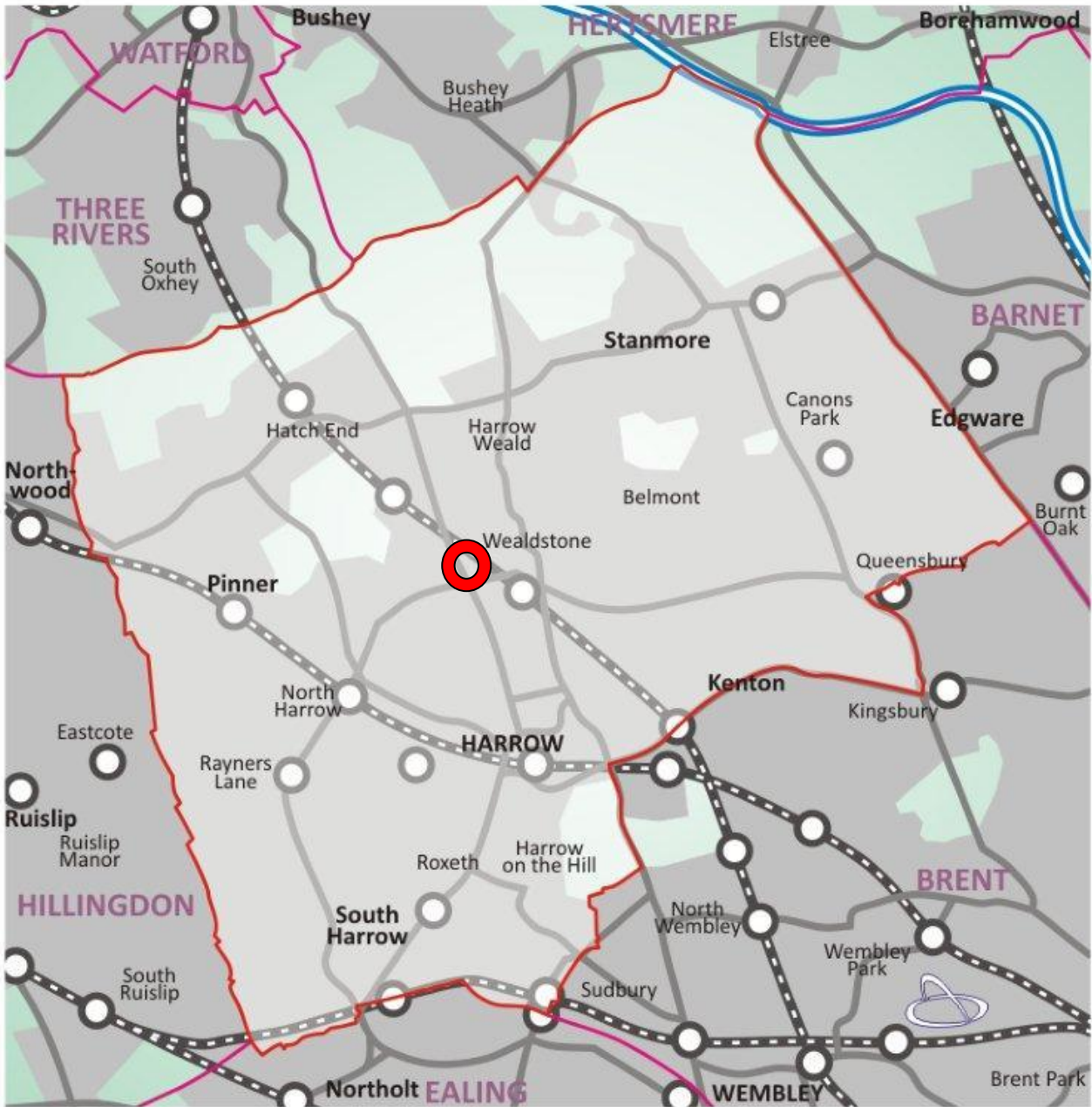


 = application site



**Unit 15, Waverley Industrial Estate, Hailsham Drive,  
Harrow, HA1 4TR**

**P/2698/23**

# Location Plan



# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

13<sup>th</sup> March 2024

**APPLICATION NUMBER:** P/2698/23  
**VALID DATE:** 13<sup>th</sup> NOVEMBER 2023  
**LOCATION:** UNIT 15, WAVERLEY INDUSTRIAL ESTATE,  
HAILSHAM DRIVE, HARROW  
**WARD:** MARLBOROUGH  
**POSTCODE:** HA1 4TR  
**APPLICANT:** -  
**AGENT:** SAVILLS  
**CASE OFFICER:** DENISS NIKANDROVS  
**EXPIRY DATE:** 08/01/2024 (EOT)

### PROPOSAL

Change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.

### RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the Conditions listed in Appendix 1 of this report.

### REASON FOR THE RECOMMENDATION

The proposed development complies with all relevant land use policies by providing a flexible and suitable mixed-use site to support and sustain the existing industrial and employment use. The proposed development is also considered to be acceptable on grounds of character and design, it is considered to have an acceptable residential amenity impact, it is considered acceptable on grounds of highways safety, parking and servicing, and furthermore the site is not considered to be susceptible to harmful flooding and would not unduly exacerbate flood risk elsewhere. The applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such the development accords with the NPPF (2023), Policies D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2 and T7 of the London Plan (2021), Policies CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U and CS1.W of the Harrow Core Strategy (2012), Policies DM1, DM2, DM10, DM31, DM42, DM44 and DM45 of the Harrow Development Management Policies Plan (2013), and Policies AAP3, AAP4, AAP9, AAP14, AAP15 and AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

## **INFORMATION**

This application is reported to Planning Committee due to the amount of floor space changing use, as per Part 1 (f) of the Scheme of Delegation dated 12<sup>th</sup> December 2018.

Statutory Return Type:	E(20) Change of Use
Council Interest:	None
Net additional Floorspace:	N/A
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

## **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**

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

## **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises a vacant two storey purpose-built industrial building (Unit 15) with part brick and part metal cladded exterior on the southwestern side of Hailsham Drive. The total gross internal floor area of the building is 482m<sup>2</sup>.
- 1.2 The site is situated within the Waverley Industrial Estate and which forms part of the designated Wealdstone Strategic Industrial Location. Hailsham Drive forms the main thoroughfare into the industrial estate.
- 1.3 The building has a lawful use of B2 (General Industrial). It is currently occupied by an Velstone LTD. Its use was granted (and controlled) by planning permission reference P/3233/10. This permitted a flexible use for classes B1 (now E), B2, and B8 uses in March 2011. Under Part 2 Class V of the GPDO the use of the unit could have changed to Class E or B2 under the terms of that permission up until March 2021. That opportunity has expired, hence the submission of this planning application.
- 1.4 The site is bounded to the north by railway tracks that serve the nearby Harrow & Wealdstone rail station and the neighbouring units within the estate incorporate a range of existing light industrial, industrial and commercial uses.
- 1.5 The site has a hardsurfaced front forecourt, with 10.no car parking spaces associated with the unit.
- 1.6 The host building is not listed and is not located within a designated Conservation Area.
- 1.7 The site is located within a Critical Drainage Area but is not located within a high risk flood zone.

## **2.0 PROPOSAL**

- 2.1 A change of use of the site from Class B2 (General Industrial) to a flexible use of Classes including E(g)(ii) (Research and development of products or processes) and/or E(g)(iii) (Industrial Processes - which can be carried out in a residential area without detriment to its amenity), and/or B2 (General Industrial) and/or B8 (Storage or Distribution).
- 2.2 No external or internal alterations are proposed as part of this application. The application is solely for the change of use of the premises.
- 2.3 Existing parking, delivery and servicing arrangements are to remain unchanged from existing arrangements.

### 3.0 **RELEVANT PLANNING HISTORY**

3.1. A summary of the relevant planning application history is set out below:

Ref no.	Description	Status & date of decision
LBH/35017	24 INDUSTRIAL/WAREHOUSING UNITS WITH ANCILLARY OFFICES, PARKING AREAS AND ACCESS ROAD	Granted 07/04/1988
P/3233/10	Change of use to a flexible permission for either b1 (c) or b2 or b8 use	Granted: 17/02/2011
P/2746/21 (Unit 9)	Change of use from Class B8 to flexible use comprising Classes E(g), B2 and B8	Granted: 30/09/2021
P/2730/21 (Unit 8)	Change of use from storage and distribution (Use Class B8) to flexible use Class E(g) or Class B2 or Class B8	Granted: 30/09/2021
P/0216/23 (Unit 10)	Change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.	Granted: 24/04/2023
P/0240/23 (Unit 11)	Change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.	Granted: 24/04/2023

### 4.0 **CONSULTATION**

4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation expired on 02/03/2023 and no objections were received.

4.2 A site notice was posted on 06/12/2023 and this expired on 27/12/2023.

#### 4.3 **Statutory Consultation**

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

Consultee and Summary of Comments
<p><b><u>Policy Officer</u></b></p> <p>Raised no objection to the proposal and confirmed that all appropriate uses for the site are set out within Policy E4A(1-10) of the London Plan (2021) and previous approved schemes subject to a condition ensuring there would be no permitted development rights to change use out of the use class which becomes the authorised use on the site.</p>

Highways Officer:

Harrow Highway Authority has considered the proposal and does not wish to restrict the granting of planning permission. The proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, therefore, Highways have no objection.

