

**REPORT FOR: MAJOR DEVELOPMENTS
PANEL**

Date of Meeting: 21st March 2012

Subject: Strategic Update

Key Decision: No

Responsible Officer: Andrew Trehern
Corporate Director Place Shaping

Portfolio Holder: Councillor Bill Stephenson.
Leader of the Council, and Portfolio Holder for
Finance and Business Transformation

Exempt: No

**Decision subject to
Call-in:** Yes (in part)

Enclosures: Appendix 1: Predetermination Changes Under
the Localism Act.

Appendix 2: Protocol on the consideration of
development proposals at
meetings of the Major
Developments Panel

Section 1 – Summary and Recommendations

This report provides an update on the Area Action Plan (AAP) and other issues, projects and proposals affecting the Heart of Harrow.

Recommendations:

It is recommended that the Panel note and comment on

1. The initial results of consultation on the Preferred Option for the Harrow and Wealdstone Area Action Plan;
2. Preliminary findings of a joint project with Transport for London (TfL) to test the cumulative impact of development in the AAP area, making use of TfL's West London Sub-Regional Transport Model;
3. Opportunities to smooth traffic flow in the Harrow and Wealdstone Intensification Area, in the light of a presentation by TfL officers
4. The programme of infrastructure and other projects in Harrow Town Centre to be implemented over the next two years, following the in principle award of £1.758m under Round 2 of the Outer London Fund, and provisions in the approved Capital Programme;
5. Details of the planning applications that have been submitted for the Kodak and Lyon Road sites

and recommend to the Portfolio Holder for Planning, Development and Enterprise that

6. the amendments to the "Protocol on meetings with the Major Developments Panel", as outlined in Appendix 2 of the report to take account of the provisions on Predetermination set out in the Localism Act and the Head of Legal Services' guidance note in Appendix 1, be agreed.

Reason: (For recommendation)

To update the Panel on issues, projects and proposals affecting the Harrow and Wealdstone Intensification Area as part of its oversight role.

Section 2 – Report

1 Introduction

- 1.1 This report draws together a number of topics and actions that are being taken to progress the strategic development of the Harrow and Wealdstone Intensification Area. It includes an update on public consultation on the Area Action Plan, initial findings of a joint study with Transport for London to assess the impact of development on the local transport network, which also sets the scene for a presentation by TfL officers on opportunities to smooth traffic flow, informs Members of the outcome of the Round 2 bid to the Outer London Fund and other related town centre infrastructure projects, and updates the Panel on the development of the Kodak and Lyon House sites. The report concludes with proposed changes to the Protocol for the Major Developments Panel, considered at the Panel meeting in September 2010, in the light of the provisions on Predetermination set out in the Localism Act.

2 Area Action Plan Consultation

2.1 At its last meeting the Panel considered a detailed presentation on the proposed form, content and purpose of the Preferred Option and the scope of the consultation exercise.

2.2 On 15th December 2011, Cabinet approved the Preferred Option draft for public consultation. A six week consultation period commenced on 12th January 2012 and closed at 5pm on 23rd February. A range of approaches was adopted to ensure that the consultation reached as wide an audience as possible and that documentation would be available in an accessible, user friendly format. This entailed:

- Preparation of an 8 page summary booklet describing what is being planned for each of the seven zones that comprise the AAP area and proposals for the key development opportunities within those zones. 1000 copies were printed and distributed to residents, businesses and other interested parties
- A double page wrap around feature in both the Harrow Times and Harrow Observer
- Development of an AAP blog on the Council's website
- Press releases to the local and specialist press
- A presentation to all the Forum Groups that have helped shaped the preparation of the masterplan
- Letters and emails to nearly 1100 individuals, organisations and statutory bodies
- Drop in sessions at the following venues and times, where Members of the LDF team were present to explain the AAP proposals and answer questions.

Civic Centre: Monday 30th January, 9am to 1pm

Civic Centre: Friday 3rd February, 1pm to 5pm

Harrow Museum: Saturday 4th February, 12pm to 3pm

Wealdstone Healthy Living Centre: Monday 6th February, 10am to 2pm

St. George's Shopping Centre: Tuesday 7th February, 2pm to 6pm

Harrow on the Hill Station Entrance: Thursday 9th February, 4pm to 7pm

Gayton Library: Saturday 11th February, 10am to 2pm

Tesco Supermarket, Station Road: Tuesday 14th February, 2pm to 6pm

St. Ann's Shopping Centre: Wednesday 15th February, 2pm to 6pm

Harrow & Wealdstone Station: Thursday 16th February, 4pm to 7pm

2.3 54 formal responses to the AAP consultation were received, mostly from amenity associations and developers, plus utility providers. Issues raised include:

