

SECTION 1 – MAJOR APPLICATIONS

Item No. 1/01

Address: 2 - 12 NORTHWICK PARK ROAD, HARROW, MIDDLESEX, HA1 2NT

Reference: P/0598/12

Description EXTENSION OF TIME TO PLANNING PERMISSION P/0181/09 DATED 23/04/2009 FOR EXTENSIONS AND ALTERATIONS TO EXISTING HOTEL TO PROVIDE 34 ADDITIONAL BEDROOMS & RELOCATION OF EXISTING CONFERENCE BAR AND RESTAURANT FACILITIES (NO ADDITIONAL CONFERENCE FLOORSPACE)

Ward GREENHILL

Applicant: GRANGEBROOK LTD

Agent: CGMS CONSULTING LTD

Case Officer: FERGAL O'DONNELL

Expiry Date: 30 MAY 2012

RECOMMENDATION

GRANT planning permission for the application described in the application form and submitted plans, subject to conditions:

REASON

The proposed development would make a positive contribution to the delivery of economic and employment objectives within the borough, thereby according with the strategic aims of the Harrow Core Strategy 2012 and the benefits that would be provided in economic terms are considered to outweigh the limited loss of residential accommodation. The proposed extensions to the property would be successfully assimilated into the building fabric without detriment to the character of the area, neighbouring residential amenities or highway safety whilst improving the sustainability and accessibility of the site. As such it is considered that the development would accord with the National Planning Policy Framework 2012 in ensuring that the economic, environmental and social roles are retained or improved as result of development.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004, and to all relevant material considerations, and any comments received in response to publicity and consultation.

INFORMATION:

This application is being reported to committee as the proposal constitutes development of non-residential floorspace exceeding 400m² and 0.1ha site area and therefore falls outside of Category 1(d) of the Scheme of Delegation. In removing one residential dwellinghouse, the proposed development also represents a departure from the development plan

Statutory Return Type: Smallscale Major Development

Council Interest: None

Site Area: 0.43 ha

Net Additional Floorspace: 920 sqm

GLA Community Infrastructure (CIL) Contribution: £32,200 (based on an additional net floor area of 920sqm)

Site Description

- The application site occupies a substantial site at the southern end of Northwick Park Road and on the eastern side of the highway between Gayton Road and Manor Road.
- The site was formerly a number of residential dwellings but these properties have been married together and used for a number of years as a hotel.
- The tying together of the original buildings into one property has given the building a rambling appearance.
- The existing hotel on the site fronts onto Gayton Road and primarily Northwick Park Road. An additional building, which has the appearance of two dwellings but which forms part of the hotel, fronts onto Manor Road.
- Access to the car park to the rear is provided between the main building fronting onto Northwick Park Road and the more recent buildings fronting Manor Road.
- The existing hotel on the site has 73 bedrooms, conferencing facilities, bar and restaurant and has facilities for 47 car parking spaces.

b) Proposal Details

- The application seeks to extend the time for the implementation of planning application P/0181/09.
- The development proposes the demolition of No.57 Gayton Road to be replaced with a new three-storey block which would be joined to the main hotel by a three-storey glazed link. Office and ancillary spaces would be provided on the ground floor with bed spaces above.
- A three-storey extension is proposed to the rear, towards the southern end of the site, to provide meeting rooms on the ground floor and bed spaces above.
- Two-storey infill linkages are proposed at the southern end of the Northwick Park Road frontage adjacent to the northern end of the Northwick Park Road frontage.
- Eight new bed spaces would be provided in the roof voids of the existing hotel.
- The car park to the rear would be re-organised and would provide an additional 4 car parking spaces (currently 50).
- Internal alterations to the layout are proposed to provide a clearer and more practicable layout.
- In total, 34 additional bed spaces would be provided and there would be no net change in the provision of existing conferencing facilities.

Relevant History

P/272/05/CFU

Part single/part 3 storey rear extension; 1/2 storey extension on site of 57 Gayton Road;
revised car parking

Refused: 22 April 2005

Reasons for Refusal:

- 1) The proposed development, by reason of excessive size, bulk and unsatisfactory design, would be visually obtrusive and overbearing, would not respect the scale, massing and form of the adjacent properties to the detriment of the amenities of the occupiers thereof, the appearance of the street scene and the character of the locality.
- 2) The proposed development, by reason of excessive size and bulk would be visually obtrusive, would be out of character with neighbouring properties and would not respect the scale and massing of those properties, to the detriment of the visual amenities of the neighbouring residents and the character of the area.
- 3) The proposed windows/ balconies in the rear elevation would allow overlooking of the adjoining properties and result in an unreasonable loss of privacy to the occupiers.
- 4) The proposed intensification of the parking area to the rear of the site by reason of unsatisfactory siting in relation to the neighbouring residential properties and associated disturbance and general activity would be unduly obtrusive and detrimental to the visual and residential amenities of those properties and the character of the area.

P/2792/05/CFU

Part 2 / part 3 storey extension to provide additional bedrooms and conference facilities;
Rearranged rear car parking

Refused: 09 February 2006

Reason for Refusal:

- 1) The proposed 3 storey rear extension by reason of excessive depth would be visually obtrusive and overbearing when viewed from the rear garden of the adjoining property at 2 Manor Road to the detriment of the amenities of the occupiers thereof.
- 2) The proposed east facing rooflight windows within the rear extension would allow overlooking of the adjoining property and result in an unreasonable loss of privacy to the occupiers.
- 3) The first floor south east facing windows of the rear extension to be part fitted with obscure glazing, would give rise to direct or perceived overlooking of the rear of the adjoining property, causing a resultant loss of privacy, to the detriment of the occupiers thereof.
- 4) The proposed parking spaces 50 & 51 would extend that area of hardsurfacing to the frontage of the site to an unacceptable level, would be visually obtrusive and overbearing, would not respect the character of the wider locality to the detriment of the amenities and appearance of the street scene and the character of the area.

P/0009/07/CFU

Extension and alterations to hotel

Refused: 20 March 2007

Appeal dismissed: 03 April 2008

Reasons for Refusal:

- 1) The proposed additional 18 bedrooms together with additional conference facilities will be detrimental to the residential amenities of No.59 Gayton Road and the properties in the locality by reason of the additional activity associated with hotel use.
- 2) The three storey extension by reason of excessive depth would be visually obtrusive and overbearing when viewed from the rear garden of No.2 Manor Road.

P/2030/08/CFU

Extensions and alterations to hotel to provide additional bedrooms and re-locate conference centre (no additional floorspace)

Granted: 02 October 2008

P/0181/09

Extensions and alterations to existing hotel to provide 34 additional bedrooms & relocation of existing conference bar and restaurant facilities (no additional conference floorspace)

Granted: 23 April 2009

P/0291/12

Demolition of existing buildings; redevelopment to provide part single, part three storey building with basement for use as a hotel comprising 118 guest rooms, restaurant and bar, meeting rooms, staff facilities and offices (use classes c1/a3/a4); provision of 38 car parking spaces, off-street servicing and landscaping; refuse and cycle storage; erection of 2.1m palisade metal fence along boundary

Granted subject to the completion of a legal agreement by 02 May 2012

Pre-Application Discussion for a former scheme to redevelop the site for a 130 bed hotel (Ref. HA\2010\ENQ\00052) concluded as follows:

In this case the principle of your proposals is considered to be unacceptable in the context of the relevant policies and additionally there are a number of issues arising in the requirements of the criteria-based policies as set out in the report. Our conclusion is that you have failed to demonstrate how material considerations justify a departure from development plan policies, or how they overcome the policy presumption against your development. Any application submission is therefore likely to be refused.

Applicant Submission Documents

- Planning Statement
- Design and Access Statement
- National Planning Policy Framework note (received 18 April 2012)

Consultations

Greater London Authority

No response received to date

Environment Agency

No response received to date

London Borough of Brent

No response received to date

Thames Water

No response received to date

Advertisement: Major Development; Departure from Development Plan

Expiry: 10 May 2012

Site Noticed Erected: 18 April 2012

Expiry: 09 May 2012

Notifications

Sent: 253

Replies: 9 (13 letters of objection were received in all – 4 of these were from persons who submitted 2 letters of objections each)

Expiry: 11 April 2012

Neighbours Consulted:

Blackthorne Court, Manor Road: 1-3

Manor Road House, 24 Manor Road: 1-9

Lowndes Court, Manor Road: Flats 1-15

McMillar Lodge, 22 Manor Road: Flats A-D

Fern Court, Manor Road: Flats 1-4

Manor Road: 1-18, 1B, 4A, 20, 28, 32

Hanbury Court, Northwick Park Road: 1-38

Garth Court, 28 Northwick Park Road: Flat 1-18

Northwick Park Road: 9-13(odd), 2-12, 14-20(even), 19A, 19B, 21-27, 23A, 24A, 29-45(odd), 36,

Chalfont Court, 34 Northwick Park Road: Flats 1-18

Blenheim Court, 52 Kenton Road: Flats 1-18

St James Court, 65 Gayton Road: Flats 1-9

Gayton Road: 41, 43, 43A, 43B, 43C, 44, Flats 1-3 at 44, 45 45A, 45B, 45C, 46, 47, 48(A,B,C,D), 49, 50-58(even), 58A, 59-64, Flats 1-6 at 57, 57, 59A, 59B, 66-69, 67A, 71-74, Flat B & C at 72, 70, 72A, 72B, 72C, 76, 78, 80, 82, Harrow High School,

Gerard Road: 1-21, 12A, 23-49(odd), West House,

Flambard Road: 6, 8, 11-30, 34-46(even),

Thurlby Close: 1-31

Bonnorsfield Close: 1-11, 5A, 5B,

Bonnorsfield Lane: 63-79(odd),

Croft Villas, Bonnorsfield Lane: 1-6

Manor Court, Bonnorsfield Lane: 1-24

Summary of Responses:

- Development would result in increased traffic and disturbance; danger to school children arising from development
- Development would be out of character with the area
- Development would set a precedent
- Impact of development on residential amenities

APPRAISAL

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.'

The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core

Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004 [Saved by a Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

BACKGROUND AND ASSESSMENT BASIS

Planning permission was granted under planning application reference P/0181/09 on 23 April 2009 for "extensions and alterations to the existing hotel to provide 34 additional bedrooms & relocation of existing conference bar and restaurant facilities (no additional conference floorspace)". The current application seeks to extend the time for the implementation of the planning application.

In considering planning application P/0181/09, due consideration was given to all aspects of the development, the site history and material planning considerations. As the Council granted planning permission within the context of the site circumstances at that time and the policies of the development plan then in force, in considering the application for the extension of time, it is appropriate then to re-consider the scheme solely in the context of the relevant changes in site circumstances and policy since the original grant of planning permission, and any other material considerations. Consideration has been given to any relevant changes in site circumstances and it is considered that there have been no changes to site circumstances since the original grant or planning permission which would be material to the consideration of this planning application. Accordingly, the consideration of the planning application has been based on the changes in relevant policy since the determination of the original application, and any other material considerations.

In this instance, at national policy level, the National Planning Policy Framework has consolidated previous National Planning Policy Statements and Guidance. At regional level, the London Plan 2011 has replaced the consolidated London Plan 2008 and at local level, Harrow Council has adopted the Harrow Core Strategy 2012 since the previous consideration of planning application, P/0181/09. The saved policies of the Harrow Unitary Development Plan 2004 considered previously are still relevant though the adoption of the Core Strategy has resulted in some policies of the UDP being deleted. However, it is considered that none of those policies which have been deleted from the UDP are relevant to the consideration of this planning application.

MAIN CONSIDERATIONS

- 1) Principle of the Development, Land Use and Loss of Residential Accommodation
- 2) Scale, Layout, Design and Character and Appearance of the Area
- 3) Accessibility
- 4) Amenity
- 5) Parking and Highway Safety
- 6) Sustainability
- 7) Drainage
- 8) S17 Crime & Disorder Act
- 9) Consultation Responses

1) Principle of the Development and Loss of Residential Accommodation

The recently adopted National Planning Policy Framework sets out a presumption in favour of "sustainable development". The NPPF defines "sustainable development" as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF sets the three tenets of sustainable development for planning to be; to play an economic, social and environmental role. Thus sustainable development, in the context of this application for an economic and employment generating use, should

contribute to economic development, without adversely affecting social or environmental roles. Development which is considered to be sustainable should be supported. The idea of 'sustainable development' does not represent a paradigm shift in thought but rather a re-imagining of the emphasis and weight which should be attached to certain types of development. The NPPF advocates that significant weight should be afforded to the need to provide economic growth through the planning system. In this way, the proposed development, which would provide greater employment and economic benefit to the area, would gain greater support from the revision and consolidation of national planning policy than the previous PPS's and PPGs.

Policy 4.5 of The London Plan sets out a strategic target for London to achieve 40,000 net additional hotel bedrooms by 2031 which is similar to policy 3D.9 of the consolidated London Plan 2008 and in this respect, it is considered that strategic policies relating to the application are unchanged since the previous consideration of the planning application P/0181/09. UDP policies R15 and H11 remain unaltered since the consideration of the previous planning application and though the loss of residential accommodation is recognised, within the context of the recognised capacity of previously developed sites in the Harrow and Wealdstone Intensification Area to exceed minimum development plan targets for housing in the borough and the locality, it is considered that the loss of residential accommodation should be afforded little weight. Conversely, within the context of the NPPF, the unaltered policy framework at local and regional level and the recognised employment benefits that would arise from the proposed development, it is considered that the economic benefits of development should be afforded substantial weight. Accordingly, it is considered that the proposed development would accord with the strategic aims and objectives of the development and national planning policy guidance.

2) Scale, Layout, Design and Character and Appearance of the Area

The scale and layout of the development has previously been considered to be appropriate within its context, whilst respecting the character and appearance of the locality and the host property. National planning policy guidance continues to advocate the importance of good design though it is notable that the idea of 'design-led' development has not been carried through from previous national policy guidance to the National Planning Policy Framework. Nonetheless, London Plan policies 7.4.B, 7.5.B and 7.6.B adopted since the consideration of planning application and policy CS1.B of the Core Strategy set out a number of design objectives for new developments and require development to respond positively to local context and reinforce the positive attributes of local distinctiveness, with the underlying objective of requiring new development to be of high quality design.

It is considered that the objectives of the more recently adopted policy differ little from the objectives of the now superseded Planning Policy Statement 1: Delivering Sustainable Development and policy 4B.1 of the consolidated London Plan 2008. Furthermore, saved UDP policy D4, on which the primary assessment of design and appropriateness within the context of the locality is based, remains unaltered as part of the development plan. Deriving a different conclusion therefore to that previously given on the appropriateness of design would be unsustainable, given the minor changes in policy context, the continued emphasis and thrust of national, regional and local plan policy on high quality design, and the absence of any material changes in the site circumstance or other material planning considerations. Accordingly, it is considered that the proposed development would accord with national planning policy and the policies and proposals of the development plan.

3) Accessibility

Issues of accessibility have been considered in the previous application. In this respect,

saved policies D4 and C17 of the Harrow Unitary Development Plan 2004 are still relevant, as is the adopted Supplementary Planning Document: Access for All 2006. Policy 4B.1 of the consolidated London Plan 2008 has been replaced by policy 7.2.C of The London Plan 2011 and the objective of providing inclusive and accessible spaces is carried through whilst policy 4.5.B of The London Plan 2011 also refers to the provision of Wheelchair bed spaces.

Policy 4.5.B of The London Plan 2011 requires that 10% of all new bed spaces provided are Wheelchair Accessible. The consolidated London Plan 2008 did not make any such specific requirement and Wheelchair Accessible bed spaces were not therefore indicated on the submitted plans. The proposed new bed spaces would, however, be capable of providing Wheelchair Accessible spaces with some minor non-material alterations to the internal layouts of the extensions, and accordingly, a condition is recommended to this effect. Policy 6.13.C/D/E requires that developments make provision for Blue Badge parking bays for 6% of the total capacity. It is considered that such a provision could be secured by condition. Issues of accessibility were addressed previously, where it was found that, subject to conditions in relation to the provision of car parking spaces and details of a scheme ensuring the provision of accessibility throughout the development, the proposed development would accord with the policies of the development plan. Subject to conditions therefore, the proposed development would accord with policies 4.5.B and 6.13.C/D/E of The London Plan 2011, saved policies D4 and C17 of the UDP and adopted SPD: Access for All 2006.

4) Amenity

With the exception of policy 7.6.B of The London Plan 2011, the policy context in relation to amenity has not changed measurably in the intervening period between the grant of planning application P/0181/09 and the current time. Policy 7.6.B of The London Plan is broadly reflective of saved policies R15 and D5 of the Harrow Unitary Development Plan 2004 and states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Within the context and scale of the application previously granted planning permission, consideration was given to each of these issues, whereby it was found that the physical scale of the building would not result in any adverse impacts on the amenities of the neighbouring occupiers.

Consideration was also given to the associated impacts of the proposed development arising from noise, smells and general activity and disturbance arising from the development. These issues were assessed in line with the provisions and requirements of saved policies EP25 and R15 of the UDP. These policies remain in force, and as there have been no changes in site circumstances, or other changes at the site which would be material to the consideration of this application, a different conclusion to that found in granting planning permission for planning application P/0181/09 would not be appropriate. Subject to appropriate conditions therefore, similar to those previously attached to planning application P/0181/09, the development would accord with the policies of the development plan.

5) Parking, Servicing and Highway Safety

Planning policy has changed in little in terms of parking, servicing and highway issues, as national planning policy, The London Plan and the adopted Core Strategy continues to encourage and advocate sustainable modes of travel and requires that each development should be assessed on its respective merits and requirements, in terms of the level of parking spaces to be provided etc. However, policy 6.13.C/D/E of The London Plan 2011 requires 1 cycle space per 10 members of staff to be provided. It is considered that the provision of secure cycle spaces could be secured by condition. Each of the issues in relation to the parking, servicing and highway safety were addressed previously and

considered to be appropriately provided for within the development.

Subject to conditions therefore in relating to construction method statements and the submission of details of secure cycle spaces, it is considered that the development would be satisfactory in operational terms and would not measurably affect road capacity or prejudice vehicular/pedestrian safety in the vicinity, thereby according with policy 6.13.C/D/E of The London Plan 2011 and saved policies T6 and T13 of the Harrow Unitary Development Plan 2004.

6) Sustainability

Since the determination of the previous application, policy 5.2.A/B/C/D/E of The London Plan 2011 has introduced a target of a reduction of 25% in carbon emissions on Building Regulations 2010 for all non-domestic major development whilst policy 5.3.B/C of The London Plan 2011 requires applicants to demonstrate that all development proposals have demonstrated that sustainable design standards are integral to the proposal.

Policy 5.3.B/C recognises that successful sustainable design requires applicants to consider these issues at the earliest possible design stage. The applicant did not submit any information in relation to sustainable design procedures on the original application and this position is considered to be reasonable, given the relevant policy background at the time of the original planning application. Nonetheless, planning legislation dictates that applications should be assessed on the basis of adopted planning policy in force at the time of consideration of the application and on this basis, the application would conflict with the requirements of the development plan as no information in respect of sustainable design has been submitted.

Without the submission of an Energy Strategy or Sustainable Strategy, it is unclear whether the minimum standards set out in the London Plan could be achieved on the site. However, it is considered that some technologies could be incorporated into the design of the extensions to the property, without materially altering the development proposal and these could be secured by condition. It is considered that a refusal on the basis of a failure to achieve the minimum standards set out in The London Plan 2011 in respect of sustainability would be unreasonable, given the design of the development proposal would have begun when such levels of sustainable design would not have been required within the policy framework. In recognition of the limitations of the existing design and layout to be amended without materially affecting the development proposal, a condition is recommended which reflects the fact all viable technologies may not achieve the minimum standards, set out in policy 5.2.A/B/C/D/E of The London Plan 2011. The applicant will nonetheless be required to explore all viable technologies, in ensuring carbon emissions from the development are reduced to the lowest possible levels. Subject to such a condition, it is considered that the development would accord with the strategic objectives of the development and national planning policy, in reducing carbon emissions on the site to the lowest possible levels.

7) Drainage

National planning policy, regional policy and local planning policy continues to advocate the use of sustainable drainage systems in all development proposals. Subject to the conditions therefore attached to planning application P/0181/09, the proposed development would have an acceptable impact on the drainage issues, thereby according with policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the Harrow Unitary Development Plan 2004.

8) S17 Crime & Disorder Act 1998

The application was previously assessed against saved policy D4 of the Harrow Unitary Development Plan 2004 in terms of crime and safety and this policy remains in force. Additionally, policies 7.3.B and 7.13.B of The London Plan 2011 require that measures are taken to ensure the security and resilience of development. However, these policies are broadly reflective of saved policy D4 of the UDP and it is considered, that subject to a condition similar to that attached to planning application P/0181/09, the development would accord with saved policy D4 of the UDP and additionally accord with policies 7.3.B and 7.13.B of The London Plan 2011. Accordingly, a condition is recommended to this effect.

9) Consultation responses

Development would result in increase traffic and disturbance; Danger to school children arising from development

This has been partly addressed in Section 5 of the Appraisal above. In respect of the danger arising to school children as a result of the development, it is considered any additional journeys to and from the site would not be significantly above the existing levels and any dangers therefore arising to schoolchildren would be measurably or quantifiable. A refusal on this basis could not therefore be sustained.

Development would be out of character with the area

This has been addressed in Section 2 of the Appraisal above

Development would set a precedent

Planning legislation dictates that each application must be assessed on its respective merits as this application has been. It is therefore considered that the principle of precedent carries little, if any, weight in the consideration of this planning application.

Impact of development on residential amenities

These issues have been addressed in section 3 of the Appraisal above

CONCLUSION

The proposed development would make a positive contribution to the delivery of economic and employment objectives within the borough, thereby according with the strategic aims of the Harrow Core Strategy 2012 and the benefits that would be provided in economic terms are considered to outweigh the limited loss of residential accommodation. The proposed extensions to the property would be successfully assimilated into the building fabric without detriment to the character of the area, neighbouring residential amenities or highway safety whilst improving the sustainability and accessibility of the site. As such it is considered that the development would accord with the National Planning Policy Framework 2012 in ensuring that the economic, environmental and social roles are retained or improved as result of development.

For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

CONDITIONS:

1 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 Notwithstanding the details of materials shown on the approved drawings, the development hereby permitted shall not commence until samples of the materials to be used in the construction of the all external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

- a: the proposed building
- b: the ground surfacing
- c: the boundary treatment

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

REASON: To ensure a satisfactory form of development and safeguard the appearance of the locality, thereby according with policies 7.4.B and 7.6.B of The London Plan 2011 and saved policies D4 and D7 of the Harrow Unitary Development 2004

3 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, thereby according with policy 7.4.B of The London Plan 2011 and saved policies D4 and D9 of the Harrow Unitary Development Plan 2004.

4 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, thereby according with policy 7.4.B of The London Plan 2011 and saved policies D4 and D9 of the Harrow Unitary Development Plan 2004.

5 No demolition or site works in connection with the development hereby permitted shall commence before the boundary of the site is enclosed by a close boarded fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of highway safety and the amenities of the neighbouring occupiers, thereby according with policies 6.13.C/D/E and 7.6.B of The London Plan 2011 and saved policies D4 and T13 of the Harrow Unitary Development Plan 2004.

6 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence until a revised scheme to provide three car parking spaces designed to BS 8300 specifications to enable them to be used by people with mobility impairments has been submitted to the local planning authority in writing for approval. The development shall not be occupied or used until the spaces have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure suitable parking provision for people with disabilities, thereby according with policies 4.5.B and 6.13.C/D/E of The London Plan 2011 and saved policies D4 and C17 of the Harrow Unitary Development Plan 2004.

7 No development shall commence until revised floor plans are submitted to the local planning authority demonstrating that at least 10% of the additional bedrooms to be provided

within the development would be Wheelchair Accessible. The development shall be constructed in accordance with the revised details and thereafter retained in that form.

REASON: To ensure the development would accord with the objectives of policy 4.5.B of The London Plan 2011 and saved policies D4 and C17 of the Harrow Unitary Development Plan 2004.

8 All windows in the south-eastern wall of the approved development facing the property at No. 59 Gayton Road shall be glazed in obscure glass and fixed shut and shall thereafter be retained in that form.

REASON: To ensure that development does not give rise to unacceptable overlooking of No.59, thereby according with policy 7.6.B of The London Plan 2011 and saved policy R15 of the Harrow Unitary Development Plan 2004

9 The consumption of food or drink, the playing of amplified music or the provision of a designated smoking area shall be permitted to take place outside of the buildings on the site.

REASON: To ensure that the proposed development does not give rise to noise or odour nuisance to neighbouring residents, thereby according with saved policies EP25, R15 and D4 of the Harrow Unitary Development Plan 2004.

10 The external roof spaces shall not be used by staff, visitors or guest for any purpose other than essential maintenance associated with the operation of the building.

REASON: To ensure that the privacy and amenities of residents in the properties on No.59 Gayton Road and No.2 Manor Road are safeguarded from overlooking and perceived overlooking and to avoid the need for the intrusive screens or additional enclosures in the interests of the appearance of the building and the outlook from adjoining gardens, thereby according with saved policy D4 of the Harrow Unitary Development Plan 2004.

11 No plant or machinery, including that for fume extraction, ventilation and air conditioning, which may be required by reason of granting this permission, shall be installed within the building without the prior written approval of the local planning authority. Any approved plant or machinery shall be operated only in accordance with the approved details.

REASON: To ensure that the proposed development does not give rise to noise or odour nuisance to neighbouring residents, thereby according with saved policies EP25, R15 and D4 of the Harrow Unitary Development Plan 2004.

12 The development hereby permitted shall not be occupied or used until five secure cycle spaces are provided on the site. The cycle spaces shall thereafter be retained on the site.