## **5.0 POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 The National Planning Policy Framework [NPPF 2023] is a material consideration in the determination of this application.
- 5.4 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]. The relevant policies are referenced within the report below and a summary within Informative 1

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of the Development
- Character, Appearance and Design
- Residential Amenity
- Traffic, Parking and Servicing
- Development and Flood Risk
- Fire Safety

### **6.2 Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D13, E2, E4, E6, SD1
- Harrow Core Strategy (2012): CS1.N, CS1.O, CS1.P
- Harrow Development Management Policies Local Plan (2013): DM31
- Harrow and Wealdstone Area Action Plan (2013): AAP3, AAP14, AAP15

6.2.2 Policy E2 of the London Plan relates to the provision of suitable business space. Part B of the policy notes that the development of Class B uses should ensure that the space is fit for purpose having regard to the type and use of the space.

- 6.2.3 Policy E4 of the London Plan relates to land for industry, logistics, and services to support London's economic function. Within Part A of the policy it is noted that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews, industrial land audits and the potential for intensification, colocation and substitution. This policy specifically notes (E4 A (8)) that industrial provision should take into account the varied operational requirements of flexible B1c/B2/B8 hybrid space to accommodate services that support the wider London economy and population. E4 A (10) notes that industrial provision should take into account research and development of industrial and related products or processes (falling within Use Class B1b). It should be noted that Use Class B1 was revoked from 01/09/2020 and was replaced by Class E(g) with B1(b) being replaced by E(g)(ii) – the research and development of products or processes and B1(c) being replaced by E(g)(iii) – any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- 6.2.4 Policy E6 of the London Plan relates to the designation of Locally Significant Industrial Sites (LSIS) taking into account intensification, co-location and substitution. Part 2 notes that development plans should make clear the range of industrial and related uses that are acceptable in LSIS including, where appropriate hybrid or flexible B2/B8 uses.
- 6.2.5 Policy CS1.N of the Council's Core Strategy notes that through the Area Action Plan, consideration will be given to the consolidation of the Wealdstone Strategic Industrial Location.
- 6.2.6 Policy CS1.O notes that the Borough's stock of business and industrial premises will be monitored and managed to meet economic needs. Any release of surplus stock for other uses, having regard to the most up-to-date monitoring of the demand and supply balance will be considered in accordance with a sequential approach (further outlined within the policy).
- 6.2.7 Policy CS1.P relates to mixed use development. It is noted that mixed use development will be supported, where this secures employment generating development and diversification of Harrow's economy. The Development Management Policies DPD or the Area Action Plan, as appropriate, will set out criteria for the managed release of surplus employment land.
- 6.2.8 Policy DM31 of the Council's Development Management Policies document relates to 'Supporting Economic Activity and Development'. Part A of the policy states that proposals for the intensification, renewal and modernisation of existing industrial and business floorspace will be supported where the development complies with other relevant policy considerations and the new industrial or business floorspace allows for future flexibility, including future subdivision and / or amalgamation to provide for a range of accommodation, particularly for small businesses.
- 6.2.9 Policy AAP3 of the Harrow and Wealdstone Area Action Plan relates to development within the three Wealdstone Sub Areas (Wealdstone Central, Wealdstone West and Wealdstone East). Part A of Policy AAP3 notes that development within all three Wealdstone Sub Areas will be required to improve the environment and identity of the Wealdstone area as a location for business and industrial activity. The



application site is located within the Wealdstone West Sub Area. Part E (a) of Policy AAP3 notes that within the Wealdstone West sub area proposals should also support Wealdstone's strategic employment function, and help nurture existing and new uses, seeking creative non-residential re-use of industrial buildings and sites where possible.