- Tall Buildings generally but also specifically in terms of proposals for the Dandara & Lyon Road sites; overall there is a split between developers being supportive of tall buildings and the role they can play in delivering growth, and amenity associations objecting to them in principle, especially where they may impact upon the Hill. There is however general support for having undertaken a views assessment.
- Transport & Parking approach is generally supported by developers and TfL, but with some civic groups calling for more cycle infrastructure, and other residents and amenity groups concerned about parking and traffic congestion.
- Flood Risk has still to be fully addressed in Wealdstone (further sequential testing is being commissioned).
- There is strong support throughout the document for sustainability and climate change objectives / policies, including a green travel plan and sustainable design measures.
- Design requirements and guidance are generally supported, with some residents and amenity associations wanting further guidance to ensure it is delivered.
- Throughout the consultation there has been support expressed for new community facilities, especially a theatre / arts space in the town centre and for improving the public realm.
- Regarding site allocations, there are no major objections to any site being allocated (other than certain site specific issues e.g. parking / proposed building density) and there is support for many sites, encouragingly from some site owners. Most of the representations refer to the key sites of Kodak – concern over traffic impact, but support for employment space and family housing; Dandara – support for community facilities, concern over height / site layout, and Lyon Road – concern over impact on surrounding residential areas but support for public realm improvements. In addition, three further sites have been put forward for inclusion; Wickes House, Wealdstone Police Station, and Plantation Garden Centre.

2.4 The next step is to revise the document in the light of the consultation results and prepare a submission version of the AAP for consideration in June alongside the Site Allocations DPD and Development Management policies.

3. TfL Modelling

3.1 The impact of growth within the Intensification Area on the highway network and public transport services, and concerns about additional traffic on already congested roads and junctions, has been raised throughout the preparation of the AAP – at this Panel, by the Community and Business Forums, and in response to the Issues and Options consultation. In addition, planning applications for key sites within the AAP area are being brought forward, most notably at Kodak and Lyon Road, which could have a significant impact on local transport conditions.

- 3.2 Whilst the 2010 Transport Audit, undertaken as part of the development of the Core Strategy, had indicated that the local highway network would be able to accommodate the level growth envisaged without major strategic investment, it also recognised that improvements would be required to key junctions and corridors.
- 3.3 In light of the above, the Council is working with Transport for London to assess the impact of the AAP Preferred Option on public transport services and highway capacity, using TfL's West London Sub Regional Transport Model. The assessment considers the estimated cumulative impact of the 24 key development sites identified in the AAP, alongside the implications of future growth elsewhere in the borough and assumed growth in traffic demand arising from the London Plan. The results will inform a package of mitigation measures for the area as a whole and be viewed alongside impact assessments for specific sites to identify appropriate mitigation measures for individual development proposals.
- 3.4 The modelling exercise has involved the creation of a 2009 base year position which will enable current conditions on the local transport network to be compared with future growth scenarios. Although the focus is on the AAP development sites, a wider study area, approximately 2 miles beyond the AAP boundary, has been adopted to ensure that the full local impact is considered. The base year assessment has identified 22 junctions and links in the study area that are experiencing current capacity problems. Four of these junctions - at Harrow View/ Headstone Drive, George Gange Way/Wealdstone High Street, the Roxborough Bridge roundabouts (Pinner Road/Greenhill Way/Lowlands Road) and the Northwick Park roundabout – are located within the Intensification Area. The remainder are located on major routes throughout the borough and beyond.
- 3.5 Three further scenarios were then tested to assess the implications of AAP development up to 2021
- The 2009 Base Year, plus Harrow AAP development
 - A 2021 "Reference Case", which includes background growth in current highway demand but takes no account of AAP development
 - The 2021 Reference Case, plus AAP development
- 3.6 The conclusions to the modelling exercise are currently being validated with TfL. Officers will therefore provide a briefing to the Panel at its meeting on progress to date and the emerging conclusions.

4 Smoothing Traffic Flow

- 4.1 Smoothing traffic flow is a term used for the broad approach to tackling road congestion and increasing demands on finite road space through better traffic management. It aims, in particular, to ensure more predictable and more reliable journey times, reduce stop-start traffic, and create fewer obstacles for pedestrians and cyclists.
- 4.2 A range of measures could be considered:

- Signal timing reviews and further investment in intelligent traffic control systems
- Better management of roadworks and unplanned events, such as collisions and emergencies
- Simplifying traffic regulations
- Better maintenance of road network assets
- Pedestrians countdowns
- Reviewing deliveries and parking
- Improving public transport

Amongst other things, the approach can contribute to improving and promoting modal shift from car journeys to more sustainable modes.

- 4.3 As requested previously by the Panel, TfL officers will be attending the meeting to explain the concept in more detail and to outline their experience in implementing schemes elsewhere in London.