REASON: To ensure the development accord with the strategic objectives of national planning policy, The London Plan and the Harrow Core Strategy 2012 in encouraging sustainable modes of travel are optimised, thereby according with policy 6.13.c/D/E of The London Plan 2011 and saved policy T113 of the Harrow Unitary Development Plan 2004

13 No construction / works in connection with the proposed development shall be carried out before 0800hrs or after 1800hrs on weekdays and 0800 hrs and 1300hrs on Saturdays or at any time on Sundays or Bank Holidays.

REASON: To safeguard the amenity of the neighbouring occupiers, thereby according with saved policy D4 of the Harrow Unitary Development Plan 2004

14 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site, thereby according with saved policies D4 and T13 of the Harrow Unitary Development Plan (2004)

15 The development hereby permitted shall not commence until a scheme for the management, storage and disposal of refuse/waste, including arrangements and hours for vehicle collection of waste/refuse has been submitted to, and approved in writing by, the local planning authority. The development hereby permitted shall not be occupied until the works for the storage of waste have been completed in accordance with the approved details and the site shall thereafter be managed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties, thereby according with saved policy D4 of the Harrow Unitary Development Plan 2004

16 No site works or development 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 levels of the site, have been submitted to, and approved by, the local planning authority.

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, thereby according with policies 5.12.B/C/D and 6.13 of The London Plan 2011 and saved policies EP12 and T13 of the UDP

17 Before the development hereby permitted is occupied a Sustainability Strategy and Energy Strategy, detailing the method of achievement of BREEAM 'very good or excellent' (or successor), and mechanisms for independent post-construction assessment, shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Sustainability Strategy and Energy Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with national planning policy guidance, policies 5.2.B/C/D/E of The London Plan 2011, saved policy D4 of the Harrow Unitary Development Plan 2004 and adopted Supplementary Planning Document – Sustainable Building Design 2009.

18 The development hereby permitted shall not be occupied until details for the disposal of surface water and surface water attenuation/ storage works have been to be submitted to, and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the development achieves sustainable drainage and to prevent the increased risk of flooding in accordance with the objectives set out under policy 5.13.A of The London Plan 2011, saved policies EP12, EP14 and EP15 of the Harrow Unitary

19 Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the application site / development shall be installed in accordance with details to be submitted to and approved in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant Design Guides on the Secured by Design website: <http://www.securedbydesign.com/guides/index.aspx> and shall include the following requirements:

1. all main entrance door sets to individual dwellings and communal entrance door sets shall be made secure to standards, independently certified, set out in BS PAS 24-1:1999 'Security standard for domestic door sets';
2. all window sets on the ground floor of the development and those adjacent to flat roofs or large rainwater pipes (downpipes) shall be made secure to standards, independently certified, set out in BS.7950 'Security standard for domestic window sets'.

Following implementation the works shall thereafter be retained.

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, in accordance with policies 7.3.B and 7.13.B of The London Plan 2011 and saved policy D4 of the Harrow Unitary Development Plan (2004), and Section 17 of the Crime & Disorder Act 1998.

20 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 3654/020; 3654/021; 3654/022; 3654/023; 3654/024; 3654/100B; 3654/101A; 3654/102B; 3654/103B; 3654/105C; 3654/106B; 3654/107A; SK006A; SK007A; SK008A; SK009A; Design and Access Statement; National Planning Policy Framework note (received 18 April 2012)

INFORMATIVES:

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

The proposed development would make a positive contribution to the delivery of economic and employment objectives within the borough, thereby accords with the strategic aims of the Harrow Core Strategy 2012 and the benefits that would be provided in economic terms are considered to outweigh the limited loss of residential accommodation. The proposed extensions to the property would be successfully assimilated into the building fabric without detriment to the character of the area, neighbouring residential amenities or highway safety whilst improving the sustainability and accessibility of the site. As such it is considered that the development would accord with the National Planning Policy Framework 2012 in ensuring that the economic, environmental and social roles are retained or improved as result of development.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004, and to all relevant material considerations, and any comments received in response to publicity and consultation.

National Planning Policy

National Planning Policy Framework 2012

The Government has issued the National Planning Policy Framework [NPPF] which

consolidates national planning policy. This has been considered in relation to this application.

The London Plan [2011]:

- 2.13.B – Opportunity Areas and Intensification Areas
- 2.15.C – Town Centres
- 3.1.B – Ensuring Equal Life Chances for All
- 4.1.A – Developing London’s Economy
- 4.5.B – London’s Visitor Infrastructure
- 4.7.B – Retail and Town Centre Development
- 5.2.A/B/C/D/E – Minimizing Carbon Dioxide Emissions
- 5.3.B/C – Sustainable Design and Construction
- 5.7.B – Renewable Energy
- 5.12.B/C/D – Flood Risk Management
- 6.3.A/B/C – Assessing the Effects of development on transport capacity
- 6.9.B – Cycling
- 7.2.C – An Inclusive Environment
- 7.3.B – Designing out Crime
- 7.4.B – Local Character
- 7.5.B – Public Realm
- 7.6.B – Architecture
- 7.13.B – Safety, Security and Resilience to Emergency

The Harrow Core Strategy 2012

- CS1.A/B – Overarching Policy

Saved Policies of the London Borough of Harrow Unitary Development Plan [2004]:

- EP12 – Control of Surface Water Run-Off
- EP26 – Habitat Creation and Enhancement
- EP27 – Species Protection
- EP25 – Noise
- D4 – The Standard of Design and Layout
- D5 – New Residential Development – Amenity Space and Privacy
- R15 – Hotels and Guest Houses
- C17 – Access to Leisure, Recreation, Community and Retail Facilities
- T6 – The Transport Impact of Development Proposals
- T13 – Parking Standards

Adopted Supplementary Planning Documents

- Supplementary Planning Document: Access for All 2006
- Supplementary Planning Document: Sustainable Building Design 2009

Other Relevant Documents

- Harrow Sustainable Community Strategy [2009]
- London Borough of Harrow Employment Land Review [2010]

2 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.

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 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

4 COMPLIANCE WITH PLANNING CONDITIONS

IMPORTANT: 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.

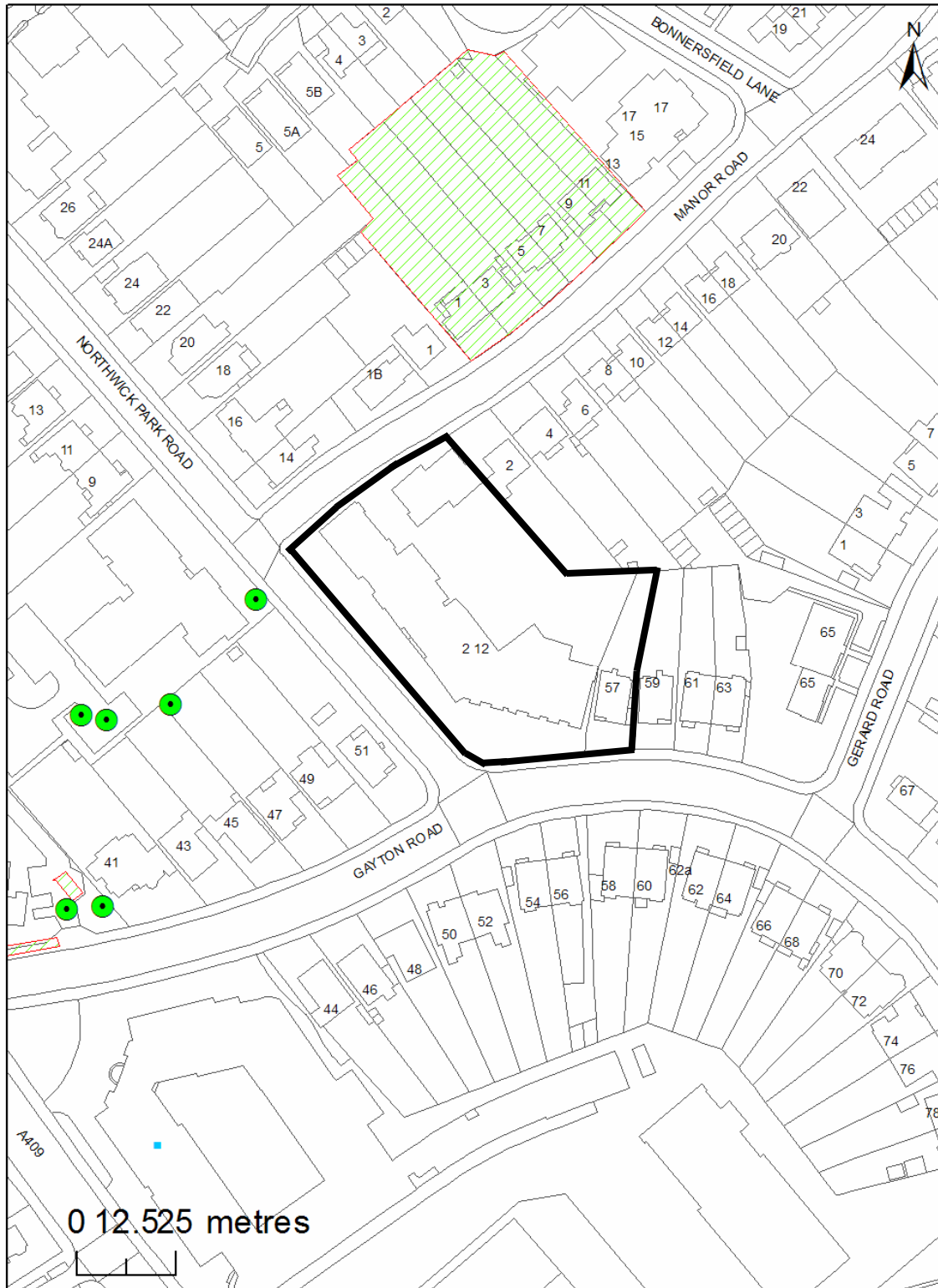
5 CONSTRUCTION METHODS

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline on 0541 545500.

(Please note that any reference in this informative to "planning supervisor" has no connection with any Planning Officers within Harrow's Planning Services or with the Town and Country Planning Act 1990.)

Plan Nos: 3654/020; 3654/021; 3654/022; 3654/023; 3654/024; 3654/100B; 3654/101A; 3654/102B; 3654/103B; 3654/105C; 3654/106B; 3654/107A; SK006A; SK007A; SK008A; SK009A; Design and Access Statement; National Planning Policy Framework note (received 18 April 2012)

2-12 NORTHWICK PARK ROAD, HARROW



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Appeal Decision

Inquiry held on 12 February 2008
Site visit made on 12 February 2008

by **David Stephenson OBE**
BSc(Eng) CEng MICE

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.gov.uk

Decision date:
3 April 2008

0

Appeal Ref: APP/M5450/A/07/2042595

Comfort Inn Harrow, 2-12 Northwick Park Road, Harrow HA1 2NT

- 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 Comfort Inn against the decision of the Council of the London Borough of Harrow.
- The application Ref: P/0009/07/CFU, dated 20 December 2006, was refused by notice dated 20 March 2007.
- The development proposed is extensions and alterations to existing hotel to provide additional bedrooms and conference facilities.

Application for costs

1. At the Inquiry an application for costs was made by Comfort Inn against the Council of the London Borough of Harrow. This application is the subject of a separate Decision.

Preliminary Matters

2. Although the Harrow Unitary Development Plan (UDP) was adopted in 2004 which is more than 3 years ago, and the policies in it have therefore expired, the policies I refer to in my reasons below have been saved under a direction made in accordance with Schedule 8 of the Planning and Compulsory Purchase Act 2004 and continue to carry statutory weight.

Decision

3. **I dismiss the appeal.**

Main Issue

4. I consider that the main issue in this case is the effect of the proposal on the living conditions of occupiers of surrounding dwellings, particularly those of 59 Gayton Road with regard to noise and disturbance and those of 2 Manor Road with regard to outlook.

Reasons

5. The area around the appeal site is predominantly quiet and residential. Whilst there is a school and a number of other guest houses and small hotels in the area, it is not a town centre location or an area of mixed commercial and residential uses. It is in a typically residential street pattern and not on a main road.

6. The appeal site currently operates lawfully as a hotel. It has 73 guestrooms, with conference facilities comprising 2 conference rooms and breakout space and a meeting room amounting to some 190m², supported by kitchens, a restaurant and bar. By rebuilding and incorporating the existing detached building at 57 Gayton Road, and building a 2½-storey rear extension, the proposal would increase the number of guestrooms by 18, to 91, and the conference facilities to 6 meeting rooms, shown on Drawing Number 011D as totalling 417m², with additional breakout space, while relocating a kitchen. Parking space exists to the front and rear of the hotel, which would be retained with little change to capacity though rearranged in detailed layout.

Noise and Disturbance

7. The proposed increase in conference and banqueting facilities would be considerable. From the figures I have been given and by inspection from the plans the area available would more than double. The existing conference room capacity is described as accommodating up to 180 delegates [Document 5], which is approximately the maximum overnight capacity of the expanded hotel if all rooms were double occupied. The increased conference and banqueting facilities would therefore hold substantially more people than the hotel could accommodate overnight.
8. The proposed rearranged parking would provide spaces for 53 cars, and the Council did not pursue an objection on parking space provision. I see no reason why the provision would not be adequate to meet the requirements of overnight guests and staff, bearing in mind the accessibility of public transport that is within reasonable walking distance. I also accept that the existing car park could be lawfully used up to its capacity and I do not consider that the proposed increase in guestrooms would result in a material increase in vehicle movements that would result in unacceptable noise and disturbance to occupiers of surrounding dwellings, especially considering the improved relationship with 59 Gayton Road, both front and rear, that would result from the proposed increase in separation distance from what exists and the introduction of a landscape strip of several metres width.
9. I consider, however, that the on-site parking would be unable to meet the potential requirements of the increased conference and banqueting facilities. This would lead to large numbers of cars being parked in adjacent streets or many taxis, coaches or hire cars being used both to deliver and collect guests. In either case, or in a mixture of the two, this would lead to disturbance late at night to occupiers of dwellings in the surrounding area, which UDP Policy EP25 seeks to prevent, and which I understand from written representations is already causing concern even if there have been few formal complaints.
10. In my experience it is likely that a gathering of the number of people that this proposal would allow would contain a significant number of smokers and these would wish to congregate outside in order to smoke. The Appellant offered to accept a condition preventing the installation of external facilities for guests to gather at the rear of the hotel in order to protect the amenity of nearby residential property. Although this may prevent organised parties from occurring outside, it would not in my view prevent groups of smokers gathering in doorways or in the open either at the rear or in the street. With large gatherings at the hotel this would result in the party spilling outside with consequent noise either escaping from the venue or from loud talking or shouting. This would adversely affect occupiers of nearby dwellings, especially of 59 Gayton Road.

11. Whilst it may be possible to ensure that noise created inside the hotel as a result of any functions or activities is minimised to an acceptable degree, it would not be within the control of the Appellant to restrict the noise and disturbance caused outside in the streets, either by conference or banqueting guests arriving or leaving, or assembling outside and off the premises to smoke. I conclude on the first element of the main issue that the scale of the increase in the conference and banqueting facilities would lead to unacceptable levels of noise and disturbance in the surrounding area, in conflict with UDP Policy EP25.

Outlook

12. The rear extension would be 2½-storey with 2nd floor rooms in the roof space. The height of the extension at some 9.3m would not be greater than the existing main buildings of the hotel, or much different from adjacent buildings. I consider that the extension would not be out of scale or character with the existing hotel buildings or the surrounding area, as sought by UDP Policy D4. Although it may extend to some 8m from the boundary with 2 Manor Road, it would be some 25m from the nearest point of this building, and significantly further from the rear windows
13. The Council has offered no guidance on separation distances other than the requirement in UDP Policy D5 to maintain adequate separation distance between residential buildings and to site boundaries in order to protect privacy and amenity of adjoining occupiers. In the absence of any other policy advice for non-residential development, such as in this case, I give this policy appropriate weight as a consideration.
14. Nevertheless in my opinion the relationship of the proposed extension with 2 Manor Road and its boundaries would not be materially different to what could be expected in a residential built-up area. I noted on my site visit the relationship of the 3-storey St James's Court with the dwellings adjacent to it which supports my view in this regard. I consider that the extension would not be overbearing or result in any unacceptable loss of outlook to occupiers of 2 Manor Road or other adjacent dwellings, and would not be inconsistent with UDP Policy D5. The fenestration design has taken account of overlooking which was not a matter of dispute and I see no reason to disagree.
15. I conclude on the second element of the main issue that the proposed extension would not be detrimental to the living conditions of occupiers of 2 Manor Road or other adjacent dwellings in terms of visual intrusion and would cause no unreasonable loss of outlook.

Other Matters

16. Whilst UDP Policy R15 encourages the improvement of existing hotels, this is only where that is appropriate and where redevelopment respects the amenity and environment of the locality. For the reasons I have given above this proposal would be inconsistent with the objective of that policy. I note that more hotel rooms are sought in London up until 2026, and this proposal would go some way to meeting the indicative target for Harrow [Document 6], but not by a significant amount. I give little weight to that positive benefit in comparison to the harm I consider that the proposal would cause.
17. The Council introduced arguments about whether this was an appropriate location for a hotel of the size and facilities proposed, referring to Planning Policy Statement (PPS) 6 - *Planning for Town Centres* and the sequential test

contained in it. The relevance of this approach was challenged by the Appellant. Whilst the location, away from the Town Centre and in a residential area may not be the ideal, and a new hotel proposal may well need to be tested against PPS6, as well as UDP Policy R15, the hotel in this case already exists. I give no weight to the Council's case in this respect, relying on the conflict the proposed extension would have with UDP policies due to the harm it would cause to residential amenity.

Conclusions

18. Whilst I conclude that the extension would have no detrimental effect on outlook, it would adversely affect the living conditions of occupiers of surrounding dwellings by reason of unacceptable noise and disturbance and this would conflict with UDP Policies EP25 and R15. I have considered the other matters, including the conditions discussed at the Inquiry, but these do not outweigh the harm I have identified or the conflict with the development plan. For these reasons and those given above I conclude that the appeal should not succeed.

David Stephenson

INSPECTOR

PLANS

- A Bundle of 12 plans submitted with the planning application, as follows:
- | | | |
|-----|-------------|--|
| A1 | Drg No 100A | Site Location Plan |
| A2 | Drg No 101 | Site Plan as existing |
| A3 | Drg No 102 | Ground Floor Plan as existing |
| A4 | Drg No 103 | 1 st & 2 nd Floor Plans as existing |
| A5 | Drg No 104 | Roof Plan as existing |
| A6 | Drg No 105 | Elevations A, B & C as existing (replaced by Plan D) |
| A7 | Drg No 106 | Elevations D & E as existing |
| A8 | Drg No 011C | Proposed Site Plan/Ground Floor Plan
(replaced by Plan C) |
| A9 | Drg No 012B | Proposed 1 st & 2 nd Floor Plans (replaced by Plan B1) |
| A10 | Drg No 013B | Proposed Roof Plan (replaced by Plan B2) |
| A11 | Drg No 014C | Proposed Elevations & Sections (SHT 1 of 2)
(replaced by Plan B3) |
| A12 | Drg No 015C | Proposed Elevations & Sections (SHT 2 of 2) |
- B Bundle of 3 amended application plans submitted prior to the Council's consideration:
- | | | |
|----|-------------|--|
| B1 | Drg No 012C | Proposed 1 st & 2 nd Floor Plans |
| B2 | Drg No 013C | Proposed Roof Plan |
| B3 | Drg No 014D | Proposed Elevations & Sections (SHT 1 of 2) |
- C Drg No 011D Minor amendment to Drg No 011C submitted for the Appeal
- D Drg No 105 A Minor correction to Drg No 105 submitted at the Appeal
- E Bundle of 4 plans from a previous scheme, submitted by the Appellant:
- | | | |
|----|------------|--|
| E1 | Drg No 011 | Proposed Site Plan/Ground Floor Plan |
| E2 | Drg No 012 | Proposed 1 st & 2 nd Floor Plans |
| E3 | Drg No 014 | Proposed Elevations & Sections (SHT 1 of 2) |
| E4 | Drg No 015 | Proposed Elevations & Sections (SHT 2 of 2) |

Item No. 1/02
Address: SHERIDAN HOUSE, 17 ST ANNS ROAD, HA1 1LQ
Reference: P/3462/11
Description: CHANGE OF USE OF 2ND, 3RD AND 4TH FLOOR OFFICES(USE CLASS B1) TO 18 FLATS (USE CLASS C3); EXTERNAL ALTERATIONS (IN ADDITION TO THE EXTANT PERMISSION TO CHANGE THE USE OF THE 5TH FLOOR OFFICES TO 6 FLATS REF: P/1404/11 GRANTED 11TH AUGUST 2011) (RESIDENT PERMIT RESTRICTED)
Ward: GREENHILL
Applicant: MR RAJ SONI
Agent: DRNARCHITECTS
Case Officer: SUSHILA BHANDARI
Expiry Date: 10 APRIL 2012

RECOMMENDATION

RECOMMENDATION A:

GRANT permission subject to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement by 16th August 2012 and issue of the planning permission and subject to minor amendments to the conditions or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

1. Affordable Housing

a. The developer to submit to the Council's Housing Enabling Team for its approval an updated financial viability appraisal (i.e. the most up to date development costs and anticipated sales value of the residential units) prior to occupation of 80% of the residential units hereby permitted;

b. If required, the developer to pay for the Council to have an independent review of the viability assumptions made in the financial appraisal submitted by the developer;

c. In the event that the viability appraisal submitted by the developer (or the Council's independent review of the appraisal) shows a surplus residual land value, the developer to pay 50% of the surplus value to the Council as a contribution towards the provision of affordable housing in the borough.

2. Public Realm Enhancements

A contribution towards public realm improvements in St Anns Road.

3. Transport

A contribution towards transport interchange enhancements at Harrow on the Hill Station and Harrow Bus Station.

4. Amenity Open Space

A contribution towards local open space improvements.

5. Children Play Space

A contribution towards local play space facilities.

6. Education

A contribution towards the provision of education facilities.

7. Health

A contribution towards local healthcare facilities.

8. Employment

A security for the long term viability of the remaining office floorspace, including the requirement to refurbish the remaining office floorspace to provide serviced provision at affordable rents and appropriate arrangements for the management of this space.

9. Local Training and Employment

Provision of 1 on site local trainee (or apprentice) per £1m of construction cost.

10. Legal Fees

Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

11. Planning Administration Fee

Payment of an administration fee for the monitoring of and compliance with this agreement.

REASON

Whilst it acknowledged that the proposed change of use of the existing building from an office to residential would amount to a loss of employment land, the proposal would still retain the 1st floor as offices. Given that the building has been vacant for some time and the applicant has provided marketing data to support this application, together with the Council's Annual Monitoring Report which confirms that there is a surplus of office supply across the Borough, it is considered that on balance the loss of office space in return for a viable alternative use can be acceptable in this case subject to appropriate mitigation. The decision to grant planning permission has been taken having regard to National Planning policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

RECOMMENDATION B

That if a Section 106 Agreement is not completed by the 16th August 2012 then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to secure a long term viability for the remaining office space, would fail to adequately mitigate the impact of the

development, thereby being contrary to policy 3.11 of The London plan (2011), core policies CS 1(J) and CS 1(O) of the Harrow Core Strategy and saved policy EM15 of the Harrow Unitary Development plan (2004).

INFORMATION

The application is reported to the Planning Committee because the application relates to a major development consisting a conversion of non-residential floor space to more than 6 units and therefore it is outside of the scheme of delegation Part 1 (1)(e) dated 14th March 2012.

Statutory Return Type: Small scale major dwellings.

Council Interest: None

Gross Floorspace: 0 sqm

Net additional Floorspace: 0 sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Nil – To be confirmed.

Site Description

- The application site comprises a 6 storey building located on the corner junction of St Anns Road and Havelock Place, with enclosed plant on the roof. The ground floor of the building comprises retail units forming part of Harrow Metropolitan Shopping Centre, with offices (use class B1) on the floors above.
- Access to the office suites is by a reception area located at the ground floor corner of the building.
- Servicing to the building is from the rear.
- The immediate surrounding area is characterised by commercial development with some residential development located above buildings that front Station Road and College Road.
- The application site is located within Harrow Metropolitan Town Centre and is well serviced by public transport.

Proposal Details

- Change of use of the 2nd, 3rd and 4th floor of the existing building from offices to residential comprising of 18 self-contained flats, in addition to the 6 self-contained flats (which were granted planning permission under ref:P/1404/11) – a total of 24 flats.
- The proposal would comprise 4 x 1 bed, 1 person units, 16 x 2 bed, 3 person units and 4 x 2 bed, 4 persons units.
- The proposal also seeks to install full height floor to ceiling panels which have already been approved under ref: P/3415/11. It has been noted, following a recent site visit that the glazing panels have been installed.
- Access to the flats would be through the existing main office entrance.
- The existing building is serviced by 2 lifts.
- Cycle storage and refuse storage is shown at the rear, within the rear service yard.

Revisions to Previous Application

- n/a

Relevant History

P/1297/07

CHANGE OF USE OF FIFTH FLOOR OFFICE SPACE (CLASS B1) TO 6 FLATS (CLASS C3); ALTERATIONS TO EXTERNAL ELEVATIONS FROM 1ST TO 5TH FLOORS (RESIDENT PERMIT RESTRICTED)

REFUSED

16/07/2007

APPEAL ALLOWED

21/05/2008

Reasons for Refusal:

1. The proposal would result in the loss of office floor space and in the absence of a credible justification for such loss the proposal would be prejudicial to promotion and retention of employment provision / land in the borough contrary to Policies SD1, D4 and EM15 of the Harrow Unitary Development Plan which aim to retain employment in the borough.
2. The proposal does not make satisfactory provision within the site for the storage of refuse and recycling facilities for the proposed flats or and due to lack of satisfactory access/entrance to the proposed flats, the proposal would be detrimental to the amenities of future occupiers of the site and attractiveness of Harrow Metropolitan Centre contrary to Policies SD1, D4, D8 and D9 of the Harrow Unitary Development Plan.