- 6.2.10 Policy AAP14 of the Harrow and Wealdstone Area Action Plan relates to 'The Consolidation of the Wealdstone Strategic Industrial Location'. This policy specifies that economic development and uses, and any appropriate ancillary uses on sites within the consolidated Wealdstone Strategic Industrial Location will be supported where these do not conflict with The London Plan and criteria a-e of Policy AAP15 of the Area Action Plan.
- 6.2.11 Policy AAP15 of the Harrow and Wealdstone Area Action Plan relates to 'Supporting the Business Sector in Wealdstone' Part A of the Policy notes that proposals for economic development and uses, including appropriate supporting ancillary uses, will be permitted on existing designated business and industrial use land except where the proposal:
- a) Involves development or uses that should be located within a town centre;
  - b) Would adversely impact upon the amenity of surrounding uses or the character of the area;
  - c) Would prejudice the proper functioning of any neighbouring economic activity;
  - d) Is detrimental to highway safety considerations; and
  - e) Involves inadequate arrangements for servicing, parking and inclusive access
- 6.2.12 All the proposed uses would be industrial and employment generating uses which would not result in unacceptable harm on the vitality and viability of the unit and the Wealdstone Strategic Industrial Location within which the application site is located. Policy E4 of the London Plan clearly emphasises that industrial provision should take into account varied operational requirements of flexible E(g)(iii)/B2/B8 hybrid space, and the development of industrial and related products or processes (E(g)(ii)). The proposed hybrid use is expected to generate greater interest from small industrial occupiers, allowing for the unit to be more easily occupied. The proposed change of use would not conflict with the interests of Policy DM31 of the Council's Development Management Plan, the proposal would allow for a more flexible occupation of the premises in line with more modern needs, and as previously suggested, this flexible form of accommodation would be particularly enticing for small businesses. The proposed development would also be in accordance with the interests of Policy AAP3 of the Harrow and Wealdstone Area Action Plan with the development retaining the site's employment function and allowing the currently vacant building to be more easily occupied in an industrial format. Likewise, the proposed development would not be in conflict with Policies AAP14 and AAP15 of the Harrow and Wealdstone Area Action Plan with the proposed use according with relevant London Plan policy, and the relevant requirements of AAP15 A. Please refer to the pertinent sections of this committee report for an assessment on the development's compliance with requirements of AAP15 A (b-e).
- 6.2.13 It is worth recognising that planning permission was previously obtained on the site in February 2011 under application P/3233/10 for a flexible change of use of the site to Use Classes B1(c)/B2/B8, however that permission can no longer be implemented due to changes in legislation relating to use classes. The applicant is simply seeking to reapply, with the previous B1(c) component being updated to its appropriate current use of E(g)(iii), and the applicant is now introducing the option

of changing the use to E(g)(ii) also, which is another appropriate industrial use. It should be added that planning permission has already been obtained at Units 8, 9, 10 and 11 for a very similar development. For the avoidance of doubt, a condition has been recommended restricting the use of the building to only those that have been agreed.

- 6.2.14 As per the Agent of Change principles outlined within Policy D13 B of the London Plan, development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- 6.2.15 The site is located within an industrial area which is already subject to considerable levels of noise. Noise exposure from the proposed use(s) are likely to be comparable to pre-existing noise levels when the site was last occupied. Based on the context of the area, the continued operation of established noise generating uses within the area would not be compromised. Likewise surrounding noise generating uses are not considered to unduly restrict the operation of the application site.

### **6.3 Character, Appearance and Design**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies Local Plan (2013): DM1
- Harrow and Wealdstone Area Action Plan (2013): AAP3, AAP4

6.3.2 Policy D3.D(1) of the London Plan states that development should in terms of form and layout, enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Policy D3.D(11) goes on to states that in terms of quality and character, developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

6.3.3 Policy CS1.B of Harrow's Core Strategy notes that proposals that would harm the character of suburban areas and garden development will be resisted. All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.

6.3.4 Policy DM1 of the Development Management Policies Local Plan states that all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted.

- 6.3.5 Policy AAP3 E (c) of the Harrow and Wealdstone Area Action Plan notes that development within the Wealdstone West Sub Area should provide a design which creates a sense of place but one that is clearly related to, and an extension of Wealdstone; AAP3 E (d) notes that development proposals should ensure that the design and character of both the leading land use and any enabling development conforms to the relevant policies of the Area Action Plan.
- 6.3.6 Policy AAP4 of the Area Action Plan notes that all development throughout the Heart of Harrow should use high quality, durable and serviceable materials to the external finishes of the building, conserve and enhance the significance of heritage assets, including their setting, and seek to integrate fully with, and be respectful of the existing street grain and character.
- 6.3.7 The proposed development is considered to be acceptable on character and design grounds, no external or internal alterations are proposed as part of the application, the applicant is simply seeking permission for the principle of the change of use.

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2023)
- London Plan (2021) Policy: D3, D13, D14
- Harrow Development Management Policies Local Plan (2013): DM1

6.4.2 Policy D3 D (7) of the London Plan notes that development proposals should deliver appropriate outlook, privacy and amenity, meanwhile Policy D3 D (9) notes that development proposals should help prevent or mitigate the impacts of noise and poor air quality.

6.4.3 Part C of Policy D13 of the London Plan notes that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.

6.4.4 Policy D14 of the London Plan relates to Policy D14 of the London Plan relates to noise. It sets out that development proposals should manage noise by:

- 1) avoiding significant adverse noise impacts on health and quality of life
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation

- 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

6.4.5 Policy DM1 of the Development Management Policies Local Plan notes that proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted".

6.4.6 As mentioned previously (paragraph 6.2.15) noise exposure from the proposed use(s) are likely to be comparable to pre-existing noise levels when the site was last occupied, taking this into account alongside the fact that the site is located within a noisy industrial area, any resulting noise intensification is not considered to result in significant harm upon the amenity of surrounding properties. Given the fact that no external alterations are proposed to the building, there would be no harmful neighbouring amenity impacts relating to loss of light, outlook and visual amenity.

