143EL-) PL05 Rev A Material Moodboard; Off-site Planting PL06; 750-SK-05-P1; (JD-143EL-) PL03 Rev A; (JDL-143EL-) PL04 Rev A

REASON: For the avoidance of doubt and in the interests of proper planning.

3. Demolition and Construction Logistics Plan

No development shall take place, including any works of demolition, until a Construction Method Statement & Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The Method Statement shall provide for:

- a. detailed timeline for the phases and implementation of the development
- b. demolition method statement
- c. the parking of vehicles of site operatives and visitors;
- d. loading and unloading of plant and materials;
- e. storage of plant and materials used in constructing the development;
- f. measures to control the emission of dust and dirt during construction; and
- g. scheme for recycling/disposing of waste resulting from demolition and construction works.

The development shall be carried out in accordance with the approved Method Statement and Logistics Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, and to ensure that the transport network impact of demolition and construction work associated with the development is managed.

4. Construction Environment Management Plan

No development shall take place, including any works of demolition until a proportionate Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP as well as covering other relevant environmental considerations, will set out how contractors will be made aware and have regard to protected species and the practical and legal situation with regard to development. The CEMP should at least ensure that the procedures set out in the approved Preliminary Roost Assessment report (PEAR) will be implemented in full and give appropriate consideration to breeding birds.

The CEMP shall be adhered to throughout the demolition and construction phases of the development.

REASON: To provide appropriate safeguards and mitigation for biodiversity in accordance with the requirements of the National Planning Policy Framework, the London Plan and local plan policies DM20 and DM21.

5. Tree Protection Measures

No development shall take place, including any works of demolition, until a tree protection plan / method statement has been submitted to, and approved in writing by, the local planning authority. The proposed development shall be completed in full adherence to the arboricultural details approved, unless first otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the trees to be retained on the site are not adversely affected by any proposed works.

6. Site Levels

No demolition or site works shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, have been submitted to, and approved 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.

7. Disposal of Foul Water

The development (other than demolition works) hereby permitted shall not be commenced until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details as so agreed and retained thereafter.

REASON: To ensure that adequate drainage facilities are provided in accordance with policy SI 5 of The London Plan (2021)

8. Disposal of Sewage

The development (other than demolition works) hereby permitted shall not be commenced until works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details as so agreed and retained thereafter.

REASON: To ensure that adequate drainage facilities are provided.

9. Surface Water Attenuation

The development (other than demolition works) 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. The development shall be carried out in accordance with the details as so agreed and retained thereafter.

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

10. Permeable Paving

Notwithstanding the approved details and prior to the commencement of development (other than demolition works), 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. The development shall be carried out in accordance with the details as so agreed and 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.

11. Green Roof Details

The development (other than demolition works) hereby permitted shall not commence until details of the green/biodiverse roof with solar PV panels shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a. Its location, extent, specification (plant species and soil depth), landscape integration, integration with other roof plant or renewable energy infrastructure, structural integrity, construction, operation and access. To include incorporation of an extensive green/ brown roof combined with PV panels on the 3rd storey roof.
- b. Planting scheme (time of planting, plant species, plant schedule and numbers, watering), to include native plant species to be planted or seeded.
- c. Habitat features to be incorporated.
- d. Section/profile drawings showing the green roof detail, soil/ growing medium depth, different build up layers of material and membranes.
- e. Plans to show clearly its location, extent, drainage catchment areas (if relevant), inlets and outflows.
- f. Management and Maintenance plan to show how it will be maintained regularly, maintenance considerations due to other roof infrastructure and any changes in maintenance throughout the seasons.

The development shall not be completed otherwise than in accordance with the green roof details so approved and shall thereafter be so maintained.

REASON: To reduce flood risk, enhance the biodiversity and to contribute to sustainability in accordance policies G6 and SI 12 of The London Plan (2021) and policies DM12, DM20, and DM21 of the Harrow Development Management Policies Local Plan (2013)

12. Energy Statement

No development, other than demolition, shall commence until a revised Energy Strategy has been submitted to, and approved by, the Local Planning Authority. The proposed development shall be implemented in accordance with the revised Energy Strategy, and in accordance with the S106 agreement, and shall be maintained as such thereafter.

REASON: To ensure the development achieves the required level of carbon offset and provides a satisfactory level of sustainable infrastructure.

13. Fire Safety

No development, other than demolition, shall commence until a revised Fire Safety Statement shall be submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point
- 2) is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire, including appropriate fire alarm systems and passive and active fire safety measures
- 3) is constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021). To ensure appropriate fire safety measures are approved before development is occupied.

14. Lighting Strategy

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until details of the lighting of all external communal areas 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, location, height type, direction of light sources, 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, minimises energy use and, in particular avoid impacts on nocturnal species using the provide shelters or foraging in/over the communal garden areas and bio-solar roofs.

15. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below (but not limited to) have been made available to view on site, and approved in writing by, the local planning authority:

- a. Facing materials for the building, including down pipes and flues;
- b. windows / doors;
- c. Balconies including privacy screens and balcony underside finish;
- d. boundary treatment;
- e. Bin stores
- f. ground treatment; and
- g. hard landscape materials.