P/1375/09

CHANGE OF USE OF EXISTING SEVEN-STOREY BUILDING [B1 USE] TO HOTEL [C1 USE] WITH 114 BEDROOMS. DEMOLITION OF EXISTING PLANT FLOOR AT 6TH FLOOR LEVEL AND REPLACEMENT WITH ADDITIONAL TWO FLOORS TO CREATE EIGHT-STOREY BUILDING

GRANTED : 10/03/2010

SUBJECT TO LEGAL AGREEMENT

WITHDRAWN

P/3192/10

CHANGE OF USE OF EXISTING SEVEN-STOREY BUILDING [B1 USE] TO HOTEL [C1 USE] WITH 90 BEDROOMS. DEMOLITION OF EXISTING PLANT AT 6TH FLOOR LEVEL AND REPLACEMENT WITH NEW PLANT (REVISED APPLICATION)

GRANTED : 22/02/2011

P/3415/11

VARIATION OF CONDITION 3 (AMENDMENT TO PLAN NUMBERS TO INCLUDE EXTERNAL ALTERATIONS) ATTACHED TO PLANNING PERMISSION P/1404/11 DATED 11/08/2011 FOR EXTENSION OF TIME TO PLANNING PERMISSION P/1297/07/DFU ALLOWED ON APPEAL (REF: APP/M5450/A/08/2065342) DATED 21/5/2008 FOR 'CHANGE OF USE OF FIFTH FLOOR OFFICE SPACE (CLASS B1) TO 6 FLATS (CLASS C3); ALTERATIONS TO EXTERNAL ELEVATIONS FROM 1ST TO 5TH FLOORS (RESIDENT PERMIT RESTRICTED)'

GRANTED : 30/03/2012

- **Pre-Application Discussion (Ref: HA\2011\ENQ\00112)**
- The pre-application advise concluded that any change of use of the building from

offices to residential would be dependant on the applicant being able to demonstrate that the policy based criteria set out under saved policy EM15 of the Harrow UDP and all other relevant policy objectives to demonstrate that the existing building is no longer viable solely for office use.

Applicant Submission Documents

- Design and Access Statement (summarised as follows)
 - The site provides an excellent opportunity for a mixed use development.
 - The planning and marketing history indicates a building which is not fully used and this proposal would make the best and most efficient use of the site.
 - The proposal would through the new façade and proposed alterations positively contribute to the street scene of the town centre.
 - The proposal is consistent with Planning Policy Statement 1 – Delivering Sustainable Development and Planning Policy Statement 3 – Housing and the London Plan 2011.
 - The Harrow Core Strategy document states that Harrow's strategic housing requirements is 350 additional homes per annum from 2011 towards this proposal could make a modest contribution to achieving.

Consultations

Highway Authority:

As for the previous application there are no specific concerns with conversion of 3 floors of B1 to C3 in this instance given the highly sustainable nature of the site in transport terms. The reference to use of the on-street disabled bays cannot be taken into consideration as these are for all members of the public with blue badges and cannot under any circumstance be allocated to an individual property or person. Notwithstanding this any future disabled occupier with a blue badge can have access to the provisions subject to availability. A resident permit restriction would be applied as before and it is accepted there is no on-site parking provision.

Servicing of the building would continue as for current and extant permissions via Havelock Place with an anticipated infrequency which is acceptable.

In terms of accessible cycle provisions there should be 18 secure spaces provided in line with London Plan 2011 standards.

Housing Enabling Officer:

Although the information available is limited, based on comparable costs and values it appears that even the 100% private proposal is borderline viable and will require the applicant to take a heavily reduced profit margin.

A review clause should be included within the s.106 (as per London Plan policy) whereby the viability of the proposals can be reassessed closer to completion and any uplift in value can be captured and paid into the affordable housing pot for spend elsewhere.

Advertisement: Departure from Development Plan - expired 16.02.2012
Major Development – expired 16.02.2012

Notifications

Sent: 67

Replies: 0

Expiry: 23.02.2012 re-notifications sent following amended elevations drawings which expired on the 04.05.2012

Addresses Consulted

11-15, 17, 19, 21, 24, 31, 23-25, 27, 26-28, 32, 15, 30, 34, 36, 38-44, Kiosk Fronting 50-St Anns Road
Flats 1-6, 321; 335a, 339a, 323, 333, 335-339, 329-331, 321, 333a, 325-327, 325 - Station Road
18a, 18b, 20a, 20b, 22a, 22b, 16, 22-24, 18, 20, 16a – College Road
1, Warehouse Opposite Club, 8, Fitness Club – Havelock Place

Summary of Responses

- n/a

APPRAISAL

MAIN CONSIDERATIONS

- 1) Principle of the Development and Change of Use of Building – Outside Designated Areas
- 2) Character and Appearance of the Area
- 3) Residential Amenity
- 4) Traffic and Parking
- 5) Accessibility
- 6) Housing Need
- 7) Sustainability
- 8) S17 Crime & Disorder Act
- 9) Consultation Responses

1) Principle of the Development and Change of Use of Building – Outside Designated Areas

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.’

The site benefits from two extant planning permissions. Planning permission P/3192/10 relating to the change of use of the building from offices to a hotel which was granted on the 22.02.2011 and an extension of time permission (ref: P/1404/11) for the change of use of the 5th floor of the building from offices to residential which was originally granted on appeal. The current proposal now seeks to change the use of the 2nd, 3rd and 4th floors from offices to residential in addition to the extant planning permission relating to the approved 6 flats on the 5th floor of the building. The proposal would retain the offices on the first floor of the building, which would be refurbished.

In granting planning permission P/3192/10 relating to the hotel development, the local planning authority considered that, whilst the proposed use would result in the loss of office space, the hotel use would still retain an economic benefit to the town centre in terms of retaining some employment use on the land and supporting the local town centre vitality.

The permission granted for the change of use of the 5th floor to residential was granted on appeal and the Planning Inspector in reaching his decision relating to P/1297/07,

considered that the evidence submitted at the time of the application demonstrated that there was a lack of demand for business accommodation. As such, the Inspector considered that the proposal would make good use of the floor space and introduce a new use into an already mixed use building and therefore it would not harm the supply of business floor space in the area.

Since the submission of this application, the National Planning Policy Framework (NPPF) which consolidates national planning policy has been adopted. This now replaces Planning Policy Statement 4 on Sustainable Economic Growth and all other relevant policy statements and guidance. Paragraph 18 of the NPPF states that the Government is committed to securing economic growth in order to create jobs and prosperity. It goes on to state under paragraph 19 that the Government is committed to ensuring that the planning system does everything it can to support sustainable growth and that planning should operate to encourage and not act as an impediment to sustainable growth. As such, investment in business should not be over-burdened by the combined requirements of planning policy expectations (paragraph 21). Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose...applications for alternative land uses or buildings should be treated on their own merits having regard to market signals and the relative need for different land uses to support sustainable local communities (paragraph 22).

In addition to the changes in national planning policy, the Council has also adopted its Core Strategy and it now forms part of Harrow's Development Plan. Core policy CS 1(A) states that the Harrow & Wealdstone Intensification Area will be the focus for regeneration, providing for a significant portion of new development. Core Policy CS 1(O) seeks to monitor the Borough's stock of business and industrial premises and manage to meet economic needs. Any release of surplus stock for other uses, having regard to the most up-to-date monitoring of demand and supply balance, will be considered in accordance with the sequential test set out under that policy. Core policy CS 1(P) will support mixed use development where this secures employment generating development and diversification of Harrow's economy.

The Harrow & Wealdstone Area has been identified in The London Plan 2011, policy 2.13B as an area for intensification and as such the local planning authority is required to optimise residential and non-residential output and densities, provide social and other infrastructure to sustain growth and where appropriate, contain a mix of uses. It goes on to state, that development proposals should contribute towards meeting (or where appropriate, exceeding) the maximum guidance for housing and/ or indicative estimates for employment capacity.

The London Plan policy 2.13 also encourages boroughs to develop more detailed policies and proposals for areas for intensifications. The Council is in the process of preparing an Area Action Plan (AAP) to realise development and investment within Harrow & Wealdstone. The application site is within the Harrow Town Centre sub-area of the AAP for which there are strategic objectives to deliver 445 new homes and 141 new jobs, alongside improvements to the public realm. The AAP is an emerging document having gone through two stages of public consultation and is a material consideration, but is of limited weight pending pre-submission consultation and examination in public later this year.

Whilst it is acknowledged that the NPPF and the adopted Harrow Core Strategy require

the local planning authority to have a more flexible approach when assessing application for the change of use of existing business uses to other use types, regard should also be given to the criteria based policy tests set out under saved policy EM15 of the Harrow Unitary Development. Saved policy EM15 of the Harrow UDP states that the loss of land or buildings from business, general industrial or warehouse use (use classes B1, B2 and B8) to other uses outside these classes will be resisted, unless it can be demonstrated that the site is no longer suitable for employment use. Applications for proposals to change the use from B class categories to other uses, must demonstrate how the proposal satisfies criteria a) to g) of saved policy EM15. This includes satisfactory marketing evidence to demonstrate that the site has been extensively marketed as a B1 office (criterion c) and that the site has been vacant for a considerable length of time (criterion d).

In assessing the proposal against criterion (a) of saved policy EM15, the applicant's marketing agent has provided a comprehensive list of other sufficient provision of office premises available in the Borough. The Council's Annual Monitoring Report (AMR) (2010-11) reinforces and confirms that the amount of vacant office floor space in Harrow has gradually been increasing over the years and currently stands at 15.92%. In Harrow Town Centre itself the vacant office floor space is currently 30.10%, which demonstrates that there is a surplus of office space within the borough.

Criterion (b) of saved policy EM15 states that there should be no unacceptable harm to the local economy resulting from the loss. When taking into account the extant planning permission relating to the conversion of the 5th floor of the building into residential, a total of 4 floors out of the 5 floors would be converted into residential development, which would result in a substantial loss of office floor space. However, the proposal would retain the first floor as offices, which would be refurbished as part of the proposal to provide managed office space for small to medium office users which reflects the recommendations of Harrow Employment Land Study (2010) that office development should be re-orientated to the need for serviced, flexible floor space demanded by small and medium size enterprises within the local office market. ., Taking into account the office surplus across the borough and having regard to the fact that the first floor offices would be retained, it is considered on balance that there would be no unacceptable harm to the local economy. Furthermore, in regard to criterion (d), the site has been gradually losing its tenants over the past number of years and the building was fully vacant at the time when planning permission for the hotel conversion was granted (P/3192/10).

In response to criterion (c) of saved policy EM15, the applicant has submitted a marketing report to support this application. It is noted that Chamberlain Commercial undertook marketing of the premises from January 2011, prior to this marketing of the site was undertaken by Ferrari Dewe & Company. Whilst some limited marketing information has been provided, namely through the marketing exercise undertaken by Chamberlain Commercial, there appears to be a lack of rigorous marketing undertaken of the site prior to the applicant employing the services of Chamberlain Commercial. Furthermore, in the case of the previous applications relating to the hotel development, the proposals retained employment use on the site. Therefore in the absence of a detailed marketing report in those cases, the hotel use was still considered to be an acceptable use for the site and the wider town centre economy. However, whilst the marketing for the since has only been demonstrated since January 2011, as discussed above the site has been vacant for a number of years and the presence of an empty building in the heart of the town centre adds no economical benefit in the town centre. On balance, it is considered that the length of time the building has been empty provides strength to the argument that there is

a surplus of large office space across the borough and therefore in this case the loss of business use on this site would have no unacceptable harm on the wider economy.

Criteria (e), (f) and (g) are not applicable in this case, as the site is located in a commercial centre and is not bounded by any residential development; the site has very good public transport links and the site can be adequately serviced from the rear.

Having regard to the above factors and taking into consideration that the site will still retain some employment use on the site, subject to the applicant meeting the heads of terms proposed it is considered that on balance the loss of part of the office space on this site would be acceptable and would broadly meet the national, regional and local development plan policies set out above.

2) Character and Appearance of the Area

London Plan policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment.

London Plan Policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation. Development should not be harmful to amenities, should incorporate best practice for climate change, provide high quality indoor and outdoor spaces, be adaptable to different activities and land uses and meet the principles of inclusive design.

Core Policy CS 1 sub-section B of the Harrow Core Strategy state that all developments 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; extension should respect their host building.

Saved policy D4 of the Harrow Unitary Development Plan (2004) requires that new development should be of a high standard of design and layout. Paragraph 4.10 of the supporting text states that 'buildings should be designed to complement their surroundings and should have a satisfactory relationship with adjoining buildings and spaces'.

There are no extensions proposed to the existing building. The only external works proposed are those to the existing glazing panels of the building, which have already been approved under a separate application ref: P/3415/11. These glazing panels were assessed against the relevant policies set out above and were considered to be acceptable in the context of the local area.

Paragraph 4.24 of the reasoned justification to saved policy D4 of the Harrow UDP requires that provision for refuse storage should be made for all new development proposals and must be located in such a way to minimise its visual impact, while providing a secure and convenient facility for occupiers and collection. The proposal would utilise the existing refuse collection arrangements and have shown the provision of 4 large bins located in the rear service yard. The location of the refuse bins are considered to be acceptable and in accordance with the objectives set out under saved policy D4 of the Harrow UDP.

3) Residential Amenity

Residential Amenity for Future Occupiers of the Site

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It goes on to state under paragraph 57 that it is important for the achievement of high quality and inclusive design for all development.

Policy 3.5B of The London Plan seeks to ensure that all new housing developments enhance the quality of local places, take into account physical context, local character, density and tenure. In order to achieve this, The London Plan has set out minimum spaces standards (Table 3.3) which all development should seek to conform too. Policy 3.5C of The London Plan goes on to state that, the design of all new dwellings should take account of factors relating to 'arrival' at the building and the 'home as a place of retreat', have adequately sized rooms and convenient and efficient room layouts and meet the changing needs of Londoners over their lifetimes.

Core Policy CS 1 sub-section K sets out that the Council will require a high standard of residential design and layout consistent with the London Plan and associated guidance. All new homes should meet 'Lifetime Home' standards and at least 10 percent must achieve the enhanced 'Wheelchair Home' standards.

The Council's SPD on Residential Design, under Chapter 5 and Appendix 1 sets out the space standards for flats and new housing. Following the publication of the Interim London Housing Design Guide in 2010 (ILHDG), the minimum space standards have been formally adopted in The London Plan 2011 at Table 3.3 and therefore have significant weight when assessing proposals for new housing development. Although not formally adopted, the Interim London Housing Design Guide 2010 (ILHDG) has been produced in response to public consultation on the Draft London Housing Design Guide 2009 and has been incorporated into the draft Mayor's Housing Design Supplementary Planning Guidance, which was published as a consultation document in Dec 2011. The internal and external space standards within the guide have not been amended after the original consultation period. The ILHDG provides important space indicators which are relevant to the determination of this planning application. These space standards are not just intended for the use for the purposes of Social Housing but for all types of housing as stated on page 9 of this guidance. Furthermore, paragraph 5.11 of the adopted SPD states that the space standards in the London Plan will be applied in all conversions and as such reference to the ILHDG spaces has significant weight as a material consideration in the assessment of this application.

With the exception of the 4 x 1 bedroom units, all the other units would meet the minimum GIA set out in The London Plan and the adopted Residential Design SPD. Whilst it is noted that the 4 x 1 bedroom units have been annotated as being 1 person units, these units are shown to have a separate bedroom which has the potential to be occupied by 2 persons and therefore the proposed unit should be assessed against the GIA set out for a 1 bedroom, 2 person unit which is a minimum of 50m². Each of the four units are shown to have a GIA of 45.6m², which falls short of the minimum of 50m². However, given that the remaining development would meet the minimum floor areas set out in The London Plan and the adopted Residential Design SPD and that the 4 units would have a shortfall of some 4.4m², it is considered that a refusal on this ground alone would not be reasonable. Furthermore, the individual rooms within these units would still have sufficient circulation space and the rooms have been designed so that there are uniform in shape

so allowing more efficient use of the floor space.

The vertical layout between the floors is considered to be acceptable with similar rooms stacked over similar rooms.

In assessing the provision of usable amenity space for the future occupiers of the site, paragraph 4.64 of the adopted Residential Design Guide SPD states that in circumstances where it is not possible or appropriate to provide private garden and communal amenity space, such as developments within town centres, suitable alternatives arrangement for the future occupiers of the development must be made, such as balconies or an atrium. The proposal shows that the three flats located above the first floor and facing St Anns Road would have access to a balcony. The provision of this balcony has been possible due to the step back of the 2nd floor above from the first floor of the building. It is considered that the inclusion of further balconies along the upper floors of the building could potentially disrupt the design of the existing building. As an alternative, the policy requirements for amenity provision can be met off-site through access to public parks and playing fields. On this basis, it is recommended that such provision is secured through appropriate s.106 contributions.

Impact of the Conversion on Neighbouring Residential Amenity

There are no adjoining residential properties and therefore there would be no impact in this regard.

4) Traffic and Parking

Saved policy T13 of the Harrow UDP in accordance with NPPF seeks to promote sustainable development and transport choice. The Council will expect new developments to make appropriate provision for car parking, but this should be no greater than the maximum levels set in Schedule 5.

The proposal does not seek to provide any car parking for the development. The applicant has made reference to the fact that any future disabled occupiers of the development will have access to disabled parking spaces located on Havelock Place. The Council Highway Authority has no objection to the proposed development in terms of parking, given that the site is located within a Town Centre which has a good level of public transport accessibility. However, the Council's Highway Authority has stated that the disabled parking bays located on Havelock Place are for the general public and cannot be designated for future residents of the site. Notwithstanding this, any blue badge holder will have access to these parking bays subject to availability.

The applicant has shown the provision of secure cycle parking at the rear of the site, which is considered to be acceptable and in accordance with policy 6.9 of The London Plan (2011).

In addition to the above, the surrounding road network is extensively controlled and subject to a condition advising the developer that the development would be residents permit restricted, whereby the future residents of the development would not be able to apply for a parking permit to park in the nearby resident parking bays, the proposed development would have no adverse impact upon the existing highway network.

5) Accessibility

Policy 3.1B of The London Plan seeks to ensure that development proposals protect and enhance facilities and services that meet the needs of particular groups and communities.

Policy 3.5C seeks to ensure that the design of all new dwellings have adequately sized rooms and convenient and efficient room layouts that meets the changing needs of Londoners over their lifetimes. Policy 3.8B of The London Plan requires under sub-sections c), that all new housing is built to 'The Lifetime Homes' standards and d) that ten per cent of new housing is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. Policy 7.2C of The London Plan requires new development to achieve high standards of accessible and inclusive design which should be supported in Design and Access Statements submitted.

Core policy CS 1K of the Harrow Core Strategy seeks to ensure that all new homes meet Lifetime Homes standards. Saved policy C16 of the UDP requires all development proposals to provide accessible facilities for all users. To supplement these policies, the Council has adopted Supplementary Planning Document: Accessible Homes SPD 2010 (SPD) which requires for a ground floor flat to be Wheelchair Accessible and all other flats to comply with Lifetime Homes standards, where feasible. The SPD acknowledges that a degree of flexibility and pragmatism will be required when seeking to achieve accessibility requirements with flats above ground floor level, but this does not mean that the standards should not be applied (paragraph 1.2 of Appendix 1 of the SPD).

The applicant has demonstrated on plan that the 6 units located on the second floor would all comply with the relevant 16 Lifetime Homes standards. This includes sufficient door width, circulation areas and adequately proportioned room sizes to be able to provide any future adaptations needed. However, the applicant has not shown on plan that the remaining flats on the other floors would also be Lifetime Homes compliant. It is considered that given that the number of units proposed on each floor would be the same as those proposed on the second floor and having regard to the fact the units are of a similar layout and size to those on the second floor, the remaining units are capable of being Lifetime Homes compliant. On this basis, a condition is attached requiring that all homes are built to Lifetime Homes Standards and at least two of the units in the development meet Wheelchair Homes standards.

6) Housing Need

Strategic London Plan policy 3.3A recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford. Strategic London Plan policy 3.11A seeks to maximum the provision of affordable housing provision and to ensure an average of at least 13,200 more affordable homes per year in London over the term of the Plan.

Core policy CS 1(H) of the Harrow Core Strategy will allocate sufficient previously developed land to deliver at least 6,500 net additional homes between 2009 and 2029. Core policy CS 1(I) states that new residential development should provide a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities. Core policy CS 1(J) sets out that the Council will aim for a target of 40% of affordable housing numbers delivered from all sources of supply across the Borough between 2009 and 2029. The Council will seek the maximum reasonable amount of affordable housing on all development sites with a capacity to provide ten or more homes having regard to the criterion set out under that policy, which amongst other criteria includes the site circumstances and development viability.

The proposal, including the extant planning permission granted under P/1404/11 would provide 24 new dwellinghouses and therefore the development would be subject to the

affordable housing policy requirements set out above. The applicant did submit a completed housing toolkit with this application, which the Council's Housing Enabling Officer has reviewed. Based on the information submitted with the toolkit, the Council's Housing Enabling Officer considers that even the 100% private proposal is borderline viable and will require the applicant to take a heavily reduced profit margin. On this basis, the Council's Housing Enabling Officer has suggested that a review clause be incorporated into the section 106 agreement whereby the viability of the proposal can be reassessed closer to the completion of the development and if there is any uplift in value of the units then this could be captured to provide off-site affordable housing.

Whilst the proposal does not seek to provide affordable housing on or off-site, the proposal would still add to the provision of new housing within the borough in accordance with the above policies stated above. Furthermore, the proposal would provide a mix of housing in terms of their size in accordance with core policy CS 1(l) of the Harrow Core Strategy. Based on the above considerations, the proposal is considered to be acceptable.

7) Sustainability

Policy 5.2B of The London Plan and saved policy D4 of the Harrow UDP requires that new developments make the fullest contribution to the mitigation of and adaptation to climate change and to minimise emissions of carbon dioxide. The applicant is also required to demonstrate that the new development would meet Code for Sustainable Homes level 4. Policy 5.3B and C requires development proposals to demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. Policy 5.4 of The London Plan refers to retrofitting of existing building. Paragraph 5.29, the reasoned justification to policy 5.4 sets out that the retrofitting buildings can make a significant contribution to the climate change and *inter alia* the retrofitting of existing building stock presents a significant opportunity to help the strategic carbon dioxide reduction target.

The applicant has submitted an Energy and Sustainability Statement which sets out the various measures that could be incorporated as part of the proposal to meet sustainable development. Having explored the various options available, the report suggests that Air Source Heat pumps would be the most appropriate in terms of both technical operation and economic viability perspective. The applicant has also submitted a completed Sustainability Checklist for the development.

Having regard to the fact the proposal relates to an existing building, it is unlikely that the proposal could fully meet Code 4 Sustainable Homes, as the proposed development would be fully contained within the existing envelope of the building and with the exception of the new glazing no other alterations are proposed to the external fabric of the building. However, the retrofitting of the existing building would still help to meet the objectives of reducing the carbon dioxide emission as there would be no demolition works associated with the development which would have an onset impact on disposing of building waste and the transport cost on the environment for removing such waste. Furthermore, the retrofitting of the existing building would make sustainable use of an existing building without having a significant impact on the environment in comparison to new build development.

On balance it is considered that whilst the development may not be able to fully achieve Code 4 Sustainable Homes, it is considered that the measure proposed and the

retrofitting of the existing building would still provide a net benefit to the environment in line with the policies set out above.

8) S17 Crime & Disorder Act

All development proposals should be designed to reduce opportunities for criminal behaviour and contribute to a sense of security as required by policy 7.3B of The London Plan and saved policy D4 of the Harrow UDP. The entrance to the building is located at street level and therefore there would be sufficient natural surveillance of this entrance. Based on this, it is considered that this proposal would not lead to an increase in perceived or actual threat of crime.

9) Consultation Responses

Dealt with in the above appraisal

CONCLUSION

Whilst it acknowledged that the proposed change of use of the existing building from an office to residential would amount to a loss of employment land, the proposal would still retain the 1st floor as offices. Given that the building has been vacant for some time and the applicant has provided marketing data to support this application, together with the Council's Annual Monitoring Report which confirms that there is a surplus of office supply across the Borough, it is considered that on balance the loss of office space in return for a viable alternative use can be acceptable in this case. 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 as set out above:

This application is recommended for grant.

CONDITIONS

1 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement; A_PE-1000; A_PE-1001; A_PE-1002/3; A_PE-1004/5; A_PE-1006/7; A_PE-2001; A_PP-1000; A_PP-1001; A_PP-1002/3; A_PP-1004/5; A_PP-1006/7; A_SL_1000; A_SL-1001; A_PE-2001 REV A; A_PE-2002 REV A; A_PE-2003 REV A; A_PE-2004 REV A; A_PP-2004 REV A; A_PP-2002 REV B; A_PP-2001 REV B

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

3 Before the development hereby permitted is occupied arrangements shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within the Controlled Parking Zone.

REASON: To ensure that the scheme adequately addresses the sustainability requirements of policy T13 of the Harrow Unitary Development Plan (2004).

4 The residential units hereby permitted, shall be built to Lifetime Home Standards and provide 2 units to be built to Wheelchair Homes Standards, and thereafter retained to those standards.

REASON: To ensure provision of 'Lifetime Home' and 'Wheelchair Home' standard

housing in accordance with policies 3.1B, 3.5B, 3.8B and 7.2C of The London Plan 2011, saved policy D4 of Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Accessible Homes (2010).