6.4.7 The application does not indicate existing and proposed operation hours for the site, however given that the site is located within a Strategic Industrial Location and is not within immediate proximity of surrounding neighbouring properties, it is not considered appropriate to restrict proposed hours of operation. Part D of London Plan Policy E5 notes that development proposals within or adjacent to Strategic Industrial Locations should not compromise the integrity or effectiveness of these locations in accommodating industrial type activities and their ability to operate on a 24-hour basis. By leaving operation hours unrestricted, the Council are following the requirements set out in London Plan Policy.

## **6.5 Traffic, Parking and Servicing**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2023)
- London Plan (2021) Policy T5, T6, T6.2, T7
- Harrow Core Strategy (2012): CS1.Q, CS1.R, CS1.S
- Harrow Development Management Policies Local Plan (2013): DM42, DM44 DM45
- Harrow and Wealdstone Area Action Plan (2013): AAP19

6.5.2 London Plan maximum car parking standards are outlined within Policies T6 and T6.2 of the London Plan. Policy T5 outlines minimum cycle parking standards.

6.5.3 Policy T7 of the London Plan relates to deliveries servicing and construction. Part G of this policy notes that development proposals should facilitate safe, clean and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street parking bays used only when this is not possible.

- 6.5.4 Policy DM42 of the Development Management Plan relates to the Council's parking standards. Criterion (F) of this Policy notes that proposals that would result in inappropriate on-site parking provision and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists will be resisted.
- 6.5.5 Policy DM44 of the Council's Development Management Plan relates to servicing. Within Part C, it is emphasised that proposals that will be detrimental to safety, traffic flow or the amenity of neighbouring occupiers will be resisted.
- 6.5.6 Policy DM45 relates to Waste Management. Part A of the policy notes that all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic materials for composting.
- 6.5.7 The application site is served by 10 no on-site parking spaces. As indicated within the applicant's submitted covering letter, car parking and serving arrangements for the proposed use(s) will remain the same as existing. On the basis that the proposed use(s) would remain industrial, and there is no net increase in floor space, existing arrangements for parking, deliveries and servicing are considered acceptable. As per the development granted for Units 8 (P/2730/21), 9 (P/2746/21), 10 (P/0216/23) and 11 (P/0240/23), a condition has been imposed to ensure that no goods, materials, plant or machinery is stored within the designated parking areas or within areas of land surrounding the site which feature soft landscaping.

## **6.6 Development and Flood Risk**

- 6.6.1 The relevant policies are:
- National Planning Policy Framework (2023)
  - Harrow Core Strategy 2012: CS1.U, CS1.W
  - Harrow Development Management Policies Local Plan (2013): DM10
  - London Plan Policy: SI 12, SI 13
  - Harrow and Wealdstone Area Action Plan (2013): AAP9
- 6.6.2 Policy SI 12 C of the London Plan notes that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.
- 6.6.3 Policy SI 13 relates to Sustainable Drainage and encourages the use of Sustainable Urban Drainage systems where appropriate.
- 6.6.4 Policy DM10 A of the Council's Development Management Policies document notes that proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water runoff.
- 6.6.5 Policy AAP9 E of the Harrow and Wealdstone Area Action Plan notes that proposals that fail to reduce surface water run-off, and/or fail to make appropriate provision for flood risk mitigation or that would increase the risk of flooding or water pollution, will be refused.

6.6.6 The site is located within a Critical Drainage Area, however the development relates only to a change of use of the premises with no external changes and no increase in development footprint on site, and is therefore not considered to result in any worsened flood risk and is not considered to exacerbate flood risk to the site's surroundings

## **6.7 Fire Safety**

6.7.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan Policy: D12

6.7.2 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 developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply.

6.7.3 The applicant has completed a Reasonable Exemption Statement to confirm that the proposed development will not adversely affect the appropriate fire safety measures of the site.

## **7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL**

7.1 The proposed development complies with all relevant land use policies by providing a flexible and suitable mixed-use site to support and sustain the existing industrial and employment use. The proposed development is also considered to be acceptable on grounds of character and design, it is considered to have an acceptable residential amenity impact, it is considered acceptable on grounds of highways safety, parking and servicing, and furthermore the site is not considered to be susceptible to harmful flooding and would not unduly exacerbate flood risk elsewhere. The applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.