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

16. Landscaping

The development hereby approved shall not progress beyond damp proof course level until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the site. The hard and soft landscape details are to include the following:

- a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, irrigation method and details and including walls, retaining walls and external seating, and any landscape structures such as, trellis, and tree pits, growing medium, tree planting and support, any climber supports and so on.
- b) Details of all furniture including information about the manufacturer, material and source.
- c) Boundary Treatment (revised to be a maximum height of 1m for elevations facing a public highway)
- d) Full scale metric cross sections and elevations for the communal open amenity space and play area (at a scale of not less than 1:100)
- e) A specification of all natural type play equipment to be installed including proposed manufacturer, material and source and specification of the surface treatment within the play areas;
- f) Details of the bin stores materials

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

17. Cycle Parking

The development hereby approved shall not progress beyond damp proof course level until there has been submitted to, and approved in writing by, the local planning authority, full revised details of the cycle storage, including elevations and materials. This shall include a minimum of 33 sheltered, secure and accessible long stay cycle parking spaces, and 2 short stay spaces for visitors. The long stay store would need to accommodate at least 5% accessible stands.

REASON: To ensure adequate and high-quality cycle parking provision on site, to support sustainable transportation modes.

18. Acoustic Fence

The development hereby approved shall not progress beyond damp proof course level until a scheme which specifies the provisions to be made for the control of vehicle noise emanating from the residential car park accessed via the service road from Alexandra Avenue, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical, administrative measures, noise limits and other appropriate measures. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures thereafter prior to the first occupation of the development.

All other measures outlined within the approved Noise Report, shall be carried out in accordance with this document unless otherwise approved by local planning authority.

REASON: To safeguard the amenity of neighbouring residents and in particular nos. 170 and 172 Alexandra Avenue.

19. Bird, Bat and Invertebrate Shelters

The development hereby approved shall not progress beyond damp proof course level until details of the artificial shelters for birds, bats and invertebrates, on the basis of one individual/multiple occupancy shelter per residential unit (and including the provision that should be incorporated as part of the biodiverse roofs).

The shelters shall be installed in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity in accordance with policy G6 of The London Plan (20216) and policies DM1, DM20 and DM21 of the Harrow Development Management Policies Local Plan (2015).

20. Landscape and BNG Management and Maintenance

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 landscaped areas and any landscape structure for plant growth, other than privately owned domestic balconies/terraces. 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.
- c) how BNG features will be managed and monitored to maintain and enhance their value, including any replacements during the establishment phase (to run for three years from the commencement of construction);
- d) year by year schedule of the timing of operations and who has responsibility for these and for ensuring they are undertaken;
- e) how the plan will be updated at 5 year intervals; and
- f) how these operations will be funded over the lifetime of the new development (a period of no less than 30 years), during and following construction.

The Landscape and BNG 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, G5, G6 and G7 of the London Plan (2021) and policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

21. Car Park Management Plan

Notwithstanding the approved documents, prior to the occupation of the development, an amended car parking management plan shall be submitted to, and agreed in writing by the local planning authority, which shall include the following details:

- a. Car parking allocation and management.
- b. Signage to be displayed on site directing deliveries to the rear, and ensuring that residents are aware of the need to guide deliveries to this location

The development shall be carried out in accordance with the details so agreed and in place prior to first occupation of the development and shall be retained as such thereafter.

REASON: To ensure that the development parking and servicing on site are appropriately managed, to avoid impacts on the free flow of the highway.

22. Secure by Design Accreditation

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed. Secure by design measures shall be implemented and the development shall be retained in accordance with the approved details.

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. the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

23. Communal Facilities

Prior to the first occupation of the residential units hereby permitted, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved 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 residential units and shall be retained thereafter. No other television reception equipment shall be installed on 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 D3 of the London Plan (2021), and DM49 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).

24. Noise

The proposed development shall be implemented in accordance with the approved Noise Impact Assessment, prepared by ALN Acoustic Design, June 2022, and shall be maintained as such thereafter.

REASON: To ensure the development achieves a satisfactory standard of living conditions for future occupiers.

25. Landscaping Implementation

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 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 compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

26. Refuse Storage

The refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.

REASON: To safeguard the character and appearance of the area.

27. Glazing

No window(s) / door(s), other than those shown on the south or east flank elevations shall be installed in the without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

28. Obscure Glazing

The secondary window(s) in the eastern flank elevations above ground floor level of the approved development shall:

- a) be of purpose-made obscure glass,
- b) be permanently fixed closed below a height of 1.7 metres above finished floor level and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

29. Permitted Development Restriction 1

The development hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

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 and in the interests of residential and visual amenity.

Accessibility

30. The development hereby permitted shall be constructed to include 90 per cent of the new homes to meet Building Regulations requirement Part M M4(2) 'accessible and adaptable dwellings' with the remaining 10 per cent meeting Building Regulations requirement Part M M4(3) 'wheelchair user dwellings' and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards.