5 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: to safeguard the appearance of the locality in accordance with saved policy D4 of the Harrow Unitary Development Plan (2004).

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

Whilst it acknowledged that the proposed change of use of the existing building from an office to residential would amount to a loss of employment land, the proposal would still retain the 1st floor as offices. Given that the building has been vacant for some time and the applicant has provided marketing data to support this application, together with the Council's Annual Monitoring Report which confirms that there is a surplus of office supply across the Borough, it is considered that on balance the loss of office space in return for a viable alternative use can be acceptable in this case. The decision to grant planning permission has been taken having regard to National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The following policies are relevant to this decision:

National Planning Policy Framework (2012)

Harrow Core Strategy (2012) – policies CS 1A, CS 1B, CS 1H CS 1I, CS 1J, CS 1K, CS 1O and CS 1P

The London Plan (2011)

2.13B – Opportunity areas and intensification areas

3.1B – Ensuring equal life chances for all

3.3D/G - Increasing housing supply

3.4A - Optimising housing potential

3.5B/C - Quality and design of housing developments

3.8B - Housing Choice

4.1 – Developing London's economy

4.2 – Offices

4.3 – Mixed use development and offices

5.2B – Minimising carbon dioxide

5.3B/D - Sustainable design and construction

5.4 – Retrofitting

6.3A - Assessing effects of development on transport capacity

6.9 – Cycling

6.13C/D - Parking

7.1B/D - Building London's neighbourhoods and communities

7.2C – An inclusive environment

7.3B – Designing out crime

7.4B – Local character

7.6B – Architecture

7.15B – Reducing noise and enhancing soundscapes

London Plan Interim Housing Design Guide (2010)

Harrow Unitary Development Plan 2004:

- D4 The Standard of Design and Layout
- D5 New Residential Development – Amenity Space and Privacy
- T13 Parking Standards
- C16 Access to Buildings and Public Spaces
- EM15 Land and Buildings in Business, Industrial and Warehousing Use – Outside Designated Areas
- EP25 Noise

Supplementary Guidance/ Documents

- Supplementary Planning Document: Residential Design Guide (2010)
- Supplementary Planning Document: Accessible Homes (2010)
- Code of Practice: Refuse Storage and Collection of Domestic Refuse (March 2008)

2 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.

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 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

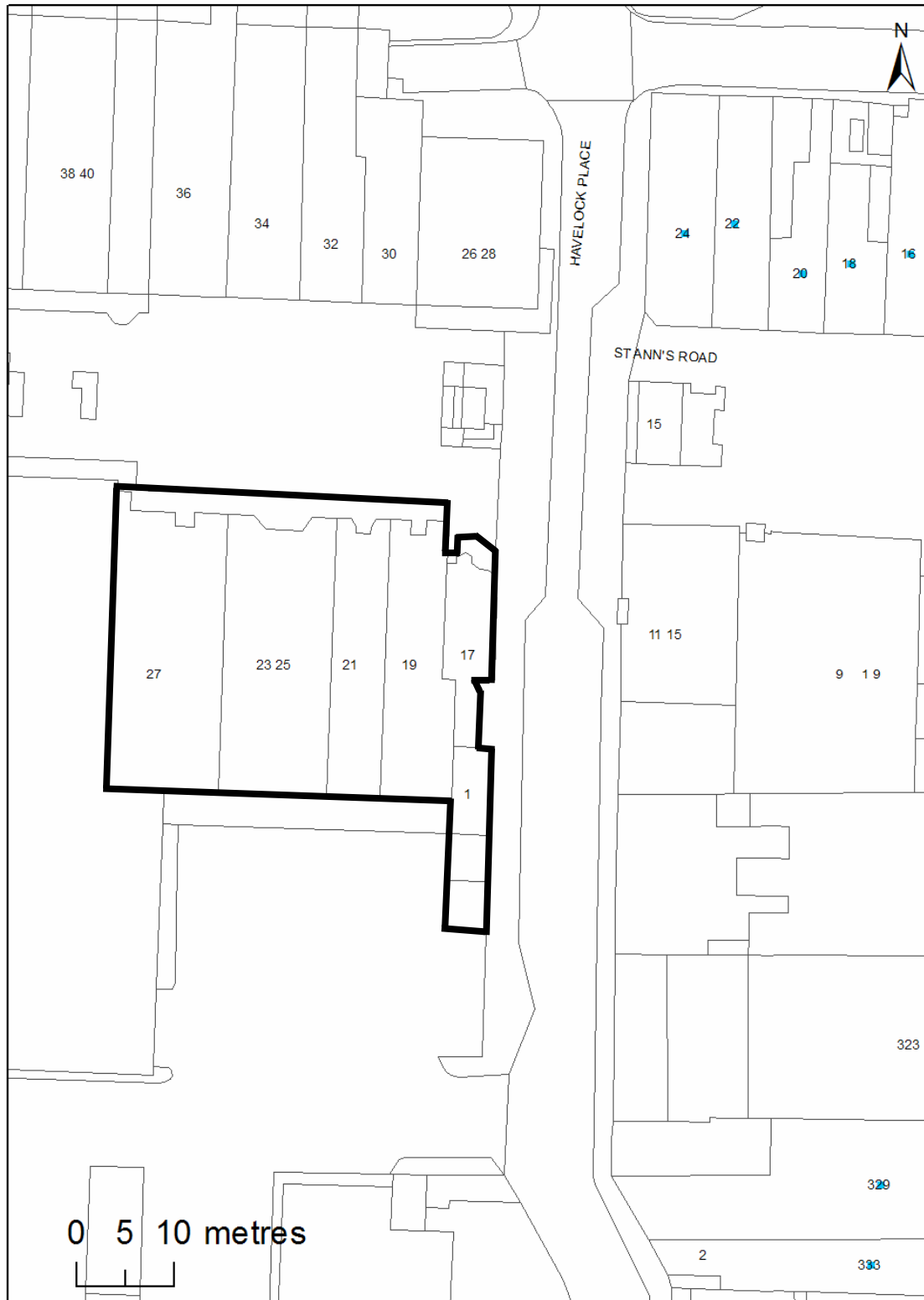
4 COMPLIANCE WITH PLANNING CONDITIONS

IMPORTANT: 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.

Plan Nos: Design and Access Statement; Energy and Sustainability Statement; Report on Marketing by Chamberlain Commercial; Report on the Site Services Infrastructure; Site Waste Management Plan; Appendix B Sustainable Design Checklist for Major and Minor Application; A_PE-1000; A_PE-1001; A_PE-1002/3; A_PE-1004/5; A_PE-1006/7; A_PE-2001; A_PP-1000; A_PP-1001; A_PP-1002/3; A_PP-1004/5; A_PP-1006/7; A_SL_1000; A_SL-1001; A_PE-2001 REV A; A_PE-2002 REV A; A_PE-2003 REV A; A_PE-2004 REV A; A_PP-2004 REV A; A_PP-2002 REV B; A_PP-2001 REV B

SHERIDAN HOUSE, 17 ST ANNS ROAD, HARROW



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Appeal Decision

Site visit made on 23 April 2008

by **Phillip J G Ware BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
21 May 2008

Appeal Ref: APP/M5450/A/08/2065342

Fifth floor, Sheridan House, 17 St Ann's Road, Harrow HA1 1JU

- 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 ICICI Investments Ltd against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1297/07/DFU, dated 30 April 2007, was refused by notice dated 16 July 2007.
 - The development proposed is the change of use of the fifth floor from office to residential use, and façade treatment.
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Decision

1. I allow the appeal, and grant planning permission for the change of use of the fifth floor from office to residential use, and façade treatment, at the fifth floor, Sheridan House, 17 St Ann's Road, Harrow HA1 1JU in accordance with the terms of the application, Ref P/1297/07/DFU, dated 30 April 2007, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) No development shall take place until details of the refuse storage facilities have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main issue

2. The proposed external alterations are minor, and no objections have been raised to them. On that basis, there is one main issue in this case. That is the effect of the proposal on the supply of business floorspace in the area.

Reasons – the loss of employment floorspace

3. The appeal premises are a six storey building at the corner of St Ann's Road and Havelock Place in the centre of Harrow. The ground floor is in retail use, whilst the upper floors are offices or vacant offices. Access to the upper floors is by way of a reception area at the corner of the building. There is a large servicing/parking area at the rear, off Havelock Place.
 4. The proposal is the conversion of the top floor, which is vacant and was apparently last used as offices in 2003, to six flats. Access would be shared
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- with the office occupiers and there would be refuse storage facilities in the rear yard.
5. The Council's objection is largely based on policy EM15 of the Harrow Unitary Development Plan 2004 (UDP). The appeal premises are in a location where the Council resists the loss of business floorspace unless it can be clearly demonstrated that the premises are no longer required or suitable for their existing use. Two of the policy criteria are that the premises should have been extensively marketed and should have been vacant for a considerable period of time.
 6. The fifth floor, although being empty for over four years, has only been marketed since 2007. I accept that this may not be a sufficient time period to justify the loss of the floorspace. However there are other matters which indicate a very limited demand for the use of the floor for business use.
 7. At the time of the appeal, it was stated that the second floor was also empty, as were parts of the first and third floors. This does not indicate strong demand for offices in this building. In addition the second floor, which was stated to be identical (aside obviously from being further down the building), has been extensively marketed for a substantial period. The appellants have also submitted evidence of the limited demand for and high availability of offices in the area, including evidence from the Council's own business premises list. In contrast, the Council has submitted no evidence of demand/need for offices in the area.
 8. For all the above reasons, I consider that the evidence clearly demonstrates a lack of demand for the business accommodation. The proposal, which would make good use of the floorspace and introduce a new use into an already mixed use building, would not harm the supply of business floorspace in the area. It would not conflict with the approach of UDP policy EM15.

Other matters and conclusion

9. The Council also stated that the area for bin storage would be inadequate. However, as I saw during my site visit, there is a large yard at the rear of the premises, a small part of which would be given over to refuse storage for the proposed flats. I was shown the route from the flats to the bin area, which provides slightly tortuous but adequate access.
10. In this context the Council referred to UDP policy D8 but this has not been saved under the provisions of the Planning and Compulsory Purchase Act 2004. It is therefore no longer part of the development plan. Reference was also made to policy D9, but this deals with roadside greenness, and its relevance to the proposal was not explained.
11. Overall, I see no reason, subject to the details of the refuse provision, why the proposal should be rejected on this basis.
12. The entrance to the top floor flats would be shared with the business occupiers in the remainder of the building. The Council stated that, without a separate access, there would be harm to existing business users and future occupiers of flats. Clearly some security measures would have to be put in place, but mixed use buildings are far from uncommon, and the Council did not explain how this

harm would arise. The reasoned justification to UDP policy D4 refers to the need for security of the occupiers, but I am not persuaded that the proposal would conflict with this aim.

13. For the reasons given above I conclude that the appeal should be allowed.

P. J. G. Ware

Inspector

Item No. 1/03

Address: 47 - 49 HIGH STREET, EDGWARE, HA8 7DD

Reference: P/3012/11

Description: CONTINUED USE OF MAIN FUNCTION ROOM ON THE FIRST FLOOR (490M2) (SUI GENERIS USE) AND CHANGE OF USE OF FIRST FLOOR STORAGE AREAS TO TWO RECEPTION ROOMS AND A FUNCTION ROOM (1403M2) TOGETHER WITH ANCILLARY STORAGE AREAS AT FIRST FLOOR (167M2) AND SECOND FLOOR LEVELS (269.01M2) INCLUDING CHANGE OF USE OF PART OF SECOND FLOOR STORAGE AREAS TO ANCILLARY OFFICE, CONFERENCE ROOM AND RECEPTION AREA (98.5M2). INSTALLATION OF NEW SHOP FRONT TO NO. 47 AND 49 HIGH STREET INCORPORATING CHANGE OF USE OF PART OF GROUND FLOOR UNIT OF NO. 47 TO PROVIDE AN ENLARGED ENTRANCE AREA TO THE FIRST AND SECOND FLOOR USES (SUI GENERIS USE); INSTALLATION OF NEW EXTERNAL STAIRCASE TO NORTH WESTERN SIDE ELEVATION; EXTERNAL ALTERATIONS

Ward: EDGWARE

Applicant: VIP LOUNGE & SAFESTORE SELF STORAGE

Agent: DOVETAIL ARCHITECTS

Case Officer: NICOLA RANKIN

Expiry Date: 02/05/2012

RECOMMENDATION A

GRANT planning permission subject to conditions and the completion of a Section 106 agreement by 31 August 2012. Delegated Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section106 agreement and to agree any minor amendments to the conditions or the legal agreement.

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of the Legal Agreement to include the following Heads of Terms:
 - I. The submission of a **Green Travel Plan**
 - II. The submission of an **Event Management Strategy**
 - III. **Legal Fees:** Payment of Harrow Council's reasonable costs in the preparation of the S106 Legal Agreement
 - IV. **Planning Administration Fee:** A £500 fee payable to the Local Planning Authority for monitoring of compliance with the agreement.

REASON

The proposed increase in capacity of the banqueting/function facility (Sui Generis) is situated in an appropriate town centre location for a high intensity use. Subject to an Event Management Strategy, the facility would not result in any adverse impacts on the local highway given the good public transport links. The proposal is considered not to result in any unreasonable adverse impacts on the residential amenities of the neighbouring residential properties and any associated impacts that would arise from the development would be adequately ameliorated through the use of appropriate planning conditions. Overall the development would therefore not have any significant visual, transport or other impacts that would warrant refusal of Planning permission. The decision to GRANT planning permission has been taken having regard to the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012, the saved policies of the Harrow Unitary Development Plan 2004 and the National Planning Policy Framework as well as to all relevant material considerations, including site circumstances and comments received in response to publicity and consultation.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 31 August 2012, then it is recommended to delegate the decision to **REFUSE** Planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to secure a Green Travel Plan and an Events Management Strategy would result in unacceptable and adverse impacts on the amenities of the surrounding properties and would prejudice the free flow of traffic with consequent harm to highway safety and residential amenity, contrary to policy 8.2 of the London Plan (2011).

INFORMATION

The application is reported to the Planning Committee because the proposed change of use would relate to an area of floorspace greater than 400m² and is a major application. It would therefore fall outside of category 1(f) of the Scheme of Delegation.

Statutory Return Type: Major Development

Council Interest: None

Site Description

- The application relates to a two and a half storey building located on the western side of High Street, Edgware.
- The immediate surrounding locality of this part of High Street, Edgware hosts a mix of uses including, retail, offices and a warehouse/storage unit immediately adjacent and residential units and a school opposite the site.
- The opposite side of the site on the eastern side of the High Street is within the London Borough of Barnet.
- The premises known as The VIP Lounge are a banqueting and wedding venue (Sui Generis). The entrance to The VIP lounge is at ground floor level from Edgware High Street and the function and banqueting facilities sit over part of the first and second floors of the adjacent warehouse/storage unit towards the front sections of the building.
- Beyond the rear and north-west flank elevation is a car park as well as residential properties, comprising of semi detached dwellings.
- The nearest residential properties to the site are those in Handel Way which are

located to the rear of the building. 20A Handel Way is the closest dwelling to the subject site, with its flank wall located approximately 5 metres from the rear wall of the VIP Lounge.

- Edgware High Street is a London Distributor Road.
- The site is within flood zone 2/3 and identified as having a medium to high probability of flooding, as shown on maps in LB Harrow Strategic Flood Risk Assessment (SFRA)(2011).
- The site is situated within an Archaeological Priority Area.
- The site is not within a Conservation Area and not within the setting of a Listed Building.

Proposal Details

- The application proposes to continue and expand the existing banqueting and function facility (Sui Generis) to increase the capacity on the first floor of the building together with ancillary office, storage and kitchen facilities.
- The use of the existing main function room (490m²) on the first floor would be continued.
- The two ancillary storage areas on the first floor would be converted to two reception rooms and a function room together with ancillary storage and kitchen facilities (1403m²).
- The proposal would involve the consolidation of the existing areas at second floor level to provide ancillary storage space (269.01m²) together with an ancillary office, conference room and reception area (98.5m²).
- It is proposed to expand the capacity of the existing main function hall on the first floor from 300 to 500 guests. It is proposed that the additional function hall on the first floor would cater for a maximum of 200 people, thereby creating an overall potential maximum occupancy of 700 people.
- It is envisaged that there would be 4 potential function scenarios. The first scenario would be the same as the existing situation and would accommodate 300 attendees in the reception area (260m²) and main function hall (490m²). The second scenario would involve the use of both of these areas as well as the additional adjacent reception room (225m²) in order to accommodate 500 attendees. The third scenario would involve the use of the proposed additional function room (200m²) together with the adjacent reception room (225m²) to accommodate 200 guests. The fourth scenario arrangement would allow two functions to operate simultaneously and would involve the use of all the first floor reception and function rooms to cater for 500 guests.
- The proposed hours of opening would be: Monday to Saturday 12:00 to 00:00 and Sundays and Bank Holidays 12:00 to 24:00.
- A new shopfront would be installed to No. 49 and the adjacent Safestore unit (No.47). The shopfront at No. 49 would be increased in width from 6.6 metres to 13.3 metres. The main fascia sign would be the same as the existing in terms of design and appearance and would be finished with metallic silver text on acrylic panels with a light grey background. This was approved in March 2012. The new shopfront would incorporate larger areas of glazing with two sets of double entrance doors. Part of the glazing at ground and first floor levels would be blacked out.
- The existing entrance at the adjacent unit No. 47 would be retained and a new set of fire escape doors would be installed on the southern side of the front elevation.
- The proposal would involve a change of use of part of the ground floor at the adjacent Safestore unit (an area of 42m²) to provide an enlarged entrance area to the first and second floors.

- A new external stair case would be constructed on the north west side elevation.

Relevant History

- EAST/412/95/FUL – Change of use of ground floor from retail to Ten Pin Bowling Alley (class A1 to D2) with parking
Granted 08-Aug-1995
- EAST/334/93/FUL - Change of use of first floor from Sui Generis to Class B1 (Photographic studio to business use)
Refused 08-Nov-1993
Reason for Refusal:
 1. The proposed change of use would lead to a more intensive use of the premises resulting in on street parking to the detriment of highway safety and the free flow of traffic.
 - Appeal Allowed 09-Sep-1994
- EAST/1423/02/FUL - Use of first floor as a restaurant/bar and function hall (class A3)
Refused 17-Mar-2003
Reason for Refusal:
 1. The proposed change of use would result in increased disturbance and general activity within the car park at unsocial hours to the detriment of the amenities of the neighbouring residents.
 2. Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's requirements in respect of the development and the likely increase in parking on the neighbouring highway would be detrimental to the free flow and safety of traffic on the neighbouring highway and the amenity of the neighbouring residents.
- P/3051/11 – Display of an illuminated projecting sign and new fascia sign
Granted 28-March 2012

Pre-Application Discussion (Ref.)

- None

Applicant Submission Documents

- Noise Impact Assessment,
- Flood Risk Assessment,
- Ventilation and Extraction Statement,
- Transport Statement,
- Design and Access Statement (Summarised as follows)
- The VIP Lounge is a banqueting and wedding venue that can currently host a maximum of 300 guests plus approximately 50 staff. It is only occasionally that the banqueting facility operates at maximum capacity with the majority of functions less than 80% capacity.
- The limited size of the existing function hall restricts the VIP Lounge to smaller multi-cultural wedding and banqueting ceremonies and also prevents the business from hosting two simultaneous functions.
- The VIP Lounge was established in 2004 and is one of London's leading multi-cultural banqueting venues which offers planned functions such as wedding receptions, Mandap ceremonies and Bar Mitzvah's. The larger ceremonies help bring employment to the area with up to 50 staff employed at the time.
- The proposal is to expand the existing banqueting facility to increased capacity together with better circulation within the building and additional means of escape to ensure the improved safety of the customers and the staff.

- The increase in capacity would allow two functions to be achieved simultaneously and would be achieved by the reception and function halls being broken down into a maximum of 200 and 500 guests per function. There would be a limit of two functions held at any one time.
- There is an existing function use at the front of the building and the remainder of the building exists in similar construction and is capable of being soundproofed so as not to affect the adjacent residential occupiers at the rear.
- The proposal offers many improvements on the existing use of the building such as improved disabled access with a new DDA platform/passenger lift.
- The existing entrance into the building can cause a bottleneck creating a queue onto the street. The proposal would involve an increase to the ground floor entrance area and first floor lobby to move guests quickly from the building entrance to the reception rooms.
- There are currently 38 parking spaces for VIP lounge and 3 for Safestore Self Storage within the site. In addition to this, VIP Lounge has access to an additional 113 spaces on a leased arrangement from adjacent offices as the spaces are not in use during the evenings.
- The VIP lounge is well situated for access via public transport. There are many local bus routes within close proximity to the building as well as Edgware London Underground station. In addition to parking and public transport links the VIP lounge encourages parties to organise coach transport to reduce traffic within the local community. There is also a traffic management plan at the site which is currently being operated successfully.

Consultations:

Environmental Protection: There have not been any issues with load music in the past, so any adverse effects from noise would be dealt with under EPA90 and licensing legislation. Furthermore no additional plant is proposed.

Highways Authority: The site's accessibility and proximity to local services results in a satisfactory location for the expanded Sui Generis facility. The increase in the capacity of up to a maximum occupancy of 700 attendees is considered to be acceptable, subject to an appropriate Section 106 Agreement, in particular an event management strategy.

London Borough of Barnet: No objection

English Heritage Archaeology: **No recommendation for archaeological investigation**

Environment Agency: No Comments

Drainage: The submitted Flood Risk Assessment is acceptable.

Advertisement:

Press Advert: Major Development Expiry: 24.03.2012

Site Notice: Major Development: Expiry: 29.03.2012

Notifications

Sent: 47

Replies: one petition has been received with 11 signatures. Individual letters of objection have not been received.

Expiry: 26.03.2012

Addresses Consulted

- 51 – 55, 61A, 47, 47A, 48, 48A, 49, 54-58, 60, 60A, 60B, High Street, Edgware

- Laburnam House, 1 Spring Villa Road
- Middlesex House, 29-45 High Street, Edgware
- Sunley House, 57 High Street, Edgware
- Hills Yard, Bacon Lane
- Kenville House, 3 Spring Villa Road
- Gemini House, 25-27 High Street
- Edgware Infant and Nursery School. High Street, Edgware
- The Flat Dixon House, High Street, Edgware
- 7, 9, 11, 15, 17, 19, 21, 23, 25, 27, 29, 29A, 29B, 31, 33, 35, 37 Handel Way
- 2 Spring Villa Road

Summary of Responses

The grounds of objection within the petition are summarised as follows:

- There has been unacceptable noise from the customers leaving the VIP Lounge, especially from the large car park. Noise occurs anytime between 12 midnight to 3am.
- There is also noise at the Safestore Self-Storage Unit as a result of delivery vehicles coming throughout the night and early morning.
- Properties adjoining the car park have recently been broken into and access has been gained through the existing car park.

APPRAISAL

The Government has adopted a National Planning Policy Framework [NPPF] on 27 March 2012 that consolidates national planning policy. This document now carries significant weight and has been considered in relation to this application.

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 under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004 [Saved by Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Character and Appearance of the Area
- 3) Residential Amenity
- 4) Traffic and Parking
- 5) Development and Flood Risk
- 6) Accessibility
- 7) S17 Crime & Disorder Act
- 8) Consultation Responses

1) Principle of the Development

The site is located within the Edgware District Centre, just outside of the Business Use Area as identified in the Harrow Unitary Development Plan (2004). The site is already currently in use as a banqueting and function facility and has been operating as such since 2004. The proposal is to expand and improve the existing facilities on the first and second floors to increase the capacity, primarily for multi-cultural weddings and other

religious ceremonies and associated receptions.

The London Plan (2011) outlines a supportive approach to culture and entertainment provision in appropriate locations under policy 4.6. Policy R13 of the Harrow Unitary Development Plan (2004) outlines that the Council will encourage multi-purpose use of new and existing recreation facilities, provided that there is no impact on the environment or on residential amenity. Similarly, saved policy SR2 states that "Provision and improvement of arts, cultural and recreational facilities will be encouraged. However, it goes on to say that such facilities should be accessible to all, acceptable in terms of their environmental impact, on residential amenity, wildlife and travel to and from those facilities. Furthermore, the facilities should be located in specific areas, depending on the nature of the use. High intensity activities should be located in town centres or other areas of good public transport accessibility.

In addition to the above, saved policy C11 endeavours to address the diverse planning requirements of ethnic communities in the borough. "As the boroughs ethnic diversity increases, the pressure for greater recognition of cultural diversity is likely to lead to additional demand for a variety of community facilities and it is therefore important to ensure that the development plan adequately serves the needs of the Harrow population (reasoned justification paragraph 9.46)."

The site is located within the busy Edgware District Centre and is in a reasonably sustainable location in terms of public transport with close proximity to Edgware station and a plethora of bus services. As such, the site exhibits a good Public Transport Accessibility Level (PTAL) of 3. The site provides a multi cultural community and entertainment facility which is appropriate in Harrow in terms of serving the highly diverse population in the borough. It is therefore considered that the site is in an appropriate location for a high intensity Sui Generis banqueting/function facility and there is no objection in principle to an increase in capacity of the site. However, detailed consideration of the above policy requirements and other policy considerations are undertaken in the sections below.

2) Character and Appearance of the Area

The London Plan (2011) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. Saved Policy D4 of the Harrow UDP (2004) seeks a high standard of design and layout in all development proposals and will take into consideration inter alia the site and setting, context, scale and character when assessing planning applications. It states that new development should take into account the character and landscape of the locality (paragraph 4.10) and should be appropriate to other buildings adjoining and in the streetscene (paragraph 4.11). Saved policy D25 outlines that "new or altered shop fronts should be in keeping with the building local townscape".