7.2 In light of all of the above, the proposed development would be in accordance with the NPPF (2023), Policies D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2 and T7 of the London Plan (2021), Policies CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U and CS1.W of the Harrow Core Strategy (2012), Policies DM1, DM2, DM10, DM31, DM42, DM44 and DM45 of the Harrow Development Management Policies Plan (2013), and Policies AAP3, AAP4, AAP14, AAP15 and AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

## **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 92 of the Town and Country Planning Act 1990.

2. **Approved Plans and Documents**

The development hereby permitted shall be carried out in accordance with the following documents and plans:

Covering Letter (Dated 22/09/2023), EX01-GF-15WP, EX02-1F-15WP, EX03-SL-15WP, Site Location Plan, Reasonable Exemption Statement.

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

3. **Access Parking and Servicing Space**

The unit's existing access, parking and servicing spaces, shall be permanently retained for such uses and shall not be used for any other purposes.

REASON: To ensure that adequate provision for parking and servicing is retained at the site in accordance with Policy T7 of the London Plan (2021), Policies DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013), and Policy AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

4. **No Storage within Parking Areas and Soft Landscaped Areas**

No goods, materials, plant or machinery shall be stored within the unit's designated parking areas, or within surrounding areas that feature soft landscaping, without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and to ensure that the areas dedicated for parking and servicing and landscaping within the site are retained, in accordance with Policies D3 and T7 of the London Plan, Policies DM1, DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013), and Policy AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

5. Restricted Use

The premises shall be used only as flexible E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8 uses and for no other purposes, unless an alternative use is agreed in writing by the Local Planning Authority.

REASON: To safeguard the character and functioning of the Waverley Industrial Estate and wider Wealdstone Strategic Industrial Location and to accord with Policies E2, E4 and E6 of The London Plan (2021), Policy DM31 of the Harrow Development Management Policies Plan (2013), Policies CS1.N CS1.O and CS1.P of the Harrow Core Strategy (2012) and Policies AAP3, AAP14 and AAP15 of the Harrow and Wealdstone Area Action Plan (2013).



## **INFORMATIVES:**

### 1. Policies

The following policies are relevant to this decision:

**The National Planning Policy Framework (2023)**

**London Plan 2021:** D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2, T7

**The Harrow Core Strategy 2012:** CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U, CS1.W

**Harrow Development Management Policies Local Plan 2013:**

DM1, DM2, DM10, DM31, DM42, DM44, DM45

**Harrow and Wealdstone Area Action Plan 2013:** AAP3, AAP4, AAP9, AAP14, AAP15, AAP19

### 2. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows: 0800-1800 hours Monday - Friday (not including Bank Holidays) 0800-1300 hours Saturday

### 3. 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 Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

### 4. 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](mailto:nrswa@harrow.gov.uk) or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense.

Failure to report any damage could result in a charge being levied against the property.

5. Grant without Pre-App Advice



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. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

6. No External Changes.

The applicant is reminded that this planning permission does not grant any external mechanical plant, cooling ventilation equipment, or any other similar equipment. Any external works, including those for external plant and similar works will require planning permission.