Informatives

1. Policies

The following policies are relevant to this decision:

- **National Planning Policy Framework (2021)**
- **The London Plan (2021):** GG6, D3, D5, D6, D7, D11, D12, D14,, S4, G5, G6, G7, T4, T5, T6; H1, H2, H4, H5, H6, H8; SI 1, S1 2, SI 3, S1 4, SI 5, SI 7, SI12; SI 13
- **Harrow Core Strategy (2012):** CS1
- **Harrow Development Management Policies Local Plan (2013):** DM1, DM1, DM2, DM9, DM10, DM12, DM13, DM14, DM20, DM21, DM22, DM23, DM24, DM27, DM42, DM43, DM44, DM45, DM50

Supplementary Planning Documents:

- Supplementary Planning Document Residential Design Guide (2010)
- Supplementary Planning Document Garden Land (2013)
- Technical housing standards - nationally described space standard (2015).
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document: Planning Obligations and Affordable Housing
- Mayor of London Play and Informal Recreation Supplemental Planning Guidance (2012)

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 39-42 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

3. 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.

4. 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

5. 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.

6. Surface and foul water connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

7. 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

8. Fire Safety

INFORM67 - Fire Safety Statement. The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

9. Thames Water

The applicant can contact Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 or on Thames Water website www.developerservices.co.uk for drainage connections consent.

10. Street Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

11. Compliance with Planning Conditions

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.

12. 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 £84, 636

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 planning portal 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

13. 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 £245,909.90

This amount includes indexation which is 326/224. 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](https://ecab.planningportal.co.uk) 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:

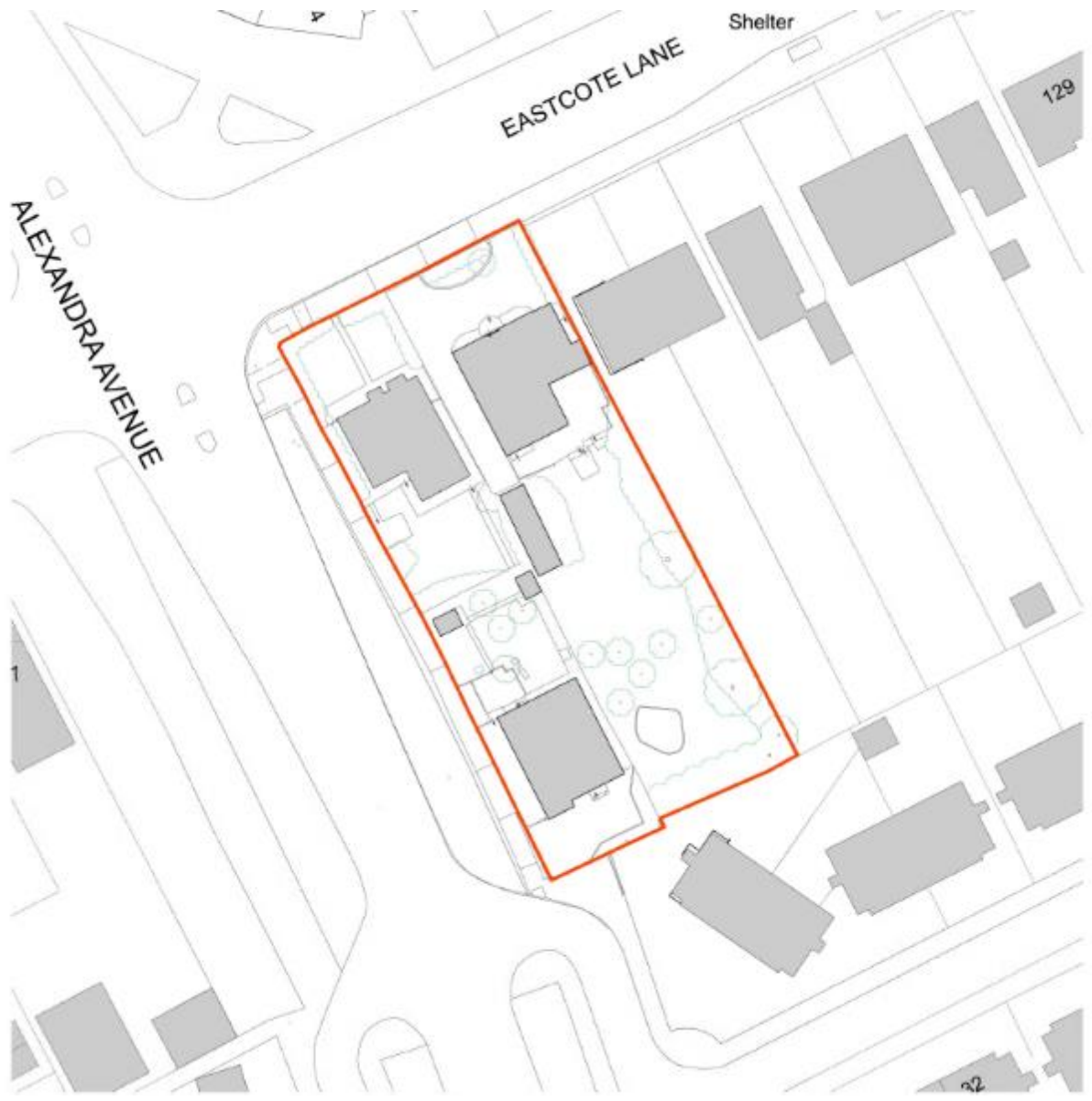
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