The only proposed external alterations to the building would be the installation of a new shopfront to No. 47-49 and the installation of a new external staircase on the north west flank elevation. The new shop front would be very similar to the existing shop front in terms of character and appearance. It is considered that the proposed shop front would not appear out of place with the existing commercial character of the area and would have an acceptable street scene impact. The new external staircase would not be visible from the street scene and is considered not to have a detrimental impact on the character and appearance of the existing building.

In addition to the above, saved policy D4 states that provision must be made for bin and

refuse storage, and goods to be recycled and that this must be provided in such a way to minimise its visual impact while providing a secure end convenient facility for occupiers and collection. Currently, refuse bins are located adjacent to the plant room at the north west flank elevation. In this location, the bins are not readily visible from the streetscene but can also be easily accessed from the main Edgware High Street. It is considered that the increase in capacity will require additional refuse and recycling bins and it is considered that there is sufficient space on site to accommodate further facilities to meet this requirement. In view of this, a condition is attached in respect of further refuse/recycling details, prior to the commencement of the expanded facility.

Overall the proposed external alterations are considered to be acceptable in relation to policies 7.4 (B) and 7.6 (B) of the London Plan (2011), core policy CS 1 (B) of the Harrow Core Strategy (2012) and saved policies D4 and D25 of the Harrow Unitary Development Plan (2004).

3) Residential Amenity

Noise and disturbance from the intensified use of the site is considered to be a potential issue with the proposed development, particularly in relation to the residential properties at the rear of the site in Handel Way. The reasoned justification in paragraph 3.87 of saved policy EP25 of the Harrow Unitary Development Plan (2004) stated 'So that people and sensitive environments are not subjected to excessive noise levels from new development or changes of use, noise generating development will not be permitted in noise sensitive area, unless developers can demonstrate that it would not have an adverse impact on neighbouring land uses. Developers will be expected to ensure that noise arising from the proposals, including noise-generating by people and vehicles arriving and leaving the premises, does not cause excessive disturbance to adjacent land uses'.

The applicant has demonstrated through the submission of a Noise Impact Statement that any noise impact from the proposed development can be satisfactorily controlled. It is acknowledged that the increase in building capacity and the existing parking area has the potential to have additional harmful impacts in terms of disturbance and associated activity in the surrounding area. Whilst Harrow Council's Environmental Health Officer raise no objection to the proposal, proposals for the management and control of operations at the site would serve to provide some additional elements of control compared to the current usage that would outweigh any additional risk of noise or disturbance from the expanded facility. Notably, despite the proposed increase in capacity, the existing parking arrangement would remain unchanged from the current situation and so there would be no additional vehicle movements into the rear parking area as compared to the existing situation. Furthermore, the proposed hours of opening could be controlled and Environmental Health has not reported any concerns in relation to loud music coming from the site.

In view of the above, a condition is recommended to control hours of operation. In addition to this an 'event management strategy' to control events at the site would be secured and monitored by the Local Planning Authority by means of a Section 106 Agreement. It is considered that this would ameliorate any undue harm and address the concerns expressed by the nearest residential properties, particularly those along Handel way. Therefore, subject to appropriate controls and monitoring, it is considered that the proposed development would not result in significant adverse impacts on neighbouring amenity through increased noise disturbance or associated activity in accordance with policy 7.15 of The London Plan (2011), and saved policies EP25 and D4 of the Harrow

4) Traffic and Parking

The London Plan (2011) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Policy T6 of the Harrow Unitary Development Plan (2004) requires new development to address the related travel demand arising from the scheme and policy T13 requires new development to comply with the Council's maximum car parking standards.

As discussed above, one of the key considerations for this use and proposed increase in capacity is the sites accessibility to public transport. The site is located within a 5 to 10 minutes walk of the Edgware train station in Barnet and there is also a plethora of bus services as highlighted in the applicants transport statement. It is considered that the site is in a good location in terms of access to public transport with a Public Transport Accessibility Level (PTAL) of 3 and would be an appropriate level for a banqueting venue given the national, strategic and local planning policies for such facilities to be located in areas that minimise reliance on use of the private car.

Notably, activities would occur outside of peak traffic times, therefore minimizing overall impacts during these key periods. There are currently 38 car parking spaces on site with an additional 3 spaces for the adjacent 'Safestore Self-Storage' B8 unit and this would remain unchanged as a result of the proposal. There is a further 113 leased spaces, emanating from neighboring offices on the opposite side of Edgware Road within the London Borough of Barnet. These extraneous spaces are not required during the evening periods and are available to the applicant and this will remain unchanged as a result of this application. It is accepted that the Council would not be able to control these additional parking spaces by way of a suitable condition or a section 106 agreement as the areas of land are not within the applicant's ownership. Nevertheless, it is anticipated that it is in the applicant's best interest to maintain such facilities in order for their operation in accord with their business model. It appears that this arrangement has operated successfully as the Council is not aware of any parking issues with regard to the current operational use. The current operation of the site is aided by a comprehensive 'event management' regime as highlighted in the applicant's transport statement. The current 'event management' regime co-ordinates events in order to minimise the impact on the local highway. The sustainable location coupled with the stringent parking controls in the area contributes to a travel mode shift away from the private car. The applicants have highlighted within their transport statement that sustainable transport is actively encouraged and high intensity functions involve patrons being bussed to the site for example.

Nevertheless, it is considered that if the additional off site parking spaces ceased to be available, the free flow of traffic within the London Borough of Harrow would not be prejudiced as the location of the site is stringently controlled in waiting restriction terms with the locality being dominated by non-residential uses with Controlled Parking Zones (CPZ) present and protecting outlying Harrow areas. Notably the Controlled Parking Zones would not be conveniently situated for VIP patron parking in any event. For these reasons, it is considered that the London Borough of Harrow is unlikely to be adversely affected in such circumstances. It is considered that Barnet is likely to be far more exposed in terms of the impacts resulting from the loss of the leased parking spaces as their residential areas are in close proximity to the VIP site and have limited CPZ. Barnet Council has been notified of this application and has not raised any objection to the proposal.

Overall, it is considered that the site is located in a satisfactory location for an expanded function room facility. In terms of highway capacity and safety, the level of car trips associated with the proposal is not predicted to be detrimental due to the 'off-peak' nature of existing and proposed activities as well as sustainable travel choices currently available and used by patrons. The application has been referred to the Council's Highways Authority who considers that there is no foreseeable reason on transport impact grounds to prevent the expansion of the facilities, provided an 'event management' strategy is secured and Travel Plan adopted prior to the full expansion of the use. This would be secure through a Section 106 Agreement. In addition, it is considered that secure cycle spaces should be provided at a level of 1 space per 20 staff in line with the requirements of The London Plan (2011). As such, a condition is attached in respect of this.

In summary, the proposal would not result in any additional detrimental traffic generation or parking demand, it is considered to comply with saved HUDP policies T6 and T13.

5) Development and Flood Risk

As previously mentioned, the site is within flood zone 2/3 as identified as having a medium to high probability of flooding, as shown on maps in LB Harrow Strategic Flood Risk Assessment (SFRA)(2011). Core Policy CS1 (U) states that "development will be managed to achieve an overall reduction in flood risk and increase resilience to floor events." Policies 5.12 (B) and (C) require proposal to demonstrate that they will remain safe and operational under flood conditions. Given the proposed increase in the capacity, the applicant is required to demonstrate that there will be no flood risk, or that any risk of flooding can be addressed through a series of flood mitigation measures.

The applicant has submitted a Flood Risk Assessment to demonstrate there is dry access and egress from the site. The FRA demonstrates that the main entrance, the rear exit as well as the proposed means of escape on the north western flank elevation are outside of flood zones 2 and 3. In addition to this, details have been provided in respect of the 1 in 100 year flood event plus climate change flood level. The applicant has demonstrated that this flood level would be sufficiently below the finished floor level of the ground floor of the VIP Lounge. As such, it is considered that the applicant has adequately demonstrated that there will be no flood risk associated with the increase in the capacity of the Sui Generis Use. The proposal is therefore considered to comply with policy 5.12B/C of the London Plan (2011) and core policy CS1 (U) of the Harrow Core Strategy (2012).

6) Accessibility

The London Plan (2011) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policy 7.2. Saved policy C16 of the Harrow UDP seeks to ensure that buildings and public spaces are readily accessible to all.

The building would be made more accessible compared to the existing situation. A new level entrance threshold is proposed together with wheelchair accessible WCs and a new wheelchair accessible lift within the lobby to gain access to the upper floors. It is considered that the layout of the building would enable adequate circulation for Persons with disability and would be acceptable in relation to London Plan (2011) policies 3.1 and 7.2 and saved policy C16 of the Harrow UDP.

7) S17 Crime & Disorder Act

Policy 7.3 of The London Plan seeks to ensure that development proposals address security issues and provide safe and secure environments. Saved policy D4 of the Harrow UDP advises that crime prevention should be integral to the design of a scheme.

The main entrance and exit to the building is located on the main thoroughfare on Edgware High Street and therefore affords natural surveillance from the surrounding buildings and busy road. It is considered that the security of the building and the movement of people following events can be managed by an appropriate 'event management' strategy, secured by a Section 106 Agreement. On balance it is considered that the proposal would not pose any undue impact on community safety issues.

8) Consultation Responses

- There has been unacceptable noise from the customers leaving the VIP Lounge, especially from the large car park. Noise occurs anytime between 12 midnight to 3am – This has been addressed in section 3 of the above appraisal. In addition to this, it must be noted that there are no record of any complaints to the Council in relation to the current facilities. Also, the comments received specify opening hours until 3am, which is precluded by a recommended condition
- There is also noise at the Safestore Self-Storage Unit as a result of delivery vehicles coming throughout the night and early morning – The operations of the 'Safestore Self-Store' unit are not the subject of consideration under this application.
- Properties adjoining the car park have recently been broken into and access has been gained through the existing car park – It is considered that the increase in capacity and continued use of the site would not result in an increase in the level of crime as compared to the existing facility. The submission of an Event Management Strategy would be secured through a Section 106 Agreement.

CONCLUSION

The proposed increase in capacity of the banqueting/function facility (Sui Generis) is situated in an appropriate town centre location for a high intensity use. Subject to an Event Management Strategy, the facility would not result in any adverse impacts on the local highway given the good public transport links. The proposal is considered not to result in any unreasonable adverse impacts on the residential amenities of the neighbouring residential properties and any associated impacts that would arise from the development would be adequately ameliorated through the use of appropriate planning conditions. Overall the development would therefore not have any significant visual, transport or other impacts that would warrant refusal of Planning permission. The decision to GRANT planning permission has been taken having regard to the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012, the saved policies of the Harrow Unitary Development Plan 2004 and the National Planning Policy Framework as well as to all relevant material considerations, including site circumstances and comments received in response to publicity and consultation.

CONDITIONS

1 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 The development hereby permitted shall be carried out in accordance with the following approved plans: 2596 PL01A, 2596 PL02A, 2596 PL03A, 2569 PL30, P2596 PL12 Rev A, 2596 PL10A, 2596_PL20A, 2596 PL27, 2596 PL12 Rev A, 2596 PL29, 2596 PL07 Rev. A, 2596 PL03A, 2596 PL11B, 2596_PL25, 2596_PL23A, 2596_PL24A, 2596_PL21A, 2596 PL13A, 2596_PL22A, 2596 PL09A, 2596 PL08 Rev A, 2596 PL28, 2596 PL26, 2596 PL04 Rev A, 2596 PL06 Rev A, Noise Impact Assessment Ref: R3585-1 Rev. 2 (dated 24th November 2011), Flood Risk Assessment, Design and Assess Statement, Ventilation and Extraction Statement, Transport Statement
REASON: For the avoidance of doubt and in the interests of proper planning.

3 The use hereby permitted shall not be open to customers outside of the following times:
a) 12:00 hours to 23:00 hours, Monday to Thursday.
b) 12:00 hours to 00:00 (midnight), Fridays and Saturdays
c) 12:00 hours to 22:30 hours, Sundays and BANK Holidays
without the prior written permission of the Local Planning Authority.
REASON: To safeguard the amenity of neighbouring residents in accordance with saved policies EP25 and D4 of the Harrow Unitary Development Plan (2004).

4 The maximum number of patrons and staff in the premises shall not exceed 700 persons at any time.
REASON: To ensure that the use of the site is not over-intensive and to permit an assessment of patron / staff numbers in the future in the light of the circumstances then prevailing as a measure to ensure that disturbance /disruption or noise to the neighbouring residential properties are kept to a minimum in order to comply with saved policies D4 and EP25 of the Harrow Unitary Development Plan (2004).

5 No music or any other amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises either attached to, or in the vicinity of, the premises to which this permission refers.
REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents, in accordance with saved policies EP25 and D4 of the Harrow Unitary Development Plan (2004).

6 The development hereby permitted shall not be brought into use until a scheme for the storage and disposal of refuse/waster has been implemented in accordance with details to be submitted and approved in writing by the Local Planning Authority. The approved details shall thereafter be retained.
REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties, in accordance with saved policy D4 of the Harrow Unitary Development Plan (2004).

7 Details of a scheme to provide 13 cycle spaces on the site shall be submitted to the Local Planning Authority within two months of the date of this decision, and approved in writing by the LPA. The cycle storage thus approved shall be implemented on site for the sole use of the Banqueting Suite hereby granted on the site and shall be retained for the duration of this use on the site.
REASON: To ensure the satisfactory provision of safe cycle and motorcycle/scooter storage points/facility, to provide facilities for all the users of the site and in the interests of highway safety, in accordance with policy 6.9B of The London Plan (2011) and saved policies D4 and T13 of the Harrow Unitary Development Plan (2004).

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The proposed increase in capacity of the banqueting/function facility (Sui Generis) is situated in an appropriate town centre location for a high intensity use. Subject to an Event Management Strategy, the facility would not result in any adverse impacts on the local highway given the good public transport links. The proposal is considered not to result in any unreasonable adverse impacts on the residential amenities of the neighbouring residential properties and any associated impacts that would arise from the development would be adequately ameliorated through the use of appropriate planning conditions. Overall the development would therefore not have any significant visual, transport or other impacts that would warrant refusal of Planning permission. The decision to GRANT planning permission has been taken having regard to the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012, the saved policies of the Harrow Unitary Development Plan 2004 and the National Planning Policy Framework as well as to all relevant material considerations, including site circumstances and comments received in response to publicity and consultation.

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2011)

- 3.16 Protection and Enhancement of Social Infrastructure
- 4.12 Improving Opportunities for All
- 4.5 London's Visitor Infrastructure
- 4.6 Support for and Enhancement of the Arts, Culture, Sport and Entertainment Provision
- 5.12 Flood Risk Management
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.15 Reducing Noise and Enhancing Soundscapes

Harrow Core Strategy (2012)

- Core Policy CS1 (B), (U)
- Core Policy CS 8 – Edgware and Burnt Oak

London Borough of Harrow and Unitary Development Plan (2004)

- SR2 Arts, Entertainment, Tourist and Recreational Activities
- D4 Standard of Design and Layout
- D25 Shopfronts and Advertisements
- C2 Provision of Social and Community Facilities
- C11 Ethnic Communities
- C16 Access to Building and Public Spaces
- EP25 Noise

Supplementary Planning Guidance and other relevant guidance

- Access For All Supplementary Planning Document (2006)

Harrow Strategic Flood Risk Assessment (2011)
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008).

2 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.

3 THE PARTY WALL ETC. ACT 1996

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

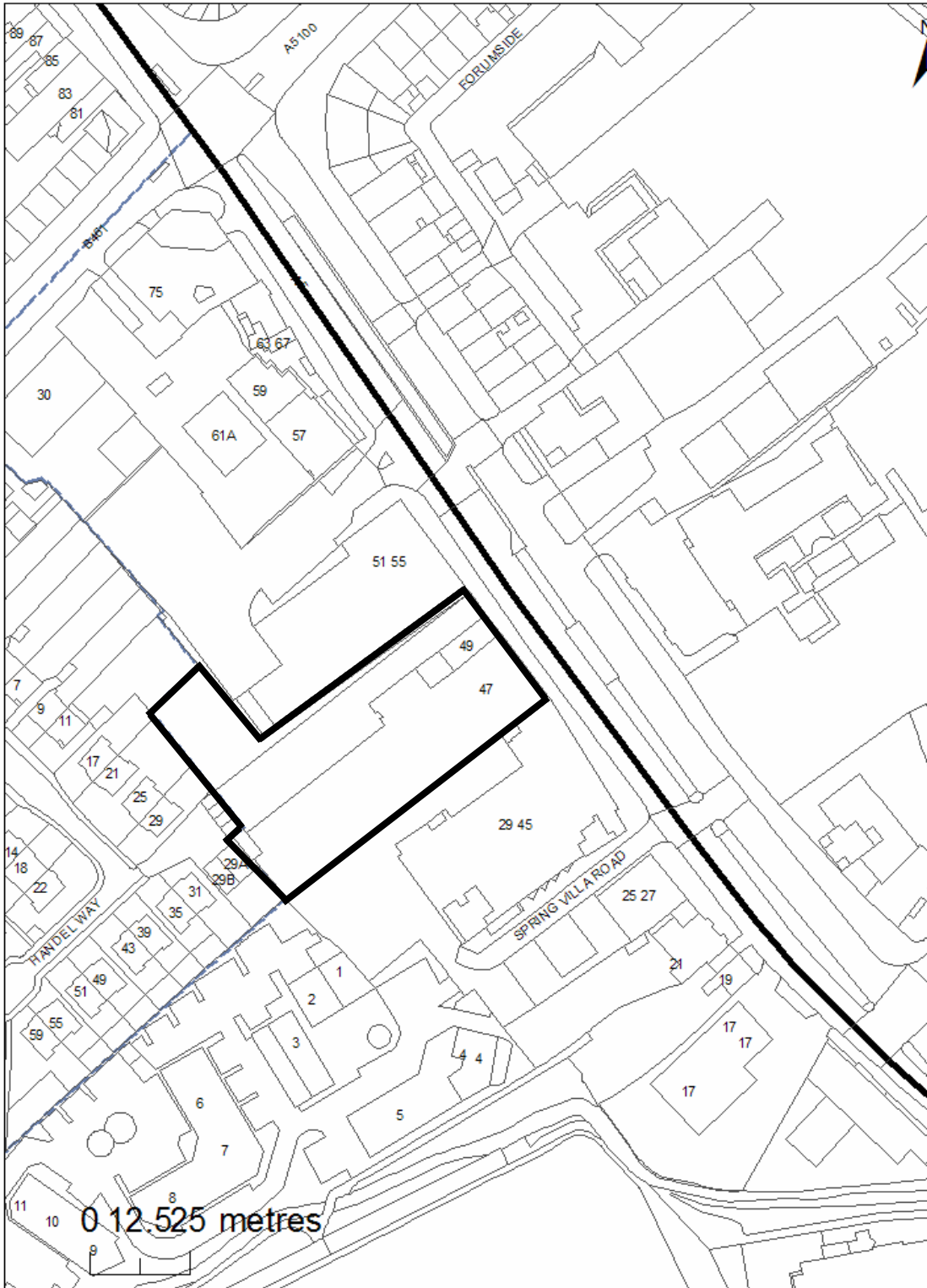
4 COMPLIANCE WITH PLANNING CONDITIONS

IMPORTANT: 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.

Plan Nos: 2596 PL01A, 2596 PL02A, 2596 PL03A, 2569 PL30, P2596 PL12 Rev A, 2596 PL10A, 2596_PL20A, 2596 PL27, 2596 PL12 Rev A, 2596 PL29, 2596 PL07 Rev. A, 2596 PL03A, 2596 PL11B, 2596_PL25, 2596_PL23A, 2596_PL24A, 2596_PL21A, 2596 PL13A, 2596_PL22A, 2596 PL09A, 2596 PL08 Rev A, 2596 PL28, 2596 PL26, 2596 PL04 Rev A, 2596 PL06 Rev A, Noise Impact Assessment Ref: R3585-1 Rev. 2 (dated 24th November 2011), Flood Risk Assessment, Design and Assess Statement, Ventilation and Extraction Statement, Transport Statement

VIP LOUNGE, 47-49 HIGH STREET, EDGWARE



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The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0272-878927
Switchboard 0272-878000
Fax No 0272-878769
GTN 1374-

APPEAL 2104
ALLOWED

Peter Pendleton Associates
Chelsea Bridge Business Centre
334 Queenstown Road
LONDON SW8 4NP

Your Ref: Peter Pendleton
Our Ref: T/APP/M5450/A/94/238081/P6

12 SEP 1994

Date: 29 SEP 1994

Dear Sirs

JAB/hawmc

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY ROWBAIRD PROPERTY COMPANY LTD
APPLICATION NO: EAST/334/93/FUL

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the Council of the London Borough of Harrow to refuse planning permission in respect of an application for change of use to B1 of the first floor of premises at 47-49 High Street, Edgware. I have considered the written representations made by you and by the Council and also those made by another party. I have also considered a representation made directly to the Council which has been forwarded to me. I inspected the site on 8 August 1994.
2. From the written representations I received and my inspection of the site and surrounding area I consider that this appeal turns on whether, when relevant national and local planning policies are taken into account, the change of use would be unacceptably detrimental to the flow of traffic along adjoining roads and to residents' amenities.
3. The appeal premises comprise a 2-storey building with floorspace of 0.46ha, built in the 1960s as ground-floor shops with a bowling alley above. Along the north-west side, below a projection of the first floor which is carried on piers, is a wide access with parking spaces along its sides. An area of open ground at the rear provides more parking space.
4. In 1973 the ground floor was a Green Shield trading stamp gift shop, and the Council granted planning permission for change of use of the bowling alley to a warehouse serving the gift shop. Subsequently however the first floor was occupied by a firm who worked exclusively on the production of photographic material and artwork for the catalogues of Green Shield, and their successor Argos. That was regularised by planning permission (ref 18564/E) granted in 1980 for continued use of the first floor as "retail photographic



studio & warehouse & design studios with ancillary offices". (The word "retail" is somewhat misleading as there is no evidence that the occupants have ever traded direct with the public.) At that time they employed only 32 people, and the Council considered their parking requirements, along with those associated with the Argos shop, could be satisfactorily accommodated on the site.

5. That firm remains on the first floor doing the same kind of work, though for other clients as well as Argos, who have vacated the ground floor. Only the front part of that is now in use, as a shop selling women's clothing; the much larger area behind retains rows of storage fixtures, but is currently unused. Nearly half the first floor is used as a warehouse, where merchandise is held before and after being photographed in the 5 large studios which occupy much of the rest. At the front, above the present shop, is a design office with some smaller units partitioned from it. There are also rooms for photographic processing and storage and a small suite of management offices. In September 1993 the firm employed 67 people there.

6. You question the Council's description of this activity as *sui generis*, arguing that it falls within Class B1 of the Town and Country Planning (Use Classes) Order 1987. It is clearly a composite use comprising photography, photoprocessing, graphic design and typography with ancillary storage and office uses. Individually these functions could form part of a B1 use, but they are combined here to produce a very low intensity of occupation (about 40 sq m per person) which clearly distinguishes it from the generality of office and light industrial uses. Surveys quoted by the Council show that used as offices this amount of floorspace might accommodate up to 4 times as many people. The small number employed was an important consideration for them when granting permission in 1980, and I think they rightly call it *sui generis*.

7. The statutory development plan for the area comprises the Greater London Development Plan and the Harrow Borough Local Plan. Policy 61 of the latter encourages office development in district centres, subject to their suitability for that purpose, including the availability and capacity of public transport facilities, whether the roads can accommodate the traffic generated, and the availability of adequate parking facilities. Policy 121 refers to standards for parking provision which the Council will apply.

8. A Unitary Development Plan (UDP) which will replace these plans is at an advanced stage of the statutory process, and its policies carry considerable weight. The appeal site is within a Business Use Area defined in Policy EM5, where the Council will encourage the retention, development or redevelopment of land and buildings for business and light industrial (B1) uses only. Policy EM7 says that when considering applications for business development the Council will have regard to its impact on the amenity of adjoining

property, and whether the surrounding roads can accommodate the traffic generated. Policy T17 echoes Policy 121 of the Borough Plan. The parking standards contained in a Schedule are subject to revision in response to the recent Government Planning Policy Guidance Note 13, but as they stand require 92 spaces for the authorised use of the ground floor and proposed B1 use of the first floor of the appeal building.

9. The revised PPG13 was published after the public inquiry on the UDP and submission of the Inspector's recommendations. It emphasises encouragement of public transport use, and the discouragement of private cars in planning decisions. In paragraph 1.8 it advises local authorities to promote development within urban areas, and major generators of traffic demand, at locations highly accessible by means other than the private car, and to limit parking provision to discourage reliance on the car for work where there are effective alternatives. Paragraph 3.6 urges them to provide locations for offices and other employment intensive uses at locations in urban centres well served by public transport.

10. Parking spaces on the appeal site are not marked out, but the Council estimate that 38 cars can be parked at the side and rear of the building. Immediately in front of the building there is a bus-stop served by 8 weekday routes and just to the south is a pedestrian crossing with guard rails either side. Elsewhere kerbside parking is permitted except between 8 and 9.30 am and 4.30-6.30 pm on Mondays to Fridays. As the Council point out those restrictions prevent people working in the premises from parking there all day. I note that the adjoining London Borough of Barnet, who are the highway authority, have made Edgware High Road their highest priority for establishing a controlled parking zone. About 5 minutes' walk away are Edgware underground station and a public car park off Station Road. Both are as near as, or nearer than, the unrestricted residential roads where the Council fear that extra people working at the appeal premises might park.