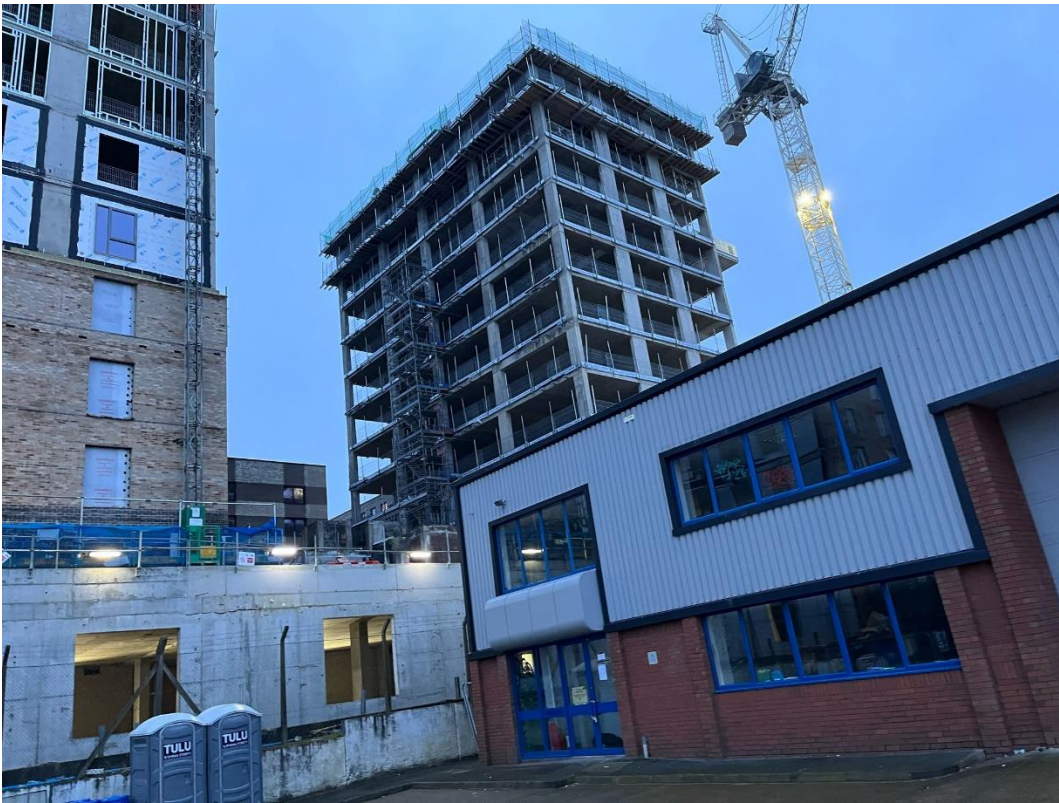
**CHECKED**

 <p>Orla Murphy Head of Development Management 29<sup>th</sup> February 2024</p>	 <p>Viv Evans Chief Planning Officer 29<sup>th</sup> February 2024</p>
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## APPENDIX 2: SITE PLAN