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

Checked

 <p>Orla Murphy Head of Development Management</p> <p>11th May 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>12th May 2023</p>
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APPENDIX 2: SITE PLAN



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1:

APPENDIX 3: SITE PHOTOGRAPHS



View looking towards Nos. 145 & 143 Eastcote Lane



View from access to 172a Alexandra Ave



Side view looking towards the site along Alexandra Ave



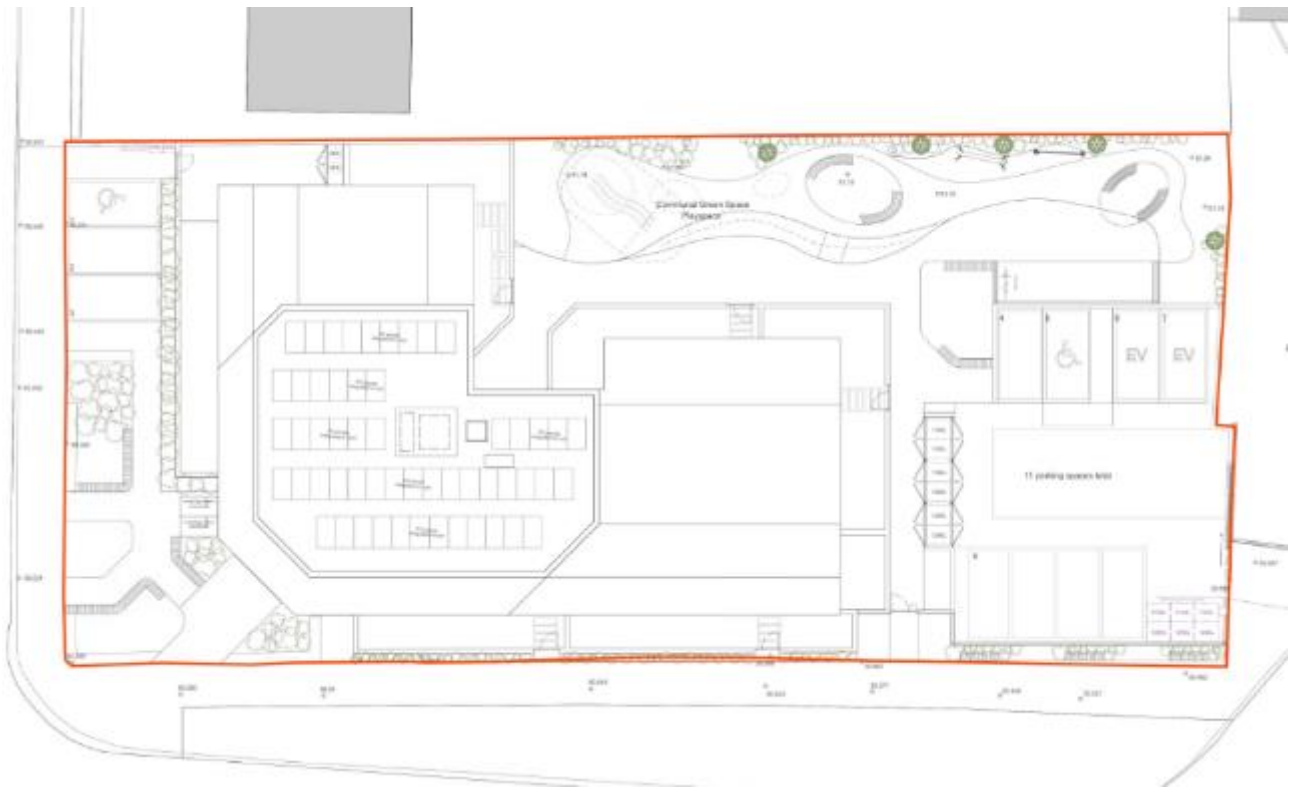
Recent photos of the Matrix development, opposite application site