11. I find it difficult to reconcile the Council's objections to B1 use of the first floor with their inclusion of the appeal site in the Business Areas defined in UDP Policy EM5. According to them no part of the building has ever been in such use, unlike most of those nearby, so its inclusion must have been a conscious decision. Its location, in an urban centre, with comprehensive shopping facilities in Station Road and well served by public transport seems to me to accord very closely with what PPG13 recommends for such development. That more recent advice clearly conflicts to some extent with the development plan policies and the Council acknowledge that they will need to revise the parking standards in the latter. In the circumstances of this case I consider the PPG to be a material consideration which outweighs the requirements of the development plan for a particular level of parking provision.

12. The local policies and regional guidance referred to by the Council assume that unless sufficient parking space is provided in developments, people will still use their cars but park in ways which are harmful to amenity. The PPG assumes the contrary: that limiting parking space will encourage people to use other means of transport. In my view the restrictions on rush-hour parking in the High Road and the proximity and variety of public transport available would tend to bring about the second outcome, discouraging employees from travelling to work by car. I am not convinced that a B1 use employing more people than at present work in the building would inevitably create so much more vehicular traffic as to impede the flow of traffic on adjoining roads, or be detrimental to the amenities of neighbouring residential roads.

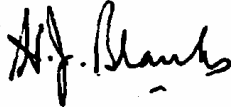
13. I have considered all other matters raised in the written representations but found nothing which led me to different conclusions on the main issues.

14. For the above reasons and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for change of use of the first floor at 47/49 High Street, Edgware to one falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987 in accordance with the terms of the application (No EAST/334/93/FUL) dated 21 July 1993 and the plans submitted therewith subject to the condition that the development hereby permitted shall be begun before the expiration of 5 years from the date of this letter.

15. The developer's attention is drawn to the enclosed note relating to the requirements of the Building Regulations 1991 with respect to access for disabled people.

16. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Yours faithfully



H J BLANKS BA(Oxon)
INSPECTOR

Item No. 1/04

Address: EQUITABLE AND LYON HOUSE, LYON ROAD, HARROW, HA1 2EW

Reference: P/3118/11

Description: DEMOLITION OF EQUITABLE HOUSE AND LYON HOUSE AND ERECTION OF SEVEN NEW BUILDINGS OF VARIOUS HEIGHTS - SINGLE STOREY (LODGE), SIX STOREYS (BLOCKS A AND B), EIGHT STOREYS (BLOCKS F AND H), TEN STOREYS (BLOCKS C AND D/E) AND 14 STOREYS (BLOCK G) - FOR A MIXED USE DEVELOPMENT, TO PROVIDE 238 PRIVATE AND 49 AFFORDABLE RESIDENTIAL FLATS, 3,050.8 SQUARE METRES OF COMMERCIAL FLOORSPACE SPLIT INTO 1,503 SQUARE METRES OF OFFICE SPACE (CLASS B1A) AND 1,547.8 SQUARE METRES MIXED (CLASSES D1 AND MIX OF A1, A2, AND A3), THREE VEHICULAR ACCESSES FROM LYON ROAD AND ST JOHN'S ROAD, 123 CAR PARKING SPACES, LANDSCAPING AND PUBLIC REALM IMPROVEMENTS TO LYON ROAD AND ST JOHN'S ROAD

Ward: GREENHILL

Applicant: Redefine International Plc

Agent: Savills

Case Officer: Andrew Ryley

Expiry Date: 17/02/2011 (PPA)

RECOMMENDATION A

GRANT planning permission subject to conditions, referral to the Greater London Authority (GLA) and the completion of a Section 106 Agreement by (31/10/2012). Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 Agreement and to agree any minor amendments to the conditions or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- i) Provision of a minimum of 49 Affordable Housing Units
- ii) The delivery of a health centre within the scheme. A financial contribution of £290,000 will be payable no later than three years from the commencement of development if the health centre is not delivered within the scheme.
- iii) A contribution of £50,000 payable upon commencement of development towards recruitment training and management and the submission of a Recruitment Training and Management Plan.
- iv) The applicant will either undertake the public realm works outside the application site to an agreed specification up to a maximum of cost of £450,000 or provide a financial contribution of £450,000 to Harrow Council to undertake the public realm works. In the event that the financial contribution towards public realm

improvements is not spent by Harrow Council within three years of the commencement of development then it shall be spent by Harrow Council on Education (£250,000), Employment (£100,000) and Transport (£100,000).

- v) The submission of a Green Travel Plan
- vi) Planning Administration Fee: Payment of administration fee for the monitoring of and compliance with this agreement.
- vii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

REASON

The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2012), the policies of The London Plan (2011), Harrow's Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan (2004) listed in the informatives below, as well as to all relevant material considerations including the responses to consultation. The development would result in the regeneration of a key town centre site that would help to deliver the Development Plan aspirations for new homes and jobs in the Harrow and Wealdstone Intensification Area. The development would provide new private and affordable homes, contributing to the delivery of new housing required by The London Plan (2011) and the Harrow Core Strategy (2012). The redevelopment of the vacant, and commercially unviable offices, would result in a mix of new commercial floorspace being provided, that would focus on flexible office space for small and medium sized enterprises, for which there is currently a demand in the Borough. The development would result in active ground floor uses along Lyon Road, which would enliven this public space and generate wider footfall in association with the Town Centre, and would result in new community facilities and public realm improvements. The development would be of a high quality design that would respect and complement the surrounding area, and create a new landmark within the town. The impact upon surrounding properties has been considered within the design and the development balances the impact on amenities of the surrounding uses with the wider economic and development plan objectives for the borough set out in the development plan. The information submitted in support of the application demonstrates that the impact upon surrounding properties, traffic conditions, protected trees and the wider panorama, is acceptable, having regard to development plan policies and the aspirations for the Metropolitan Centre of Harrow and the borough which are set out in the emerging Heart of Harrow Area Action Plan.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by (31/10/2012) then it is recommended to delegate the decision to REFUSE planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a Legal Agreement to provide affordable housing to meet the Council's housing needs, and appropriate provision for infrastructure 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 and physical infrastructural improvements arising directly from the development, contrary to the NPPF (2012), policies 3.11, 3.13A/B, 81 and 82 of The London Plan (2011), Core Policy CS1 (Overarching Policy) Z and AA and saved policies S1, D4 and D5 of the Harrow Unitary Development Plan (2004).

EXECUTIVE SUMMARY

This is a full planning application for the demolition of Equitable House and Lyon House, on Lyon Road within Harrow town centre, and a new mixed residential and commercial development. The proposed development would consist of seven new buildings ranging in height from a single storey lodge to a 14 storey high 'tower'. The development would be of a contemporary design, utilising a number of bricks and large areas of glazing, in particular on the proposed tower.

The application followed extensive pre-application discussions and sought to respond to matters raised in the consultation carried out by the applicant prior to submission.

The application has been assessed against the recently published National Planning Policy Framework, and the Development Plan, which includes The London Plan (2011), Harrow's Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan (2004). A number of comments and objections have been received and these have been fully considered, in response to two separate neighbour notifications (875 properties per consultation). No objection in principle has been raised by statutory consultees, although conditions are recommended to mitigate potential impacts. In terms of the principle of the development, the design of the scheme and its impact upon the character of the area and key views across the town, impact upon the amenities of neighbouring residential occupiers and the local highway network, and other relevant matters such as Sustainability and Crime and Disorder, these have been assessed in the light of the planning policy framework and the objections / comments received.

On balance, it is considered that the proposal would make a positive contribution to Harrow town centre, and the wider Borough at large, through the delivery of new (and affordable) housing, new employment space, contributions to local infrastructure requirements, and the provision of new public realm within the town. The scheme is in line with the aims of national, regional and local planning policy and would deliver, both on site and through a Section 106 Agreement, positive planning benefits to both the Borough and in particular the town centre.

INFORMATION

This application is reported to the Committee as the number of residential units and floorspace proposed falls outside of the thresholds (six units and 400 sq m respectively) set by category 1(d) of the Council's Scheme of Delegation for the determination of new development. The Council has also received a number of objections to the application, and it is in the opinion of the Divisional Director of Planning Services, controversial and of significant public interest. It therefore falls outside of proviso E of the Scheme of Delegation.

Statutory Return Type: Largescale major dwellings

Council Interest: None

Gross Floorspace: 27,758 sq m

Net additional Floorspace: 10,839 sq m

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £971,530

Site Description

- The application site comprises a triangular plot, fronting two streets (Lyon Road and St John's Road), and containing concrete framed office buildings that date from the 1970's, known as Equitable House and Lyon House. Both Equitable House and Lyon House are now vacant (as of June 2010), having previously been occupied by Government agencies.
- Equitable House is located within the northern area of the application site, fronting onto Lyon Road and opposite the adjacent Platinum House. Lyon House dominates the application site, partly fronting onto Lyon Road and partly within the centre of the application site, with a section set at 90° here.
- Equitable House and Lyon House are five storeys and seven storeys high respectively (although it should be noted that as these are commercial buildings the height between the floors is greater than that of a residential building). The buildings are surrounded by surface level car parking (300 spaces).
- Landscaping is towards the northern and western boundaries with intermittent tree planting to soften the paved circulation areas between the respective buildings. Some of the trees that form part of this landscaping are protected by Tree Preservation Orders (TPOs).
- The application site itself is located within Harrow town centre, which forms part of the Harrow and Wealdstone Intensification Area, as identified by The London Plan (2011), Harrow's Core Strategy (2012), and the emerging Harrow and Wealdstone Area Action Plan (2012). Station Road, which forms part of Harrow town centre, lies to the north and west of the application site, but is physically separated by the adjacent buildings.
- To the immediate west of the application site, along Lyon Road, lies Hanover House and Platinum House. Platinum House is a residential building that has been converted from offices, and dominates the area (along with the application site buildings) by virtue of its external appearance, in particular the addition of deep balconies along the entire length of the building. Platinum House is eight storeys and approximately 27.7m high.
- To the east of the application site lies a mix of commercial and residential properties along St John's Road. These include the Cumberland Hotel, Gayton Central Library, and residential flats including Elmer Court and Tapley Court. These range in height from two storeys to four storeys.
- To the south (south east) of the application site lies the residential flats of Greenhill Mansions (five storeys), Murray Court (four storeys) and Wilton Place (three storeys). On the southern tip of the application site lies The Junction Public House.
- The land levels rise quite sharply southwards from the junction of Lyon Road, St Johns Road and Station Road, and then form a plateau at the centre of the complex of buildings, on which the car parking area is located.
- The site has a Public Transport Accessibility Level (PTAL) of 6A. Harrow-on-the-Hill Station (giving access to national rail and Metropolitan underground services) lies due west of the application site, and is approximately 313m distance. Harrow Bus Station is adjacent to this.
- The closest section of the Strategic Road Network is the A400 Sheepcote Road / Station Road, which is 250m to the north. The closest section of TfL's Road Network is approximately five kilometres away.
- Although not within the red line of the application site, the application references the provision of new public realm at the junction of Lyon Road, Station Road and St John's Road, to the north of the site. Currently this land comprises a 17 space Council owned pay-and-display car park, and public roads that access Platinum House, the Cumberland Hotel etc.
- The applicant is Redefine International PLC, a registered property investment company

with an existing portfolio comprising of properties in both the UK and Continental Europe. Redefine International PLC acquired Lyon House in 2006 as an investment project. Following vacation of Equitable House, lack of office demand and discussions with Harrow Council, Redefine International PLC also purchased Equitable House in 2011, with the intention of pursuing a comprehensive redevelopment of the combined site.

Proposal Details

- This is a full planning application that proposes a significant redevelopment of Equitable House and Lyon House office buildings, located at Lyon Road within Harrow town centre.
- The application comprises a major mixed-use urban regeneration scheme, which would involve the demolition of the existing 1970s office buildings, and redevelopment for a predominately residential led scheme involving both private and affordable flats. The scheme also proposes commercial units along Lyon Road (including a space set aside for use as a healthcare facility), and a new B1 office building. The application proposes 123 off-street parking places, as well as cycle parking. The proposals also seek to enable the creation of a new public space at the northern end of the site, in collaboration with the Council. New landscaping is proposed both within and outside of the application site.

Mix of Uses

- The major component of the scheme would be 238 private residential units, consisting of one, two, three and four bedroom flats, and 49 affordable residential units, split between shared ownership and affordable rent, and consisting of one, two and three bedroom flats. The proposed residential mix is as follows:

	Private	Affordable Rent	Shared Ownership	TOTAL
One bed	81	-	6	87
Two bed	126	19	18	163
Three	29	6	-	12
Four bed	2	-	-	2
TOTAL	238	25	24	287

- The proposed mix of units comprises 30% one bedroom units, 57% two bedroom units, 12% three bedroom units and 1% four bedroom units.
- The other major component of the scheme would be 3,050.8 sqm of new commercial floorspace. This would comprise 1,547.8 sqm of a mix of retail, financial/professional services and café/restaurant uses (Classes A1, A2 and A3) and some form of community use (Class D1). Whilst this use is not fixed yet, in conjunction with the Council, the applicant has been in discussions with the Primary Care Trust regarding a potential health centre/doctors surgery in this location. The application also proposes 1,503 sqm of new office space (Class B1a), which would be aimed at small and medium-sized enterprises.

Layout

- The site would be comprehensively redeveloped. This would entail the demolition of the existing office buildings. The proposed new scheme would consist of seven new

buildings of various heights; from a single storey building (the lodge) to a 14 storey high tower (Block G). The buildings would be laid out in a broadly triangular shape around the perimeter of the site, with buildings fronting onto Lyon Road and St John's Road, and along the boundary with the residential properties to the south on Gayton Road (i.e. Greenhill Mansions, Murray Court and Wilton Place).

- The design of the proposed development has evolved over the last 18 months during discussions between the applicant, Council Officers, and Officers from the Greater London Authority (GLA) and Design for London (DfL). The scheme has also been presented to the Council's Major Developments Panel (MDP) on a number of occasions, both pre and post application submission.
- Blocks A and B would consist of 27 and 30 private units respectively, and would both be six storeys in height. These blocks would be located in the south east of the application site, fronting onto an internal central courtyard, with the rear facing south towards the adjacent residential properties of Wilton Place and Murray Court. The nearest face-to-face distance separating Blocks A and B with Wilton Place and Murray Court would be approximately 10.5m and 28.5m respectively. The ground floor units of these two blocks would have private residential gardens, and six of the units would have internal garages.
- Block C would comprise the 49 affordable units, with the block currently subdivided internally between the affordable rented, and the affordable shared ownership units. The block would be located within the southern tip of the site. The rear of the building would face both Greenhill Mansions (at its nearest face-to-face distance 27.9m) and The Junction public house as it turns the corner. The height of the building would be mixed, between six storeys in height, and 10 storeys
- Blocks D and E would comprise 38 private units and the new offices (Class B1a) respectively. Although the building would be subdivided between these two uses it would in essence appear as one 10 storey high building, although the keener eye would notice that the number of floors within Block E is only nine, because the floor-to-ceiling height of the commercial floor plates is greater than those of the residential elements. This combined block would front onto Lyon Road on the west of the application site, broadly speaking in the same location as the southern tip of the existing Lyon House building. Its nearest face-to-face distance with Platinum House would be approximately 17.4m. The ground floor of Block D would comprise a commercial unit fronting onto Lyon Road and two flats facing east onto the internal central courtyard within the application site.
- Block F would comprise commercial floorspace on the ground and first floor, and 54 private residential units on the six floors above (in total an eight storey building). The ground and first floor of the building would be set at an angle to Lyon Road, with the rest of the building from second floor above 'cantilevered' over this setback running broadly parallel with the street. This would result in the footpath along Lyon Road becoming wider in this section. At its nearest point its face-to-face distance with Platinum House would be 17.1m. The green wall facing to the first floor terrace to Block F would provide a living wall to this aspect of the landscaped courtyard.
- Given the change in site levels, and the location and scale of the surrounding buildings the applicant proposes the tallest element of the scheme – Block G, the 14 storey high tower – at the junction of Lyon Road and St John's Road. The building would be located on the corner of Lyon Road and St John's Road, and would face on to the proposed public space on this corner, and form the main vista when viewing the site from Station Road. The ground floor of the building at street level would comprise commercial unit, with a mezzanine floor above. This would appear as a double height glazed section forming the basis of the building. There would then be 13 floors of

residential accommodation above, consisting of 35 private units. Block G would be approximately 23.9m from Platinum House at its nearest point, and 28.6m from numbers two and four St John's Road.

- Block H would comprise 54 private residential units located within an eight storey high building. The building would front onto the internal central courtyard – as this is where the building's main entrances are – but would have a strong presence along St John's Road, although set behind the existing protected trees. At its nearest point the face-to-face distance with Elmer Court (an existing block of flats on St John's Road) would be 26.5m.
- The application also proposes a single storey building between Blocks C and D, referred to as the 'lodge'. This would comprise 64.2sqm of commercial space, fronting onto Lyon Road.

Materials / External Appearance

- The applicant has set out that the main concept for the development is to (re)create a street frontage along Lyon Road and St John's Road with a series of 'pavilion buildings' that would echo the historical context of the application prior to its current configuration.
- Given the way in which the buildings would be constructed, the design objective has been to use external panels, ensuring consistent, high quality finishes across all elevations, with minimum clutter such as vents, rainwater pipes etc.
- It is proposed to use a corium or similar brick system which would provide a high quality finish devoid of batching and or discolouration problems. The system also allows for very crisp reveal, head and cill detailing with punctures such as grilled extracts etc integrated using proprietary components in the system.
- The buildings would have a darker blue grey base made up from a mix of the bricks to give texture, weight and interest. The upper levels utilise buff bricks from the range in a stack bonded form with as noted above high quality crisp edging to achieve clean definition to any openings.
- The offices would utilise an 'Argeton Barro' system or similar batten range (as an open ceramic screen over the front of the glazing units), as this provides both solar shading and would give the office element a distinctive look which denotes its different use and floor to floor heights.
- Block G has been simplified and designed to provide a suitable focal backdrop to the new public realm. The applicant has stated that the use of materials and elements (the disposition of openings and their groupings and the upper storey treatment) are designed to achieve a 'quiet yet elegant composition'.
- The applicant has stated that the elevations to the scheme have been developed and in many case simplified to achieve a clear hierarchy of materials and corresponding simple openings and glazed winter garden/ conservatory elements – referred to as "winter gardens" where they are fully enclosed. The glass to these elements would be translucent to increase privacy. The ground/mezzanine floor elements facing Lyon Road and the new square would be predominantly glazed to provide retail and commercial frontages which would enliven and provide interest at street level.
- A slim line thermally broken glazing system would be used to minimise the size of frames to doors and windows on all buildings to give an elegant simple picture framing to the openings to maximise the light penetration to the residential units.
- Balconies, either external or recessed, would be provided to all but 14 of the residential units that don't benefit from private garden space.

Landscaping and public realm

- As set out above, the site is subject to a number of TPO trees. The majority of these along the boundary with St John's Road would be retained.
- The main new landscaped space would be in the form of a large triangular area within the centre of the application site, which could be accessed from all the residential blocks. A diagonal pedestrian route dissects the site, giving access from Lyon Road through to St John's Road. The applicant states that the space is intended for use by the local community members of all ages. A centrally located playground would cater for young children, whilst office workers and residents can make use the stepped grass terraces.
- Through the pre-application process, the potential for a new area of public realm, outside of the application site, has been developed. This relates to the existing surface level car park at the intersection of Lyon Road, Station Road and St John's Road. The applicant proposes that the development would provide funding (and a backdrop) to this space to enable the car park and the adjacent roads to be replaced with a new public realm 'square', which would consist of shared space with the potential for a new commercial building.

Access and parking

- The application proposes three vehicular accesses. The main access would be from St John's Road between Blocks G and H. This would be a ramped access that would go immediately into an underground basement parking area. The underground car park would comprise 117 individual spaces, consisting of 94 'Klaus' multipark spaces (whereby one bay accommodates two cars through an automated stacking system), and 23 normal spaces, 10 of which would be disabled bays. Access to Blocks D, E, F, G and H through stairwells and lifts are situated in the underground area. Cycle storage for 102 bikes and refuse storage for Blocks F and G is also within this area.
- The application also proposes a surface access from Lyon Road into the application site. This would be a gated access that would run one way, in via Lyon Road, and exit onto St John's Road. This would provide access for the six units within Blocks A and B that have internal garages. It is envisaged that the street would be informally laid out as a shared space, i.e. a home zone.

Revisions to application following submission:

- After the application was submitted, Officers have continued to discuss the proposal with the applicant, and feedback comments and concerns received from statutory consultees and through the public consultation. This has resulted in a range of amendments being made to the proposed scheme, which were the subject of further consultation in April 2012. The main changes are highlighted below.
- The proposed number of residential units has been *reduced* from 308 to 287. This is an increase in the number of private residential units from 223 to 238, and a decrease in the number of affordable units from 85 to 49.
- The proposed height of Blocks F and H have been reduced by two and one storey respectively.
- Design changes have been made to the materials and external appearance of the majority of the blocks.
- External balconies have been omitted from flats 11, 16, 21 and 26 on Block A, and replaced with Juliet style balconies. This results in a loss of 24 sqm of dedicated amenity space.

- External balconies have been omitted from flats 6, 7, 10, 11, 14, 15, 18, 19, 22 and 23 from Block C, and replaced by Juliet style balconies. This results in a loss of 60sqm dedicated amenity space.
- Number of car parking spaces has been reduced from 132 to 123, but the number of cycle spaces has remained the same. However, some of the spaces have been reallocated for the office building.

Environmental Impact Assessment

The development falls within the thresholds set out in Schedule 2 of the Town and Country Planning (EIA) Regulations 2011 whereby an Environmental Impact Assessment may be required to accompany the planning application for the purposes of assessing the likely significant environmental effects of the development.

Schedule 2 paragraph 10(a) of the Regulations states that proposals for urban development projects of more than 0.5 hectares in area may require an Environment Impact Assessment (EIA). The application site area is 0.9 hectares and therefore the proposed development may / may not require an EIA.

The indicative thresholds outlined within Annex A of Circular 02/1999: Environmental Impact Assessment indicate that development for sites which have not previously been intensively developed are more likely to require EIA if they would provide in excess of 10,000 square metres of new commercial floorspace or a 1,000 dwellings. The proposed development is for 3,050.8 sqm (total) and 287 dwellings, and that the site has been previously developed. The site is not part of wider redevelopment proposals insofar as adjoining sites are concerned, and is within a built up urban area.

As required pursuant to 4(5) of the Regulations and having regard to the criteria set out In Schedule 3, which provides criteria against which a local planning authority might consider whether an EIA is required, it was concluded that the characteristics of the proposal, the location of the development and the characteristics of the potential impact would be of a nature that did not warrant the submission of an Environmental Impact Assessment as it would not have a significant environmental effects.

Relevant History

EAST/46/01/FUL – Alterations to ground floor elevations to provide office floor space
GRANT – 04/05/2001

P/3214/07 – Change of use of part of office block to residential to provide 32 residential units with a two storey extension at roof level and the seven story extension and retention of 1920 sqm of B1 floorspace (residential permit restricted)
GRANT – 23/02/2009

Pre-Application Discussion

- In March 2010 the Council and the applicant, and their advisers, commenced pre-application discussions regarding the development of the site, for a mixed use residential and commercial scheme. By April 2011 meetings between Council Officers and the applicant had taken place under the Council's formal pre-application advice meetings (PAM) arrangement, as well as separate meetings with Officers of the Greater London Authority (GLA)
- A Planning Performance Agreement (PPA) was entered into between the Council and the applicant in May 2011. The PPA is intended to establish a framework to guide the

working relationship and provide a list of areas of mutual interest where the parties seek to collaborate. In this case the PPA sets out 'shared development objectives' for the site as follows:

- Redevelopment of existing vacant offices to result in new and modern, flexible offices to support employment provision within Harrow Town Centre.
 - Provision of a mix of Class A3 and D1 uses within the development to contribute to the sites location on the edge of Harrow Town Centre.
 - Provision of a mix of high quality private and affordable residential accommodation.
 - Develop proposals in the spirit of genuine community involvement.
 - Provide a firm bedrock for future developer and investment decisions relating to the Lyon Road site, through a clear, robust planning permission.
- Officers have engaged with the applicant extensively through the pre and post submission stages in relation to the various planning considerations associated with a major application of this nature. In particular, discussions have focused on the principle of development, in relation to the loss of the existing offices on the site, and it's consistency with both The London Plan (2011) and the emerging Local Development Framework (LDF) for Harrow; matters of layout, impact upon views, appearance, urban design and landscaping; transport and other infrastructure related matters plus community engagement.

Applicant Submission Documents

In addition to full plans, the application comprises the following documents:

- Design and Access Statement (and addendum).
- Planning Statement
- Daylight and Sunlight Report (and addendum).
- Transport Assessment (and addendum).
- Arboricultural Report
- Energy Strategy
- Wind and environmental conditions report
- Financial appraisal (commercially confidential)

Consultations

Greater London Authority: No objection in principle. The Deputy Mayor considers that whilst the scheme is generally acceptable in strategic terms, that there are areas where the application is not fully compliant with the London Plan (2011) insofar as the mix of uses, housing, urban design, inclusive access, sustainable development and transport issues. These areas can be addressed through revisions to the scheme and confirmation of further details.

Planning Policy: No objection. The application is consistent with The London Plan (2011), Harrow's Core Strategy (2012), and emerging policies in the emerging Harrow and Wealdstone Area Action Plan.

Highway Authority: No objection. The level of parking provision for the residential units is acceptable and in line with The London Plan (2011) standards, as would the level of disabled bays and electric charging points. No parking provision is proposed for the commercial units (aside from one disabled bay), which is in line with the London Plan (2011). Cycle parking provision is acceptable.

The projected vehicle impact on the highway is considered substantially reduced as compared to the previous B1 use and is therefore de-minimis and raises no specific concerns.