5 Infrastructure Projects

- 5.1 The opportunity to submit a bid under round 2 of the Outer London Fund was considered by the Panel at its meeting in July 2011. The submitted Harrow town centre bid focused on three main themes
1. Creating a town centre park at Lowlands Recreation Ground – improving connections with the town centre by forming a new pedestrian access close to the rear of Harrow on the Hill station, enhancing safety and security through the removal of fencing and dense shrub planting and by providing opportunities for outdoor performance;
 2. Improving local transport connections, promoting legibility and ease of movement within the town centre - by introducing better pedestrian signage, new car park indicator signs and enhancing the public realm around Havelock Place; and
 3. Creating a sustainable management, marketing and events structure – by developing a Town Centre Management infrastructure and working with businesses to develop a self-sufficient Business Improvement District by February 2014
- 5.2 On 16th January 2012, it was announced that an in principle award of £1.758m had been made for Harrow Town Centre, £1.366m of which would be capital and £391,900 revenue. The award is subject to the Council and the GLA executing a formal grant agreement, similar to the procedure that was adopted for round 1. The capital funding is over two years but the majority is expected to be spent in 2012/13.
- 5.3 Complementing the OLF award, the Council's approved Capital Programme for 2012/13 to 2104/15 includes a range of infrastructure projects to improve the appearance and function of key streets in and around the town centre, at St Anns Road, Kymberley Road, St Johns Road, College Road and Station Road. Together with the OLF funded projects and other schemes funded through S106 contributions, this will form an investment programme in excess of £4.5m to be delivered over the next 2 years, which will do much to boost the

attractiveness of the town centre and address one of the main objectives of the AAP.

- 5.4 Progress reports will be presented to future meetings of the Panel. In addition, a programme of stakeholder engagement with local community groups businesses and partners will give all Members the opportunity to contribute to the development and delivery of individual projects.

6 Applications Update

- 6.1 Following several presentations to the Panel, planning applications have now been submitted for both the Kodak and Lyon Road sites.

6.2 Kodak

- 6.2.1 The application for the Kodak site is an outline application for a comprehensive, phased, mixed use development comprising:

- 985 residential dwellings
- 220 units of student accommodation
- 35,975 m² of B1/B8 employment spaces
- A 4000m² food store and mix of other retail and restaurant uses
- A residential care home and senior living accommodation
- A 3 form of entry primary school
- A community centre
- A health centre
- A leisure centre
- An energy centre

together with new streets, highway improvements, parking, open space and landscaping.

- 6.2.2 At the time of writing this report, 21 individual letters have been received commenting on the application. Officers within the Planning team are continuing to engage with key stakeholders and Land Securities, the applicants, on the refinement and resolution of a range of outstanding issues.

- 6.2.3 Key matters outstanding in respect of the scheme cover:

- Transport
- Employment uses – delivery and flexibility plus Kodak future and “enterprise” offer
- Community infrastructure - focus and phasing
- Affordable housing
- Retail floor space and impact on existing shops
- Sports and open space delivery
- Development viability and S106/CIL

- 6.2.4 Officers will provide a presentation on the proposals at the meeting, together with an update on the latest position with respect to the matters above. The Council does expect to receive further submissions, seeking to address responses from a range of stakeholders as well as the Council. These revisions will be subject to a further round of consultation prior to the proposals being reported to a special meeting of the Planning Committee which, at the current time, is expected to take place in May.

6.3 Lyon Road

6.3.1 The Lyon Road application comprises

- 308 residential dwellings (85 of which would be affordable)
- 1750 m² B1 office space
- 1640m² of A1/A3/D1 space
- 132 parking spaces

Seven perimeter blocks are proposed, arranged around a central landscaped courtyard. Six of the blocks vary in height from 6 to 10 storeys with a single 14 storey tower situated on the junction of Lyon Road and St Johns Road, fronting a potential new public space extending from the site to the junction with Station Road.

6.3.2 Public consultation on the application took place in November 2011, following a two day public exhibition undertaken by the applicant last August. To date some 32 comments have been received. The proposals have also been reviewed by the Mayor of London as consultee.

6.3.3 Officers have maintained an ongoing dialogue with the applicants in order to progress the outstanding matters and as a result, at the time of writing the report, officers expect to receive revised plans for the development which serve to reduce the height of two of the blocks, and re-format a number of the units to remove and revise balconies, addressing concerns surrounding the design and appearance of the elevations and the levels of overlooking from the development between the development and neighbouring properties. The elevations to all of the blocks, and especially the 14 storey tower have also been refined in response to officers concerns about the perceived design quality of the buildings. A presentation of the updated scheme and commentary on the outstanding matters is expected to be provided to Members at the Panel meeting.

6.3.4 At the time of writing this report, officers expect the application to be considered by the Planning Committee in April.