APPENDIX 4: PLANS AND ELEVATIONS



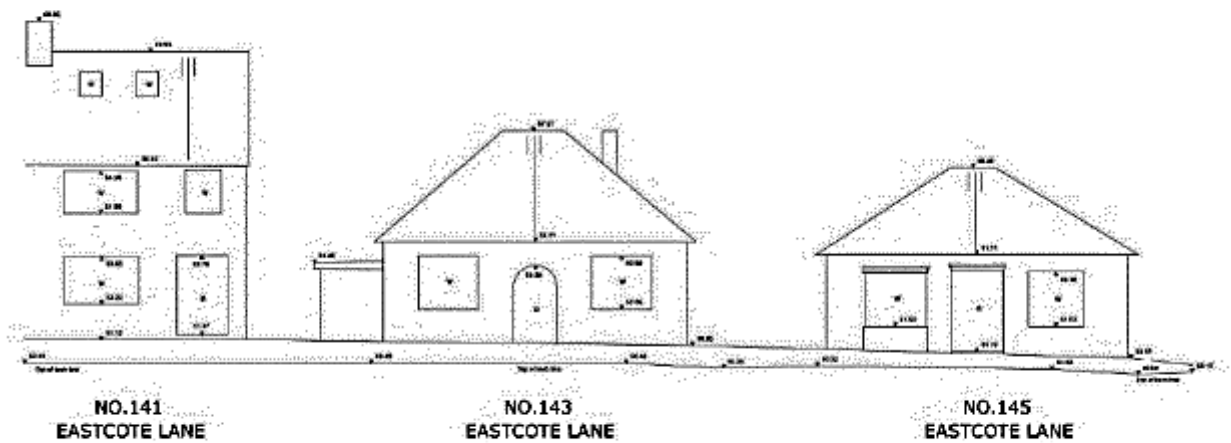
site plan

Existing

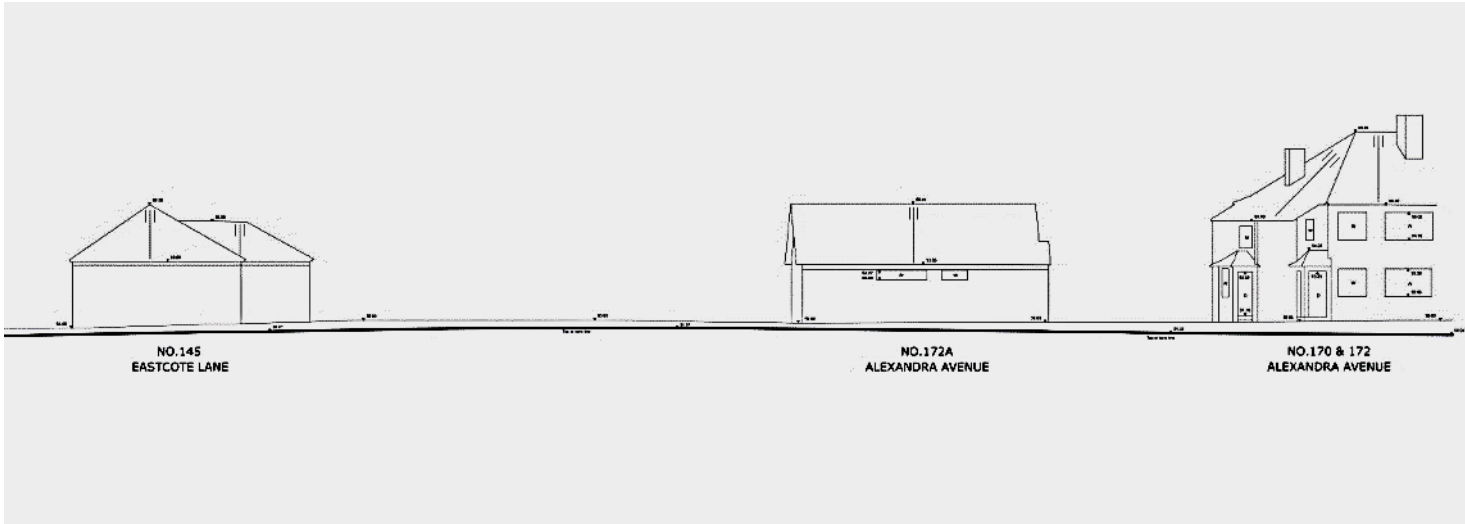


Proposed site plan

Existing Elevations:



Along Eastcote Lane



Along Alexandra Avenue

Proposed Elevations:



Northern Elevation (Eastcote Lane)



Western Elevation (Alexandra Avenue)



Eastern Elevation (facing no. 141 Eastcote Lane)



Southern Elevation (facing flank of nos. 170-172 Alexandra Avenue)

Proposed floor plans:



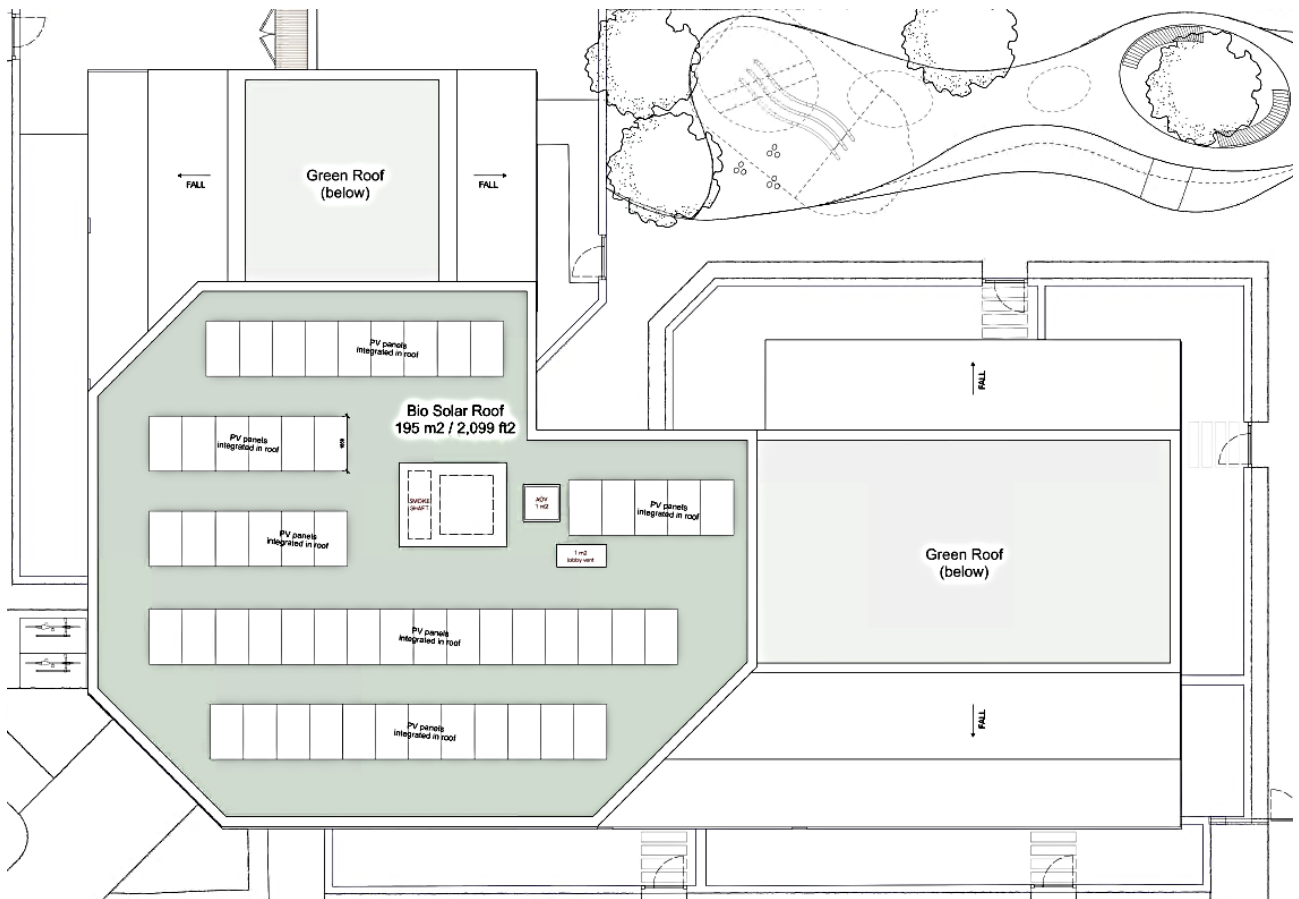
Ground floor plan



First floor plan



Second floor plan



Roof plan



3D rendering – bird-eye view



3D rendering – View from Eastcote Lane (straight on)



3D rendering – Looking east along Eastcote Lane



3D rendering – looking west along Eastcote Lane



3D rendering – view from opposite side of junction (looking south along Alexandra Avenue)



3D rendering – looking north along Alexandra Avenue

APPENDIX 5 – APPEAL DECISIONS APP/M5450/W/19/3243513 & APP/M5450/W/19/3224655



The Planning Inspectorate

Appeal Decisions

Hearing Held on 2 December 2020

Site visit made on 3 December 2020

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal A: APP/M5450/W/19/3224655

143-145 Eastcote Lane & 172a Alexandra Avenue, Harrow, London HA2 8RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Rakesh Raithatha of K & R Estates Limited against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1180/18, dated 21 March 2018, was refused by notice dated 14 September 2018.
 - The development proposed is redevelopment of the site to provide 31 residential flats comprising 1 x studio, 8 x 1 bed, 18 x 2 bed and 4 x 3 bed units with associated vehicular parking, landscaping and amenity space.
-

Appeal B: APP/M5450/W/19/3243513

143-145 Eastcote Lane & 172a Alexandra Avenue, Harrow, London HA2 8RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Rakesh Raithatha of K & R Estates Limited against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2156/19, dated 10 May 2019, was refused by notice dated 22 October 2019.
 - The development proposed is redevelopment of the site to provide 26 residential flats comprising 7 x 1 bed, 17 x 2 bed and 2 x 3 bed units with associated vehicular parking, landscaping and amenity space.
-

Decisions

1. The appeals are dismissed.

Preliminary Matter

2. As set out above there are two appeals. They differ mainly in respect of the scale of development proposed. Although I have considered each appeal on its individual merits, to avoid duplication, I have dealt with the two schemes together, except where otherwise indicated.

Main Issues

3. A main issue in both appeals is:
 - The effect of the development on the character and appearance of the surrounding area.

<https://www.gov.uk/planning-inspectorate>

4. In Appeal A there are also the main issues of:

- Whether the proposed development constitutes 'garden land development', and;
- Whether the proposal makes adequate provision for affordable housing.

Finally, in Appeal B there is a further issue of:

- The effect of the proposed parking arrangements on highway safety.

5. A fourth reason for refusal relating to car parking in respect of Appeal A is no longer being pursued by the Council following the submission of further information. There is no need, therefore, for me to take this matter further.