Conservation Officer: No objection. It is recognised that there are already a number of taller buildings on Lyon Road and this building would be only slightly higher than these. Also, the new building would be set well away from the locally listed buildings and therefore any impact would be minimal. The site would also be within the setting of the grade II St John's Church. It is considered that the proposal would preserve the setting of this heritage asset in accordance with the NPPF and saved Harrow HARROW UNITARY DEVELOPMENT PLAN (2004) policy D11 and London Plan policy 7.8.

Landscaping Officer: No objection, subject to landscape and boundary treatment conditions.

Arboricultural Officer: No objections in principle subject to an approved site-specific method statement / tree protection plan in relation to existing retained trees and based on the recommendations in the preliminary Arboricultural Report

Environmental Protection Officer: No objection, subject to conditions in relation to the demolition of the existing building, construction of the new development, and sound insulation measures.

Waste Management Officer: No objection. Did raise some concern with the proposed arrangements insofar as insufficient provision, but these have been resolved on the basis of additional information submitted.

Drainage Engineer: No objection subject to surface water/attenuation conditions.

Thames Water: No objection in principle, but have requested that a Grampian style planning condition is imposed requiring details of the connection into the public sewer network.

Environment Agency (EA): No objection to the application. However, does note that the development is located within an area of serious water stress due to limited water resources in the local area and high and growing demand for water. As such, the EA advise the use of water efficiency measures to reduce the demand from the development.

Crime Prevention Design Advisor: No objection. Confirms that pre-application meetings have taken place to discuss designing out crime, promoting community safety and resilience to terrorism measures. Recommends Secure by Design planning condition.

Campaign for a Better Harrow Environment (CBHE): Objection. CBHE are not against redevelopment, provided that it meets the needs of the local area, is in keeping with the local area, is of good architectural design and is sustainable. However CBHE consider this application to be totally inappropriate for Harrow, and consider that if planning permission is granted for this proposal, there would be the fear that this would provide a benchmark for developers for high rise development in Harrow. Objection to the development on three main grounds: a) the height, bulk and appearance of the proposed development, b) sustainability, and c) the effect on traffic congestion.

CBHE consider that the proposed tall buildings are totally unsuitable for the site, much of

which is at a higher level than the surrounding area, would be too large and visually intrusive. Consider that the density, mass, overbearing and overshadowing of adjacent residential properties, most of which are three and four storeys, is unacceptable. Consider that the development would have a disastrous effect on the skyline of Harrow, and the architectural quality of the proposal leaves much to be desired. The site requires a low rise solution with a maximum height of any building of five or six storeys.

In relation to sustainability, consider that there would be an impact on infrastructure, not just of roads, drains and utilities services, but medical services and schools as well. In relation to climate change there is concern that such overdevelopment of the site would lead to a great flood risk in the area. CBHE would have welcomed greater attention being made to ecological enhancement of the site through more grassed areas and planting of trees and shrubs. Concern raised that the tall buildings on either side of Lyon Road would create a wind tunnel, and the proposed public realm opposite Debenhams would be overshadowed by the tall buildings, and disrupted by traffic using the road. Appreciate that the loss of property values is not a planning issue, but advise that many residents are concerned that the building of 'future slums of Harrow', would have a detrimental effect on their property.

Consider that the likely traffic growth from the development, from residents, businesses and visitors, would further exacerbate the problem currently experienced. This would be particularly noticeable at the junctions of the town centre 'ring-road'. Concern raised that the lack of car parking provision would have a considerable impact on surrounding roads and properties. Advised that some residents in nearby flats are particularly concerned that they will have to have their premises gated to prevent illegal parking.

CBHE have also undertaken a detailed critique of the transport assessment submitted by the applicant. In summary, the critique finds that the assessment undertaken in the transport assessment is unsatisfactory and its conclusions are not reliable. In particular, the trip generation calculated for the existing development is inaccurate, as it assumes that the existing offices are fully occupied, which has not applied for some time. Also comments that the application does not make a positive contribution to the local cycle network which is disappointing.

Greenhill Manor Residents Association: Objection, on the basis of the proposed tall buildings would be overpowering, and their bulk would have a negative affect on the surrounding area, views and sightlines. Such tall buildings would create a precedent that may allow other taller buildings within Harrow town centre. There is not adequate infrastructure to support the proposed number of flats, in particular doctor's surgeries, education facilities and the local road network.

Harrow Friends of the Earth: Agree that in principle the site should be developed, but object to this application, on the grounds of the size and scale of the proposal, considering it to be overbearing and of a poor design. Raises concerns in relation to the quality of the affordable accommodation, stating that it will not be suitable for families, and lack of gardens for most properties. Concerns raised in relation to the proposed 14 storey building and how this might impinge views of the Harrow Weald ridge from the Grove. Concerns raised in relation to the sustainability credentials of the proposal, identifying that higher standards of water efficiency should be used. Notes that the site is within a high public transport accessibility area, but highlights that disabled access into Harrow-on-the-Hill station is not possible and therefore stresses that this needs to be resolved. Pleased to see the proposed cycle parking provision but some concerns regarding its location

within the site. Concerned that community consultation was not adequate insofar as it's timing over the summer holidays.

Response to second consultation: disappointed by the applicant's inadequate response to the concerns raised by the GLA in relation to sustainability matters and the need for modal shift. No evidence of proper consideration of a travel plan for residents.

Advertisement – First Consultation

Major Development / Setting of a Listed Building – Expired 26/12/2011

Notifications – First Consultation

Sent: 875

Replies: 32

Expiry: 12/12/2011

Addresses Consulted – First Consultation

Ashburnham Avenue

Ashburnham Gardens

Charville Court, Gayton Road

College Road

Cymbeline Court, Gayton Road

Elmer Court, St Johns Road

Gayton Court, Sheepcote Road

Gayton Road

Grange Road

Greenhill Mansions

Knowles Court, Gayton Road

Lime Court Gayton Road

Land At 29 Greenhill Way

Lyon Road

Murray Court, Gayton Road

Nightingale Court, Sheepcote Road

Petherton Court, Gayton Road

Platinum House, Lyon Road

Sheepcote Road

St Anns Road

Station Road

St Johns Court St Johns Road

St John's Road

Sonia Court Gayton Road

Tapley Court, St Johns Road

Victoria Close, Sheepcote Road

Wilton Place, Gayton Road

Summary of Responses – First Consultation

- Questions whether there is a need in Harrow for 308 flats in light of other proposed and existing developments.
- Concern raised that the commercial element the scheme represents approximately 5% of the total floorspace relative to the residential blocks; questions whether this is enough to be called a mixed-use development.
- Welcomed the idea of making the whole area from the junction of St John's Road and Lyon Road down to Station Road into public square, is an attractive option, which the

application makes much of. However the actual contribution of the appraisal plan is limited, because the protected trees on the corner of the site make it difficult to make any other use of it, and approximately behind it will do nothing to make the area attractive.

- 14 storey building not suitable for that position in the town centre. Development of this site cannot be accepted.
- Blocks of eight and 14 storeys will be with the visible for over a mile surrounding the development.
- Streets are too narrow, schools, car parking, and doctors too few and there already fears about the safety of alleyways.
- The current residents have not been considered, overlooking problems will be created, and impact of views on to the 14 storey building
- Proposal is over development of the site, especially when coupled with the overdevelopment of the Gayton Road site.
- Loss of light – the nature of the development and in particular the heights of some of the buildings, which are significantly higher than the surrounding buildings, will have an adverse impact on light quality to those buildings.
- Impact on Wilton Place and Greenhill Mansions residents in particular – the Daylight and Sunlight report does not adequately assess the impact on these buildings. For example, analysis model incorrectly depicts Greenhill mansions as a six to seven storey building when it is in fact only a five story structure. The depiction also seems to represent the new proposal is significantly lower than it would be. The effect of these is misleading and therefore unfair.
- Major issues with this proposal with regard traffic generation highway safety. At peak times there are traffic problems on Lyon Road, St John's Road and on surrounding roads. This development will exacerbate problems.
- The transport report seems to suggest that there will be minimal impact transport facilities due to trying to promote a number of different alternatives, but questions whether this will be the case.
- Transport report identifies that there might be an increase in peak underground trips. This will require cooperation between the Council and London Underground to absorb this extra load at peak times, as the station is already exceptionally busy, especially on outbound trips in the morning. Furthermore, Harrow-on-the-Hill station is not fully disabled accessible, and therefore there will be a requirement for a financial contribution in relation to this matter (although sceptical that it will be sufficient as the Neptune Point development illustrated).
- The original Harrow Area Action Plan proposed tall building should be restricted to the town centre with height limits of six to seven stories, to protect the use of Harrow-on-the-Hill.
- Concerns raised over the proposed design of the development – drawing show a drab overdevelopment of slab blocks of flats reminiscent of 1950s Council architecture. Should be opposed on the basis of poor design.
- Blocks should be stepped back on the upper floors to be more sensitive and to allow more daylighting into the potential piazza space, but they should also respect more the human scale at street level.
- At the exhibition the developer's representative said that the planners wanted "a strong edge". Does a strong edge inevitably mean such a tall building? No-one seems to have given thought to the fact that this is the part of the site particularly close to a significant residential area.
- The proposal is driven entirely by desire on the part of the developers to maximise profit at the expense of any attempt to consider or meet Harrow's needs. Harrow does

not need tower blocks, it needs decent homes where people can bring their families.

- Impact of additional strain on local transport and health infrastructure.
- There are some good mature trees at the junction opposite Debenhams and showed to be retained and made the most within this possible piazza space.
- Concern raised there seems to be no coherent plan for the town centre to show developers as to what will be acceptable.
- Issue of tall buildings on both sides of Lyon Road, and the impact on the microclimates this would have, i.e a sunless windtunnel.
- Loss of views to the North and East from Platinum House.
- Loss of value to surrounding properties.
- Suggest a model of the scheme should be available.
- What is needed is new green space which should offer an attractive break to the drabness of Station Road, as well as a pocket park to enable citizens to enjoy pleasant seclusion from the hurly-burly town centre.
- The new library could be incorporated; it would compensate for the loss of the Gayton Road library.
- A number of respondents have made comments in relation to the current state of the town centre, comments regarding Harrow market and the Council's aspirations for public squares.
- Comment received comparing the proposal to a scheme considered by Richmond Council for redevelopment Twickenham station, where the proposed development is reduced by seven storeys and the number of homes reduced, to mainly four-storey terraces. Cites the overwhelming public disapproval to previous plan for high-rise block development.
- Concern raised the consultation period is merely prior to the Christmas/New Year holidays and therefore may not receive proper attention from the general public.

Advertisement – Second Consultation

Major Development / Setting of a Listed Building – Expired 12/04/2012

Notifications – Second Consultation

Sent: 875

Replies: 5

Expiry: 09/04/2012

Addresses Consulted – Second Consultation

As above.

Summary of Responses – Second Consultation

- Welcomes any reduction in height of the development but notes that Block G at 14 storeys has not been changed and would be even more conspicuous if the flanking Blocks F and H are now at eight storeys. Notes that developers are keen on a 'landmark' tall building, but the design has to be truly exceptional to offset the many disadvantages of living in or near them and maintaining them. The design of Block G is not exceptional.
- According to the ground plan the floor area of Block G is about 1/3 of that of Blocks F or H. Block G could therefore be reduced by 3 floors, down to 11 storeys, and Blocks F and H by 1 storey each, while still maintaining the same number of units as in the amended application. Considers that reducing the height of Block G is crucial for all the many reasons given in previous comments, not least because it will avoid offering a new benchmark for subsequent developers.

- Concerns of placing such a dense housing development in the town centre. It would exert great pressure on infrastructure such as transport, medical services etc. The proposed reduction of 21 housing units would have no significant impact on this. Most of this site should be used to regenerate the centre of Harrow by providing commercial and community facilities.
- The amendments do not appear to improve the drab appearance of these blocks, which has been likened by architects to council estates of the past.
- Concerns raised in relation to the impact of local highway network, in particular potential for increased congestion, and comments that the proposed 123 parking spaces is insufficient to support 287 flats. Also comments that the access into the site from Lyon Road and St John's Road appears worrying.
- Comments that the applicant has made token concessions which do not address anything initial concerns. The reduction in units represents a mere 7%, which does not address the issues of congestion and overpopulation previously raised.

APPLICANT CONSULTATION

The applicant held a public exhibition of the evolving scheme on the 18th and 19th August. The applicant's Planning Statement reports that 45 people attended the exhibition, and 29 consultation forms were completed. The comments and applicant's response to these are reported on pages 9 and 10 of the Planning Statement.

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Design and Density
- 3) Impact on Key Views and Character of the Area
- 4) Residential Amenity (including HRA)
- 5) Traffic and Parking
- 6) Development and Flood Risk
- 7) Sustainability
- 8) S17 Crime & Disorder Act
- 9) Impact upon Health and Wellbeing
- 10) Planning Obligations and Conditions to Mitigate the Impact of Development
- 11) Consultation Responses
- 12) Conclusions

1) Principle of the Development

National Planning Policy Framework (2012)

1.1 Members will be aware that the National Planning Policy Framework (NPPF) was published by the Government on the 27/03/2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It is still the case that applications for planning permission must be considered in the context of the Development Plan for the area, as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended). The Development Plan for this area comprises:

- The London Plan (2011), and the Early Minor Alterations to it;
- The Harrow Core Strategy (2012);
- The saved policies of the Harrow Unitary Development Plan (2004).

1.2 The NPPF, however, does set out policies and principles that local planning authorities should take into account, when both preparing local plans, and determining planning applications. The policies within the NPPF are a material consideration that should be given significant weight, especially when they conflict with an out-of-date Development Plan.

1.3 Of particular note in the NPPF is the (much debated) requirement that there is a presumption in favour of sustainable development. Paragraph 14 of the NPPF sets out that:

*At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

For **decision-taking** this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

1.4 During 2011, the Government announced its intention to introduce a presumption in favour of sustainable development (in the 2011 budget and the 'Planning for Growth' paper) and issued a draft NPPF for consultation. Both the emerging presumption and draft NPPF were in the public domain before the Examination in Public hearing sessions of Harrow's Core Strategy in late summer 2011, and upon the advice of the examining Planning Inspector the Council undertook a post-hearings re-consultation exercise to *inter alia* solicit views about the implications of these for the Core Strategy. Paragraph 7 of the Planning Inspector's report into the soundness of the Core Strategy confirms that he took into account representations received in respect of these matters. The published NPPF formalises the presumption in favour of sustainable development and carries forward the thrust of the Government's intentions for a streamlined, pro-growth national planning policy position as set out in the 2011 draft. Officers are therefore confident that the Core Strategy (2012) is in general conformity with the published NPPF and that, taken together with the London Plan (2011), there is a clear and up-to-date Development Plan for the delivery of sustainable development in Harrow.

1.5 Taking each of the relevant NPPF sections in turn, The London Plan (2011) and Harrow's Core Strategy (2012) provide a clear framework for:

- an evidence-based approach to managing the release of surplus employment land and securing appropriate re-provision of new floorspace that meets the current and future economic needs of the Borough (*building a strong, competitive economy*);
- promoting development in town centres to meet evidenced retail needs and to sustain their competitiveness within the regional hierarchy of centres (*ensuring the vitality of town centres*);
- ensuring that major development takes place in accessible locations to benefit from, and support investment in, sustainable transport (*promoting sustainable transport*);
- the delivery of a quantum, mix and affordability of homes to meet evidenced needs

- over the plan period on previously developed land including mixed-use redevelopment of redundant offices where appropriate, but without relying on the development of garden or other windfall sites (*delivering a wide choice of high quality homes*);
- securing good, inclusive design through new development within the Intensification Area and ensuring that the character of suburban areas is safeguarded (*requiring good design*);
 - meeting the needs of the community by ensuring the delivery of social infrastructure such as healthcare and educational facilities, and ensuring the protection, improvement and new provision of open space (*promoting healthy communities*);
 - ensuring the continued protection of the Green Belt by delivering development on previously-developed land within the existing urban area (*protecting Green Belt land*);
 - managing flood risk and mitigating climate change (*meeting the challenge of climate change, flooding and coastal change*);
 - steering development away from environmentally sensitive areas and funding the implementation of nature conservation and enhancement projects (*conserving and enhancing the natural environment*); and
 - providing a positive framework for the management of and investment in the historic environment (*conserving and enhancing the historic environment*).

1.6 Specific policies of the NPPF (2012) that are relevant to the subject proposal are discussed in the relevant sections below.

Harrow Core Strategy (2012) and London Plan 2011

1.7 The proposal seeks to locate 287 dwellings and 3,050.8 sqm of commercial floorspace including offices onto the former Equitable House / Lyon House site, which is located within Harrow Metropolitan Centre boundary. Harrow's Core Strategy (2012) and The London Plan (2012) designate the site as part of an Intensification Area to accommodate almost 50% of the Borough's jobs and housing growth. This proposal therefore makes a valuable contribution within the Intensification Area to meeting the Borough's housing and jobs targets and supporting the strategic policy direction of Harrow's Spatial Strategy, as set out in Core Strategy Core Policy CS1 (Overarching Policy) A and The London Plan (2012) policy 2.13B. The site is located within the boundary of the Metropolitan Centre designation, and involves the redevelopment of Brownfield land, in line with Core Strategy Core Policy CS1 (Overarching Policy) and the objectives of the Spatial Vision – which seeks to steer development away from green spaces towards previously developed land.

1.8 It should be noted that the proposal includes the assembly of two sites, and therefore represents a comprehensive development of the site that would not be achievable if the sites were developed independently. In this respect, the proposal is also consistent with the implementation strategy of the Core Strategy.

1.9 The principal of the mix of uses on site also complies with The London Plan (2011) policy 2.15C to accommodate appropriate economic and housing growth through intensification in town centre locations and policy 4.7B as the new commercial floorspace will be in centre, and is of a scale appropriate to a site in a Metropolitan centre, but away from the Primary shopping parades. Similarly, the proposal complies with Harrow's Core Strategy Core Policy CS1 (Overarching Policy) P and F, by consolidating new office space in Harrow town centre and securing employment opportunities as part of mixed use development. While the quantum of replacement office floorspace is less than the 40%

target of the Core Strategy, this has to be considered in light of the current high levels of office vacancy and the fact that this proposal is effectively the first 'off-the-rank' in a long-term strategy of office renewal. It therefore does not set a precedent for future mix use development of office floorspace in the town centre. The overall mix, type and quantum of development are therefore in line with Harrow's spatial strategy, and there are no conflicts with The London Plan (2011).

1.10 On a strategic level, it is therefore considered that the application is in broad conformity with the Development Plan for the area. As such, it is considered that the application is also consistent with the NPPF.

Draft Harrow and Wealdstone Area Action Plan (Consultation draft December 2011)

1.11 Members will be aware that the Council, with support from the Greater London Authority, is preparing an Area Action Plan (AAP) which is a detailed Masterplan for Harrow and Wealdstone, including new town planning policies to help guide development and accommodate growth in the area. The Heart of Harrow, identified in the London Plan as the Harrow and Wealdstone Area for Intensification, includes Harrow town centre, large parts of Wealdstone and the Station Road corridor that links the two centres. The Council has recently undertaken a second round of public consultation in relation to the AAP (this closed on the 23/02/2012), but the document has not been subject to an Examination in Public (EiP) at this stage. Accordingly, the weight that can be afforded to this document is, at this stage, limited. The AAP does not form part of the Development Plan at this time.

1.12 Notwithstanding this, it is still worth noting that Lyon Road forms one of the key sites in the Harrow Town Centre East sub-area within the AAP. The AAP sets out that the strategic objectives for this sub-area are the delivery of 650 houses and 210 jobs; that urban realm improvements to existing modest pedestrian link from Station Road to Lyon Road, and new high quality public space to complement existing, newly created space at junction of Lyon Road and St John's Road are required; and, that in terms of infrastructure a community facility (health centre) is the priority.

1.13 The Lyon Road site itself is identified as Development Site 23. The AAP sets out that the key objectives for this site are as follows:

- Positive contribution to the local residential area, in terms of quality and character
- Making a new relationship between the Metropolitan Centre and this residential area directly via Station Road
- Enhancement to the urban environment in terms of material presence, attractive streetscape, and good routes, access and permeability.
- Delivery of high quality residential and community uses

1.14 The AAP includes a potential layout for the development of the site (figure 6.61). The only main difference between that diagram and the proposed development is the height of Block H, where the AAP indicates a storey height of five to six, where as this application proposes an eight storey building. The AAP identifies a minimum output of 300 homes, so the 287 proposed by the application would fall slightly below this. In terms of design, the AAP sets out that the northern building (i.e. Block G), may be taller than others to provide one of the 'special character' buildings along Station Road. The AAP advises that that a simple palette of materials using predominantly brick would be

appropriate, and emphasises the potential public realm improvements that should take place at the junction of Lyon Road, Station Road and St John's Road.

1.15 It is considered that in broad terms the proposed development is consistent with the emerging policies within the AAP.

Loss of Existing Offices

1.16 The London Plan (2011) policy 4.1 highlights that the Mayor will support and promote outer London as an attractive location for businesses, giving access to the highly-skilled London workforce, relatively affordable work space and the competitive advantages of the wider London economy. Policy 4.2 states that "the Mayor will and boroughs and other stakeholders should support the management and mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises." London Plan (2011) policy 4.3 supports this approach, highlighting that mixed use redevelopment can play a role in promoting selective renewal and modernisation of the stock in appropriate locations and delivery of other uses including housing as part of a managed process to consolidate the strengths of the office market

1.17 Core Policy CS1 (Overarching Policy) N/O/P identifies that mixed use development will be supported where this secures employment generating development and diversification of Harrow's economy, in locations that are not allocated sites or allocated within industrial locations.

1.18 Saved Harrow Unitary Development Plan (2004) policy EM15 resists the loss of "B" class uses on a site, unless it can be demonstrated that a site is no longer suitable for an employment use.

1.19 The current application seeks full planning permission for the demolition of the current two office buildings and their replacement with a mixed use residential and commercial scheme. The existing offices comprise approximately 12,200 sq m of space, which would all be lost by way of the development.

1.20 The applicant has submitted an 'Office Supply and Demand Study', which identifies that the existing office space is not viable, and therefore its redevelopment in employment generating terms would be positive. In particular, the Office Supply and Demand Study highlights that:

- Both Lyon House and Equitable House have been vacant since the previous tenants vacated the buildings in June 2010. Both properties had been let on single leases.
- Lyon House was marketed over a period of approximately 16 months. . No significant interest was shown and no offers were made will stop
- There is an oversupply of office accommodation in Harrow, particularly of this nature, i.e. public and private sector single occupier's. This is highlighted within the Council's Local Economic Assessment and the Nathaniel Lichfield and Partners Employment Land Review (2010).
- The majority of office occupiers looking for large amounts of office space tend to search in the larger centres Uxbridge and Watford, which have a critical mass of larger and more modern office space. However, there are gaps in the property

portfolio in the Borough, which include small to medium Freehold/long leasehold offices, where there is a short supply.

- Local agents anticipate a reasonably good demand for small office suites since they would appeal to this sector of the market who are not particularly well catered for. The proposed suites will be brand-new with a model specification and this will be an attraction in comparison with the current second-hand older style office suites.
- There are two recent examples of similar outdated office buildings being granted planning permission for alternative uses in Harrow town centre. These are Sheridan House on St Anns Road and Signal House on Lyon Road.

1.21 The comments in relation to the marketing of the existing buildings are noted. However, the facades of the buildings were removed over the spring of 2011 (works commencing around April of that year) – seriously damaging the likelihood of a new occupier taking such space. However, on balance, it is considered that the evidence from the applicant, together with information before the Council is adequate to demonstrate that the retention of the current office buildings is likely to be unviable. Furthermore, that their redevelopment would have a positive impact on employment opportunities within Harrow town centre, by way of the proposal for new modern commercial building, that would aim to serve small and medium-sized businesses. This view is supported by the GLA, who have raised no objection to the loss of the existing offices, and consistent with the Council's evidence secured as part of the Core Strategy / AAP process.

Associated commercial uses and vacancy strategy

1.22 The London Plan (2011) promotes affordable shop units suitable for small independent retailers and service outlets to strengthen and promote the retail offer, attractiveness and competitiveness of town centres such as Harrow (policy 4.9).

1.23 The London Plan (2011) policy 7.3 highlights various 'Designing Out Crime' aspirations, and in particular identified the design should encourage a level of human activity that is appropriate to location, incorporating a mix of uses where appropriate to maximise activity throughout the day and night creating a reduced risk of crime and sense of safety.

1.24 Harrow Core Policy CS1 (Overarching Policy) states that Harrow's town centres will be promoted as the focus for community life, providing residents with convenient access to a range shops, services, cultural and leisure facilities, as well as local employment opportunities and areas of good public transport.

1.25 As a result of the discussions undertaken at pre-application stage, the applicant proposes a range of Class A1, A2 and A3 uses at ground floor level (and at first floor level in some cases), along Lyon Road. Where at present the level of activity along Lyon Road is limited, and there is little interaction at ground floor level because of the nature of the buildings (not just that the application site buildings are vacant, but that, for example, Platinum House is accessed from an internal car park), it is considered that the proposed commercial units would help to enliven the street in this location, resulting in increased pedestrian activity and a greater sense of security.

1.26 The London Plan (2011) policy 3.17 states that development proposals which provide high quality health and social care facilities will be supported in areas of identified

need, particularly in places easily accessible by public transport, cycling and walking.

1.27 It is noted that the applicant has been in discussions with the Primary Care Trust and Council officers in relation to the potential to use the proposed class D1 floorspace for some form of GP surgery and/or health centre. The applicant has set out that the proposed commercial space within Block F is considered to be suitable for this purpose. It comprises two floors of 547 sqm (GIA) each and can be subdivided if required. The applicant has advised that it could be occupied in whole or in part as a Health Centre and if both floors were used for this purpose they estimate that it could comprise approximate 12-15 consulting / treatment rooms together with ancillary offices, waiting areas etc. It could also be suitable for a self contained pharmacy/chemist which would fall within the proposed A1 use.