**APPENDIX 3: SITE PHOTOS**



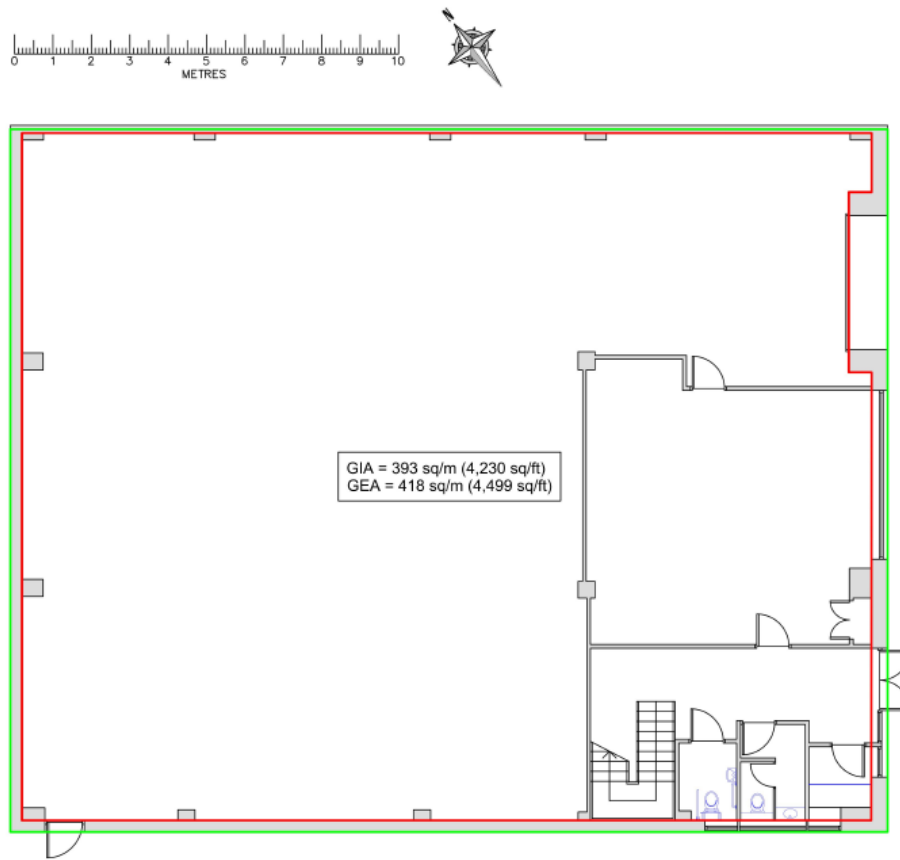






## APPENDIX 4: PLANS

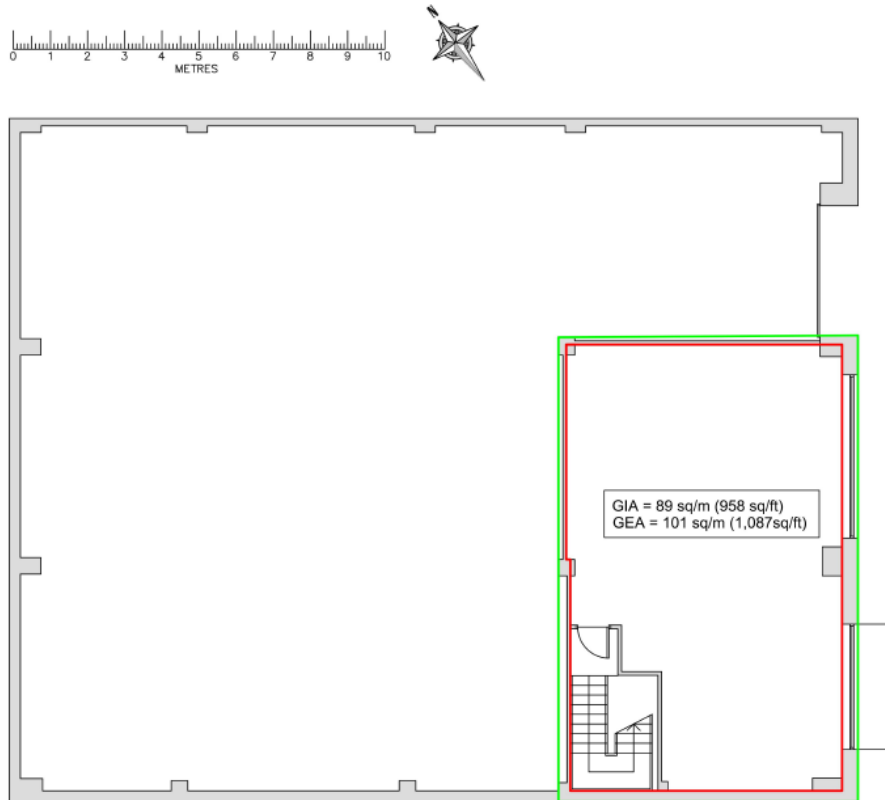
Existing and Proposed Ground Floor Plan:



Unit 15 Ground Floor

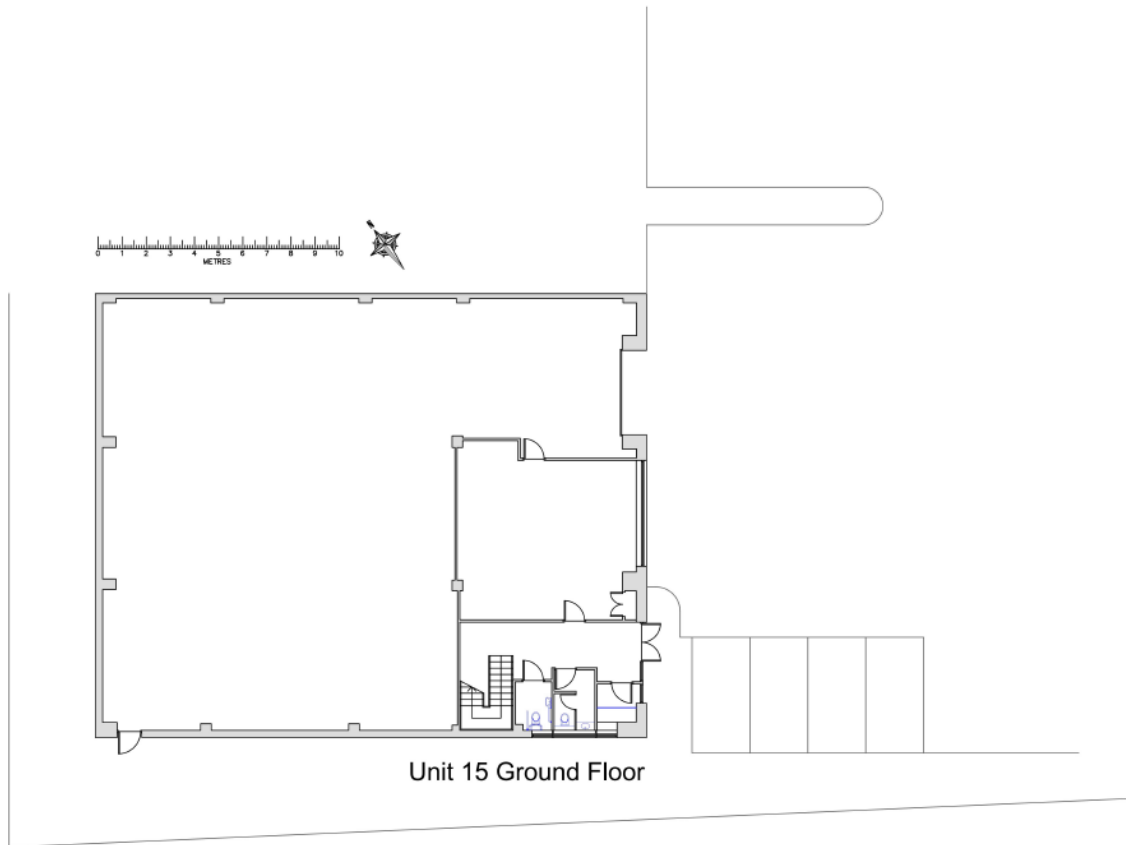


# Existing and Proposed First Floor Plan:



Unit 15 First Floor

# Existing and Proposed Site Layout:



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