Reasons

Appeals A and B: Character and appearance

6. The appeal site is located on the junction of Alexandra Avenue and Eastcote Lane and is formed by the amalgamation of three plots, each containing a bungalow. The overriding characteristic of development surrounding the junction is of one or two storey properties, be that solely residential or mixed-use development. This type of development occupies three of the four corners of the junction. The exception to this is the remaining corner of the junction where there is a four-storey residential development; namely The Matrix.
7. In addition to my observations above, it can also be said that development on the north side of the junction, where The Matrix and a parade of shops with residential accommodation above are located, is of a broadly higher density than the residential development located on the southern side of the junction.
8. Both appeals are for a four-storey residential development. Development of this scale would be out of character with the overriding context of the site which is predominantly two storeys or lower. Added to this is that the side of the junction on which the site is located (the south) is arguably less dense and more suburban in character than the north side, which would further add to the incongruity of a four-storey development here. In design terms there is nothing before me in either proposal that would overcome my concerns in this respect.
9. The Matrix is a similar development to that proposed in terms of it being four storeys and of a similar design aesthetic. The Matrix is, however, a prominent development given it is the only four-storey building in the immediate vicinity of the junction. That being said, it occupies a bigger site than the appeal site. The Matrix is also chamfered on the junction with a wide pedestrianised area to the front which creates space between the building and the highway. The proposals before me, however, both propose four storeys in far closer proximity to the highway.
10. Overall, therefore, I consider that a four storey development on the appeal site would be overly dominant given its context; more dominant than The Matrix, and, as a result, sufficiently dominant so as to amount to harm to the character and appearance of the area. For these reasons the proposal would conflict with Policies 7.4 of the London Plan 2016 and DM1 of the Harrow Development Management Policies 2013, both of which require consideration of the scale of surrounding buildings and pattern of development.

11. Whilst I accept local character evolves over time, the presence of The Matrix does not, for the reasons set out above, justify the development. Furthermore, the appearance of the bungalows currently and street scene in general provides little justification for the proposals given the harm I have found. Furthermore, the limited opportunities for landscaping in both schemes would not mitigate the visual dominance I have identified.

Appeal A: Garden land

12. Policy CS1 B of the Harrow Core Strategy (CS) sets out that garden development will be resisted. This is consistent with the National Planning Policy Framework (the Framework) which at para 70 sets out that plans should consider the case for setting out policies to resist inappropriate development of residential gardens. Appeal A proposes the development of the gardens of three residential properties therefore it would logically follow that it was garden development and in conflict with Policy CS1 B.
13. My finding in this respect is supported by The Garden Land Development Supplementary Planning Document (GLDSPD) which provides more detail on this policy and defines garden land as including *'the gardens of houses'* plural (para 3.1 a). There is nothing further in this GLDSPD to lead me to conclude that garden development in this context applies only to the garden of a house, singular. I am therefore satisfied that Appeal A comprises garden development for the purposes of Policy CS1 B.
14. There are, however, exceptions to the blanket restriction of garden development set out in Policy CS1 B provided by the GLDSPD which include: *'the redevelopment of an existing dwelling or group of dwellings to provide multiple dwellings or flats on the same building footprint plus any appropriate enlargements.'* The GLDSPD then goes on to explain what constitutes appropriate enlargements.
15. The appellant's statement sets out a calculation to demonstrate that the proposal would result in only a marginal increase above the GLDSPD definition of an appropriate enlargement. However, this calculation is somewhat flawed. Firstly, it includes an outbuilding which is specifically excluded under para 3.7 i of the GLDSPD. Secondly, both the footprint of *'any permitted extensions that could be exercised for the dwelling(s)'* and *'the footprint of an extension that would be consistent with Harrow's Residential Design Guide Supplementary Planning Document'* have been added together, but para 3.7 i/ii is clear that an appropriate enlargement would be the larger of either of these, not a combined total.
16. All of this means that the increase above the GLDSPD definition of appropriate enlargements in Appeal A would be greater than that calculated by the appellant. It is clear, therefore, that Appeal A would not constitute an 'appropriate enlargement' as per the GLDSPD. Consequently, there remains a conflict with Policy CS1 B of the CS.
17. At the hearing the latest version of Policy H2 of the emerging London Plan, was tabled. This supports additional housing on small sites (below 0.25 hectares in size) which the appeal site would fall within. I give this policy moderate weight given the advanced stage of adoption of the new London Plan. However, it does not diminish the weight I give to the GLDSPD, which similarly encourages the redevelopment of groups of dwellings to provide multiple dwellings or flats

whilst attempting to also provide guidance on what might constitute an acceptable increase in footprint. Whilst it may be some 7 years old this does not, of itself, reduce the weight I afford to the GLDSPD as a material consideration.

18. It is true that to fully interpret the intention of Policy CS1 B requires consultation of the GLDSPD. Perhaps, as put to me by the appellant, the detail of the GDLSPD could be in the policy itself. That is not, however, a matter for me to determine in the context of a S78 appeal. Notwithstanding this, the GDLSPD sets out to explain what may or may not constitute inappropriate development of residential gardens, and this is broadly consistent with the Framework at para 70. Therefore, this matter does not sufficiently reduce the weight to be afforded to the GDLSPD so as to alter my findings above.
19. My attention is drawn to two appeal decisions at 2 Boxtree Road, Harrow¹, which found that material considerations outweighed the conflict with the development plan in respect of Policy CS1 B. I do not have full details of these cases, but it is clear that the site in question was occupied by outbuildings and a large area of hardstanding, therefore the extent of quality existing garden land was limited. In those cases, the proposals represented an enhancement of green space.
20. That is not so in Appeal A where three, good sized and well-proportioned gardens forming the appeal site would be lost, to be replaced with terraces, a modest playground, a green roof and some very limited planting. This would not be an enhancement in terms of green space. I therefore afford these appeals limited weight in my consideration of garden land policy. In any event, each appeal must be determined on its own merits.