7. Panel Working Arrangements

7.1 In September 2010, following a recommendation to the Portfolio Holder for Planning, Development and Enterprise, a set of operational procedures were adopted to govern the future working arrangements of the Panel, including a protocol on pre application advice. Whilst recognising the value of the Panel in the development of a new proposal, the protocol set out to ensure that the role of the MDP should not result in the “predetermination” of planning applications submitted to the Council for consideration by the Planning Committee, as follows:

All Members of the Panel, particularly where they may have a subsequent role in the determination of any related application on behalf of the Council, should ensure that they maintain an impartial role and avoid expressing an opinion or giving advice that indicates a prejudging of the proposals.....

In line with the Nolan recommendations it is expected that any Member who takes an active stand in support of, or against an application should

consider the members code of conduct or whether they are likely to predetermine the application and take advice from the monitoring officer as appropriate.

- 7.2 The rules on pre determination were refined in the 2011 Localism Act. Section 25 of the Act clarify that prior indication of a view on an issue does not amount to predetermination. To assist members of the Panel in making such judgements, the Head of Legal Services has produced a guidance note which is attached as appendix 1 to this report. A copy of the note will also be provided to the Planning Committee at their meeting in April. The key effect of the change is to enable a Councillor who has campaigned on an issue or made public statements about their approach to an item of Council business, to participate in discussion of that issue in the Council and to vote on it if it arises in an item of Council business, provided that they have not through their previous actions demonstrated a completely closed mind to the issue.
- 7.3 The changes to legislation serve to reflect more closely recent judgments in the court surrounding the matter of pre-determination. This follows a general acceptance that for Members to be able to participate effectively in the development of significant proposals affecting their area, they should be able to make comments, on behalf of their constituents, throughout the planning process. As a result of these changes, and reflecting experience of the Panel's 18 months of operation, it is proposed to update and extend the adopted protocol. A copy of the proposed updated protocol is appended to this report. (main additions are under lined) The key changes are to reflect the provisions of S25 of the Localism Act and enable comment not only on pre application proposals but also on "live" strategic planning applications.
- 7.4 Members of the Panel who are members of the Planning Committee will still need to be careful not to give the suggestion of pre-determination in their comments. However, the revised protocol is considered to be a helpful means by which the Panel and its Members might positively contribute towards the development of high quality planning outcomes in the borough.

.8 Financial Implications

- 8.1 Provision is made for the continued preparation and conclusion of the AAP within the core funding of the LDF team (subject to the use of Planning Delivery Grant). The cost of determining the planning applications for the Kodak and Lyon Road sites is addressed through Planning Performance agreements and planning fees associated with each site. The Outer London Fund projects will include an element of staff costs associated with their implementation, in accordance with agreed parameters. All other costs associated with the progression of the matters are expected to be contained within the budget provisions for 2012/13.
- 8.2 To address wider, capital implications of growth, notably the need for investment in new infrastructure, the Council will continue to seek contributions from developers through S106, in line with the CIL regulations. During 2012, the Council will be consulting upon and developing its own Harrow CIL, to complement the Mayor's Crossrail CIL which comes into effect in April. It is expected that the Harrow Borough CIL will come into effect on 1st

April 2013. A report on the CIL process will be brought to the Panel later in the year.

- 8.3 The estimated cost of the improvement schemes to St Anns Road, Kymberley Road, St Johns Road, Station Road and College Road will be met from the Place Shaping allocation in the Capital Programme 2012/13 to 2013/14 subject to approval of a business case by the Capital Forum.

9 Risk Management Implications

- 9.1 The risks associated with the preparation of the AAP are covered in a specific risk register.

10 Equalities implications

- 10.1 An updated Equalities Impact Assessment has been prepared and published alongside the Preferred Option consultation document. EqIAs will be prepared for specific infrastructure projects as they are developed.

11 Corporate Priorities

- 11.1 The Area Action Plan will inform and assist with the delivery of the following Corporate Priorities
- Keeping neighbourhoods clean, green and safe – by improving the quality and safety of public spaces throughout the Intensification Area
 - United and involved communities: a Council that listens and leads – through the Engagement Forums that have been established to shape the AAP
 - Supporting our town centre, our local shopping centres and businesses – through the AAP that will guide the future development of Harrow town centre and Wealdstone and form one of the key building blocks for an inward investment strategy promoting business opportunities in the borough.

Section 3 - Statutory Officer Clearance

Name: Kanta Hirani	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 08/03/2012		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 08/03/2012		

Section 4 - Contact Details and Background Papers

Contact: Phil Greenwood, Head of Major Development Projects. Tel 0208 424 1166. Internal ext 2166.

Background Papers: Harrow and Wealdstone Area Action Plan Preferred Option Consultation Document