Appeal A: Affordable Housing

21. Policy CS1 J of the CS states that the Council will aim for a borough wide affordable housing target of 40% of the housing numbers delivered from all sources of supply. However, it also states that the maximum reasonable amount of affordable housing on all development sites, with a capacity to provide ten or more homes, will have regard to, amongst other things, development viability.
22. The appellant submitted a viability assessment concluding no affordable housing could be provided with Appeal A. This was independently reviewed on behalf of the Council which found that 5% on-site affordable housing along with a payment in lieu of the remaining surplus of £10,590 would be fairly and reasonably related in scale and kind to the development in light of the viability evidence.
23. The appellant has, however, produced a counteroffer of four shared ownership tenure units which amounts to 13% affordable housing provision. The appellant is able to do this, he says, by lowering his profits, and is essentially seeking to provide an additional benefit, above and beyond what is deemed fair and reasonable, to add merit to the scheme. An obligation to this effect is before me for Appeal A.
24. Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 states that a planning obligation may only constitute a reason for granting

¹ APP/M5450/W/18/3205143 & APP/M5450/W/18/3213211

planning permission for a development if it is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. The evidence before me which has been tested and shown to meet these tests is that of the 5% provision of affordable housing. The offer of 13% has not been shown to meet the tests in the same way.

25. Accordingly, I find that 5% affordable housing provision should be provided for Appeal A in order to comply with Policy CS1 J and meet the relevant tests. The obligation before me in respect of Appeal A does not, however, provide for this, but given that I am dismissing for other reasons, it is not necessary for me to consider this matter in any further detail.

Appeal B: Highway safety

26. In Appeal B 13 parking spaces are to be provided for the 26 residential units. Having regard to the submitted Transport Assessment the Council consider the development in Appeal B would amount to a need for 15 car parking spaces. Therefore, there would be an undersupply of two car parking spaces, which it is anticipated would overspill onto on-street parking.
27. At the time of my site visit, in the middle of a weekday, I had no trouble parking, but this was only a snapshot of local parking conditions. Based on representations received from local residents I have no doubt there is pressure for on-street parking in the area surrounding the appeal site. However, parking surveys carried out in 2017, and more recently in October 2020 when The Matrix was partially occupied, indicate a parking stress of between 77% and 73% respectively. This indicates, therefore, that there is capacity for some further on-street parking and given the very modest amount of on-street parking the development could generate, this would not give rise to any significant highway safety concerns. I also note that Highway Officers raised no objection to the level of parking proposed.
28. Taking the above points together I therefore find that the proposed parking arrangements would not result in any harmful impacts on highway safety. It follows, therefore, that I find no conflict with Policies 6.13 of The London Plan, and DM42 of the Development Management Policies Local Plan which seek to balance appropriate parking provision with promoting the use of alternative modes of transport, whilst resisting harm to highway safety as a result of inappropriate on-site parking provision.

Other matters

29. Obligations have been submitted for both appeals which deal with various matters other than affordable housing which has been dealt with above. However, as the appeal is to be dismissed on other substantive issues it is not necessary for me to look at these in detail given that the proposals are unacceptable for other reasons.
30. Whilst officer's recommended approval in respect of Appeal B this does not diminish my findings above in respect of this appeal.

Conclusion

31. I have found harm to the character and appearance of the surrounding area in both Appeal A and Appeal B and as a result, conflict with the development plan.

In Appeal A I have also found harm in terms of conflict with the development plan in respect of garden land policy. Individually I give these harms significant weight.

32. I have had regard to all other matters raised including the benefits arising from the creation of housing, which are modest due to the scale of development proposed. I have also taken into account the appellant's willingness to provide some affordable housing in Appeal A, albeit the amount I have found to meet the relevant tests is not secured by an obligation which significantly reduces the weight I can afford it. Any improvements in biodiversity I find to be modest in light of the overall loss of garden space. Consequently, even taken together, these benefits do not outweigh the harm I have found in either Appeal A or Appeal B.

33. The appeals are dismissed.

Hayley Butcher

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Rakesh Raithatha	Appellant
Constanza Bell	Kings Chambers
Max Plotnek	Maddox Planning
Georgia Barrett	Maddox Planning
Ian Stuart	HEDC
Kathryn Backhouse	Yes Engineering
Paul Willis	Yes Engineering
Claire Browne	HCUK Group

FOR THE LOCAL PLANNING AUTHORITY:

Orla Murphy	Harrow Council
Sushila Bhandari	Harrow Council
Selina Hotwani	Harrow Council
Kimry Schlacter	Harrow Council
David Hughes	Harrow Council
Krishan Nathaniel	Harrow Council
Baljit Bhandal	Harrow Council
Victoria Simms	BNP

INTERESTED PERSONS:

Cllr Jerry Miles	Roxeth Ward
Myrtle Martin	Neighbour
Bob and Debbie Fletcher	Neighbour
Harpreet Castleton	
Nasreen Visram	

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