1.28 The Council's Infrastructure Assessment and Delivery Plan identifies a requirement within the Intensification Area of a GP Surgery (4 GPs) with dental service provision (2 dentists). Given the importance attached to this matter, it is considered that this should be secured, either through a financial contribution or through the use of a Section 106 Legal Agreement to set out the mechanism for the delivery of the Health centre within this development. This is discussed within the Planning Obligations section of this report.

1.29 Furthermore, as recommended by the GLA, it is important to ensure that should the proposed commercial units along Lyon Road not be occupied immediately upon completion (which given the current state of the economy, is also a risk), that some form of alternative use is allowed whereby the benefits described above can still be gained.

1.30 The applicant has set out that their vacancy strategy would comprise the following:

- Use as a sales office/marketing suite for the residential element.
- Use as a 'mock up' for the B1 office units displaying fit-out options etc.
- Use a gallery / exhibition space, possibly linked to the public library on St John's Road (by the Council at nil rent and subject to service charges).
- Use of attractive temporary facades rather than blank hoardings as marketing material for the vacant units.
- Use as hoardings to advertise / promote local events particularly those taking place on the new Public Realm (e.g. music/ dance displays etc).
- Use as 'indoor' space linked to events taking place on the Public Realm. This could assist in holding events during winter months where some indoor shelter would be beneficial.

1.31 In principle these measures are considered appropriate. It is recommended, by way of appropriately worded planning condition, that the applicant submits a 'vacancy strategy' should planning permission be granted, to formalise these measures.

Housing Supply and Density

1.32 Policy 3.3 of The London Plan (2012) sets out the target for housing supply for each London Borough, for Harrow this being a provision of 3,500 additional homes for the next ten years and an annual monitoring target of 350. It is considered that the principle to redevelop this site for residential development would be in accordance with the London Plan (2011) policy 3.3.

1.33 The London Plan (2011) policy 3.4 requires that development should seek to

optimise the number of residential units, having regard to the local context, matters of design and the level of public transport acceptability. Target guidance ranges for the density of new residential development are specified in Table 3.2 Sustainable Residential Quality (SRQ) density matrix, which supports policy 3.4 of The London Plan (2011). The density guidance ranges specified in this table are related to the site location setting, the existing building form and massing, the indicative average dwelling size, and the Public Transport Accessibility Level (PTAL) of the site.

1.34 Harrow Core Policy CS1 (Overarching Policy) I identifies that new residential development should result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities. This includes the provision of a range of affordable housing tenures including social and affordable rent, as well as intermediate housing products such as shared ownership and shared equity.

1.35 Harrow Unitary Development Plan (2004) policy H7 require new development to provide a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

1.36 The application site is within the Town Centre of Harrow as defined in the Harrow Unitary Development Plan (2004). Given the PTAL accessibility level, the density matrix of The London Plan (2011) table 3.2 suggests that development in the range of 650 – 1100 habitable room per hectare (HRHa) is appropriate. The AAP acknowledges that the site lies within a transitional zone, with the more suburban areas beyond. Certainly, not all of the development surrounding the site has characteristics that are consistent with a town centre location – notably development towards the eastern end of St Johns Road.

1.37 The development would have an overall density of 1,029 habitable rooms per hectare (HRH). The larger blocks (Blocks C, D, F, G and H) located closer to Station Road, and the larger scale commercial and residential buildings on Lyon road, notably Platinum House, have a markedly different scale and “density” to Blocks A and B which back on to existing residential flats on Gayton Road. Whether the density of development is suitable in this case, is consequently a more complex matter in this case than merely whether it falls within the parameters of Table 3.2 and The London Plan (2011) policy 3.4. The GLAs Stage 1 response also acknowledges that the site exhibits a mixed transitional character from a central area to a more urban area. The GLA have not raised any in principle objection to the application on the basis of the density of the scheme, but have advised that due to its transitional qualities, the design and appearance of the scheme is made more important. Against the London Plan (2011) density parameters, the development is however compliant.

1.38 Overall, the proposed development is considered acceptable in terms of the density of the site.

Affordable Housing

1.39 The London Plan (2011) policies 3.9 – 3.13 sets out guidance on the delivery of new affordable housing. Policy 3.9 promotes mixed and balanced communities and requires that new developments should encourage a good mix of housing tenures thereby reducing social deprivation. Policy 3.10 of The London Plan (2011) defines affordable housing as social rented, affordable rented and intermediate housing (including shared ownership/equity and intermediate rental products etc).

1.40 The London Plan (2011) policy 3.12 promotes the negotiation of affordable housing on residential and mixed use developments and in particular explains how boroughs should seek to secure the maximum reasonable provision of affordable housing on qualifying sites subject to financial viability, the availability of funding and other site specific and local circumstances and priorities. Boroughs should evaluate financial appraisals submitted alongside planning applications rigorously.

1.41 With regard to Affordable Rent, Harrow released an Interim Advice note for developing Registered Providers (RP) in May 2011 which sets out that the full 80% market level should be charged on 1 and 2 bedroom properties. On larger properties, RPs should consider charging existing target rents or as near as possible due to the affordability problems created for those on our Housing waiting list.

1.42 Harrow Core Policy CS1 (Overarching Policy) J 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 across the Borough between 2009 and 2026. The Council will seek the maximum reasonable amount of affordable housing on all development sites with a capacity to provide ten or more homes (gross), having regard to:

- the availability of public subsidy;
- the need to promote housing mix and choice (see Policy CS1 I);
- the priority accorded to family affordable housing in both the London Plan and the Council's Housing Strategy;
- the size and type of affordable housing needed in particular locations;
- the site circumstances and other scheme requirements;
- development viability; and
- the need to meet the 40% borough wide target.

1.43 Metropolitan Housing Trust (MHT) – who are one of Harrow's preferred RP partners – have worked closely with the developer from the early stages in order to ensure that the affordable housing offer is deliverable and most importantly meets an affordable housing need in the borough.

1.44 This application proposes the introduction of 'affordable rents' in the borough. The 'affordable rent' tenure was introduced in 2010 by the Coalition Government and funding through the Homes and Communities Agency (HCA) Affordable Homes Framework 2011-15 is targeted at this tenure as opposed to traditional social rented homes.

1.45 The new tenure allows the RP to charge up to 80% of local market rental levels to tenants. On larger properties this can be over twice the level of rent charged on equivalent social rented homes and as such the Council have worked with the RP to ensure that the proposed rents are balanced between delivering a significant quantum of affordable housing whilst also ensuring that the homes are affordable to those on our housing waiting list.

1.46 During the course of the application, the proposed level of affordable housing has been reduced from 85 units to 49 units. As discussed in more detail in the design section below, there have been several significant changes to the proposed scheme during the course of the application, in relation to proposed heights and massing of a number of buildings, in particularly Blocks F and H. This has impacted upon the viability of the development and its capacity to support the delivery of affordable housing. The total number of proposed units has been reduced from 308 to 287.

1.47 The applicant has submitted a GLA Three Dragons Toolkit in order to demonstrate that the maximum reasonable provision of affordable housing has been offered as part of the planning application. This appraisal was revised and updated in March 2012 in order to reflect the changes to the scheme brought about by the reduction in residential floorspace.

1.48 The GLA Three Dragons Toolkit is a residual land value appraisal which assesses scheme development costs and values and generates a residual land value benchmark which can be used to determine scheme viability.

1.49 The financial appraisal has been prepared by the applicant's consultant and includes an Affordable Housing Statement as well as advice from third party consultants which provide background detail to the assumptions made within the appraisal.

1.50 The Homes and Communities Agency (HCA) have advised that the Borough should not rule out the availability of grant from the 2011-15 bid round becoming available for use on a scheme such as this. The HCA/GLA have suggested that the following would need to be satisfied of the following:

- Additionality is being achieved (demonstrated through the financial appraisal and increased mix and type of affordable housing with grant)
- The provider is willing to spend some of their allocation on this scheme and will be in a position to fulfill the remainder of their 2011-15 programme in the sub region; and
- The Borough supports the use of grant funding on the site.

1.51 Through liaison with Metropolitan Housing, Officers have been able to test the additionality achievable in line with their Agreed Payment Rate (APR) with the HCA/GLA. In summary the following may be achievable:

- Block C, currently a mix of affordable rent and shared ownership might be converted to 100% affordable rent. Rented accommodation is the Council's priority housing need. This would double the without grant provision to 49 units
- If funding was also made available for low cost home ownership at the RPs APR, it may be possible to secure around 25 shared ownership units based on the submission financial appraisal
- The tenure mix were this funding to be forthcoming would be around 67:33 (AR:SO)
- MHT are currently verifying the 'affordable housing value' generated by the GLA Toolkit to ensure that this is accurate
- MHT have already sought to use some of their grant funding to seek to achieve further additionality

1.52 A meeting took place at the end of March with the applicant to determine how the availability of grant funding might affect the progression of the scheme and if it is feasible to carry out additional redesign work at this stage. Given the uncertainty regarding the availability of grant at this time it is considered appropriate to ensure that an appropriate mechanism to provide for the potential application of grant funding is included within the Section 106 Agreement.

1.53 The Section 106 Agreement would set out the following:

- The minimum provision of affordable housing (grant free provision);

- That an application for use of AHP funding will be pursued which will demonstrate how the minimum provision can be improved with the use of grant funding;
- If funding was to be secured, the financial appraisal will be used to determine the final mix of affordable housing units on site and the location of any additional affordable units (e.g. shared ownership outside Block C) will be determined accordingly;
- If funding is secured, redesign of Blocks C and possibly one other may be necessitated to provide a better mix of unit types and sizes in order to ensure that sufficient family sized units are required.

1.54 The provision of affordable housing also falls short of the Core Strategy target of 40%. However, this is a Borough wide target over the plan period, and as is demonstrated by viability analysis, this is not achievable in the current market, especially with regard to the Council's requirement for community floorspace and replacement offices in this development.

1.55 Based on the information submitted and consultation with the Council's internal valuation team, it is considered that the maximum reasonable provision of affordable housing has been determined if grant funding is not available.

1.56 If grant funding is secured, it is considered that clear additionality can be achieved by providing more affordable housing on site at a better mix than that secured on a grant free basis.

1.57 The proposed cascade arrangement will allow the borough some flexibility to put forward a case for the use of housing grant on this site.

1.58 The Housing department has been involved throughout with the development, the tenure mix and type of homes and the level of affordable housing provision currently proposed. The NPPF is clear that Local Planning Authorities must have regard to the viability of development in reaching their conclusions on its suitability. The evidence submitted demonstrates that the development is contributing the maximum reasonable affordable housing component, in compliance with Core Policy CS1 (Overarching Policy) J and in the context of the other requirements of the development.

Conclusion

1.59 Having regard to the strategic policy considerations within the Development Plan, set out above, and all other material planning considerations, including the emerging strategy for this site set out in the Area Action Plan DPD, the principle of a mixed use development, delivered through residential land uses and constructed at a density reflective of a town centre location is considered to be acceptable and consistent with the recently adopted NPPF. The range and broad arrangement of the land uses across the site is also considered to be acceptable in principle.

1.60 The NPPF and Development Plan nevertheless also require that the development satisfies a number of specific policy considerations, related to its detailed design and the impacts arising from it. These matters and the specific policy requirements will be considered below.

2) Design and Density

2.1 The NPPF (2012) continues to emphasise that:

“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. (Para 56)

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. (Para 57)

Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. (Para 61)

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. (Para 64)

Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits). (Para 65)”

2.2 The London Plan (2011) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2011) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2011) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion, composition, scale and orientation. Development should not be harmful to amenities, should incorporate best practice for climate change, provide high quality indoor and outdoor spaces, be adaptable to different activities and land uses and meet the principles of inclusive design.

2.3 The report above notes that the density of the development corresponds with The London Plan (2011) policy. Nevertheless, in order to properly address the broader policy requirements for new development, the proposals need to demonstrate a sensitivity to and consideration of the context, both local and more widely, in its design, materials and composition.

2.4 The current plans and elevations have been revised steadily during the course of the schemes evolution. In addition to the reduction in the heights of Blocks F and H, the applicant has altered the glazing to the base levels of some of the blocks, (the tower in particular), redesigned the window hierarchy to improve the solid to void relationship, and amended the balconies to a number of the buildings, (Blocks C and G in particular. The addendum to the Design and Access Statement sets out the rationale for these changes:

- *“The reduction in height also makes Block F more deferential to its neighbour on the opposite side of the road, Platinum House. The reduction in height has changed the*

proportion of Block F and the resultant review of the elevations has led to the refinement of the detailing including the introduction of translucent but not transparent glazed panels to the lower part of the winter garden screens. The upper levels remain transparent. The translucent glazing is also to be applied to all balconies, enhancing privacy while maintaining their lightness.

- The reduction of Block H by a single floor, is sufficient to address the issues raised by Harrow Council particularly in relation to the views from the Grove where there is very limited visibility of the development.
- The separation of Block H from Block G together with the scale of streetscape and transition in heights from Blocks A to H to G, informed our decision that a reduction of Block H by a single floor was a more appropriate response.
- In relation to Block G, the views of Blocks F and H and their relationship with Block G allowed us the opportunity to review the treatment and enhance its slenderness and relationship with the potential new Public Realm and signify the importance of the redevelopment of this area and its place in Harrow. The result is a simpler expression.
- Of significance is the refinement of the balance between solid and void with stack bonded brickwork regulating the elevation.
- The ground floor with six metres floor to floor provides a glass plinth.
- The balconies to the top floors have been redesigned to reduce its apparent bulk by removing and reconfiguring the balconies.
- The addition of the roof garden, does not add any additional height or additional accommodation but provides a top to the building, adding to its distinctive character, providing a unique marker for the development and more importantly, the proposed Public Realm. It is intended to illuminate the planting in the roof garden at night. The addition of the roof garden to Block G is the only building where provision has been made for lift access.
- In addition to the above, it is worth noting that the elevations require quality and simplicity of detailing to deliver the clean lines envisaged.
- To this end, rainwater goods have been designed for the most part to be brought down internally. Consideration has been given to the selection of materials and systems, to ensure continuity of quality of brickwork in the façade and indeed, we have proposed a increase of 200mm to each building to allow for the build up at roof level, maintaining adequate falls and ensuring there is no further projections with the exception of lift overruns, beyond the clean line of the roof edge.”

2.5 The revisions to the scheme are considered to have had a positive impact on the appearance of the proposed development, and the way in which it sits within its urban context. The reduction in the height of Block F results in a more appropriate scale of development when viewed from nearby, and serves to distinguish the tower element more specifically in longer views, which deliberately reinforces its role as a new landmark within the town centre.

2.6 The applicant had originally proposed a ‘chequerboard effect’ to the elevations for several of the buildings. In response to initial feedback through consultation, the MDP and officers, the applicants have sought to refine and simplify the treatment of the building elevations; this elements now only appearing on the commercial office elevations to Block E, which would utilise an ‘Argeton Barro’ system or similar batten range, which comprising an open ceramic screen over glazing. This provides visual interest to the offices, giving them a distinctive look which denotes its different use and floor to floor heights, and signifies them as different to the rest of the residential blocks.

2.7 The residential blocks meanwhile would be treated simply, with a limited pallet of

materials; each block has a darker blue grey base and a lighter coloured brick faced elevation above in a stack bonded form. The darker brick would also be used intermittently to break up the mass of the blocks, for example vertically on Block B.

2.8 Consistent with the desire to simplify the elevations, there have been a number of revisions to the tower aimed at improving its proportions. Given its size, it would always be evident in the surroundings as a local landmark. The amendments have nevertheless sought to reduce the buildings apparent width by deleting some of the projecting balconies changing the design of the upper floor balconies so that the tower would appear both more cohesive and more elegant.

2.9 Overall, it is considered that the proposed design of the buildings is appropriate for the scale, size and urban context of the development. Those parts of the building that are visible in longer views are treated simply. From the street, the materials and detailing, window design and balconies should avoid the overbearing dominance of the continuous balconies of Platinum House. The commercial façade of the building at ground and mezzanine floors along Lyon road should also enable substantial light spillage onto the street at night, and visible activity to be apparent during the daytime

2.10 A planning condition is recommend that would require details of a strategy for the provision of communal facilities for television reception, such as aerials, dishes and other such equipment. This condition would also prohibit any further satellite dishes and other paraphernalia, that can lead to an adverse impact on the appearance of buildings once they have been constructed.

Conclusion

2.11 The evolution of the design through the development process has resulted in a design that overall, is considered to meet the objectives within NPPF (2012), acceptably addresses the criteria within The London Plan (2011) policies 7.4B, 7.6B and 7.7B/C/D/E, saved Policies D4 and D31 of the Harrow Unitary Development Plan (2004) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010). Whilst it is clear that the impact of the buildings proposed on key views is a matter of significant concern amongst those making representations, officers consider that in this case, and having regard to the provisions in planning policy, the proposals can be supported.

3) Impact on Key Views and Character of the Area

3.1 London Plan (2011) policy 7.7B/C/D/E is particularly relevant for this proposal, given the nature of the height of the development. The full text of these policies states:

B. Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria below. This is particularly important if the site is not identified as a location for tall or large buildings in the borough's LDF.

C Tall and large buildings should:

a generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport

b only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building

c relate well to the form, proportion, composition, scale and character of surrounding

buildings, urban grain and public realm (including landscape features), particularly at street level;

d individually or as a group, improve the legibility of an area, by emphasizing a point of civic or visual significance where appropriate, and enhance the skyline and image of London

e incorporate the highest standards of architecture and materials, including sustainable design and construction practices

f have ground floor activities that provide a positive relationship to the surrounding streets

g contribute to improving the permeability of the site and wider area, where possible

h incorporate publicly accessible areas on the upper floors, where appropriate

i make a significant contribution to local regeneration.

D Tall buildings:

a should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference

b should not impact on local or strategic views adversely

E The impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings, registered historic parks and gardens, scheduled monuments, battlefields, the edge of the Green Belt or Metropolitan Open Land, World Heritage Sites or other areas designated by boroughs as being sensitive or inappropriate for tall buildings.

3.2 Core Policy CS1 (Overarching Policy) C/D states that "Proposals that would harm identified views or impede access to public viewpoints will be resisted. Proposals that would harm the significance of heritage assets including their setting will be resisted. The enhancement of heritage assets will be supported and encouraged.

3.3 Saved policy D4 of the Harrow Unitary Development Plan (2004) reinforces the principles set out under The London Plan (2011) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surrounding, and should have a satisfactory relationship with adjoining buildings and spaces. The Council has published a Supplementary Planning Document on Residential Design (2010) which sets down the detailed guidance for residential extensions and new residential developments and reinforces the objectives set under saved policy D4.

3.4 Saved policy D5 of the Harrow Unitary Development Plan (2004) requires new development '*to provide amenity space which is sufficient: to protect the privacy and amenity of occupiers of surrounding buildings; as a usable amenity area for the occupiers of the development; as a visual amenity*'. Explanatory paragraph 4.28 of saved policy D5 of the Harrow Unitary Development Plan (2004) goes on to state that '*There should be a clear definition between private amenity space and public space*'.

3.5 During the examination of Harrow's Core Strategy (2012), the Inspector applied himself to the matter of tall buildings in the Borough, not least in response to representations from CBHE and CBRE on behalf of Dandara. Commenting on the principle of tall buildings within the Borough, the inspector did not support the CBHE suggestion that the Borough was not a suitable place for tall buildings. Instead, and in noting the modification of the Core Strategy to acknowledge the findings of the appointed

Inspector during the inquiry into a tall building on College Road, the Inspector agreed with the Council that such matters might properly be examined during the Area Action Plan for the Harrow and Wealdstone Area Intensification Area.

3.6 Accordingly, in 2011 the Council commissioned SLR consulting to undertake a review and update of the adopted Harrow Unitary Development Plan (2004) protected viewpoints. The exercise used, as its methodology, the approach followed by The London Plan (2011). The initial report from SLR identified a total of eight new viewpoints and recommended that only three of the existing Harrow Unitary Development Plan (2004) viewpoints be retained.

3.7 As a basis for establishing policy, the study suggested an approach based upon the identification of notional “horizons” within viewing corridors defined from specified viewing areas. The study identified two specific viewpoints; namely St Mary’s Church Harrow (and the Hill and the associated shoulders of the Hill), and to the North of the Borough, the Harrow Weald Ridge. The study itself has been the subject of representations as part of the AAP preferred option consultation (regulation 25) undertaken in early 2012. Whilst this clearly affects the weight that can be afforded to the conclusions, given the inclusion of a tall building within the current proposals, the study is nevertheless considered to be of some use, in helping to consider the suitability of this site for a tall building, and in considering the specific consequences on views, arising from the development.

3.8 A significant number of objections have been received that relate to the potential impact of the development upon both its immediate surroundings and longer views across the townscape, and upon the quality of the design of the buildings themselves. Based on the consultation responses received, and the development plan policy context for consideration of the application, this issue forms one of the main considerations raised by local residents.

3.9 As noted by several objectors, the application is on a strategic scale and the proposals play an important role in the delivery of the aspirations set out in the Core Strategy and emerging AAP. The visual impact, and visibility of the proposals in views, is one of a number of Development Plan considerations to which the Council must have proper regard.

3.10 The applicant has undertaken a Townscape Views Assessment, which forms part of the Design and Access Statement submitted. The GLA have confirmed that the proposed site would not be visible from any of the viewing locations within the London View Management Framework (i.e. strategic protected views across London), and therefore, the impact of the development should be considered in the context of local (as opposed to London Plan) views only.

3.11 The proposed development would be clearly visible from three of the viewpoints in Schedule 4 of the Harrow Unitary Development Plan (2004). Of the new viewpoints created as part of the SLR report, the proposal would be visible within two of these viewpoints (The Grove Open Space and the proposed Country Park at Wood Farm), as well as Old Redding, which is a retained viewpoint from the Harrow Unitary Development Plan (2004). The site is not visible from the other two retained viewpoints. Saved policy D31 of the Harrow Unitary Development Plan (2004) requires that the Council seek to ensure that the landmarks and views described in Schedule 4 are protected from insensitive development. Of the proposed buildings on the site, only Block G would be noticeably taller than Platinum House. The tower building, Block G, would be

approximately 43.8m high, which would be 13.8m (approximately 4 stories) taller at a maximum height of 107.0m AOD (compared with 93.4m AOD for Platinum House). Blocks C and D/E would have maximum heights of 96.3m and 95.4m AOD respectively and in more distant viewpoints, would appear to have a similar height to Platinum House.

3.12 The Townscape Views Assessment analyses the impact of the proposal by superimposing the proposed development into photomontages taken from strategic views across the town. These include the views from George Gange Way, Byron Park and the Grove. A number of views were analysed from viewpoints as set out in the Schedule 4 of the Harrow Unitary Development Plan (2004), which sets out views and landmarks across the Borough. A number of views were also assessed on the basis that they are in Schedule 4 of the Harrow Unitary Development Plan (2004), but do not actually afford a direct line of sight to the application site. This is because these views predominately relate to certain landmarks that are not directly associated with the application site. For example, the view from the Harrow View / Radnor Road junction was assessed, as this is a key view of St Mary's Church; however, the proposed development does not impact on this view.

3.13 In the medium and long range Harrow Unitary Development Plan (2004) and SLR views the tower element of the scheme would clearly protrude above established building heights. This is particularly the case when viewed from the Grove open space to the south of the site (where the tower would appear above the horizon formed by the Harrow Weald Ridge). The photomontages of this view show the varying heights of the existing buildings in the foreground, with Harrow Weald Ridge in the background. Whilst the tower would protrude above the line of the ridge – seen from the specified Harrow Unitary Development Plan (2004) viewpoint, the other larger elements of the scheme – i.e. Blocks C, F and H – would be contained below it. In part, this is due to the changes that have been undertaken since the application was first submitted, not least the reduction in height of these two elements of the scheme.

3.14 Other key views include George Gange Way and Byron Park. The photomontages again show that the tower element of the scheme would protrude above the established building heights. In the case of George Gange Way, the impact would be limited because the immediate foreground includes a number of buildings (such as the Mosque and Civic Centre) and development under construction that disrupt this view. Whilst the tower would therefore be visible, Officers consider that it would not be especially prominent within the urbanised context. Similarly, the tower would be visible in the view from Byron Park. However, in this case, whilst the tower would protrude above the established skyline, it would not disrupt views of Harrow-on-the-Hill generally, nor, in the opinion of officers, would the tower undermine the primacy of St Mary's Church, on top of the Hill. This is because the application site is set to the east of the Church from these viewpoints, and is obviously located on the lower slopes of the hill. Again, for both of these views it is the tower that would be visible, whilst the other elements of the scheme would be contained within the established skyline.

3.15 The character of the area surrounding the application sites changes with distance from the south western corner. From the mixed residential developments (and large mature trees along St Johns Road, the residential blocks on Gayton road (and their car park/garage courts adjacent to the site) to the "metropolitan" city forms along Lyon road. In longer views, from the Grove conservation Area, and from Station road, the site corresponds to a part of urbanised town centre, with larger scale and more prominent "blocks."

3.16 The proposed elevational design, reflecting a simple, relatively polite as opposed to a deliberate and distinct architectural form, is considered to strike the right balance between “fitting in” to a mixed urban landscape and recognising the visibility and impact of the taller elements in the wider urban panorama. Locally, from the parking areas to the rear of the residential flats on Gayton Road, the development has a scale and character that is different to but not; overall inconsistent with the form and character of the three post war blocks. Whilst changing the scale and feel of development immediately along St Johns road, the new buildings, notably block H, sitting behind the existing tree line is considered to be an appropriate response to the somewhat mixed character on the north side of this street, and the complementary and stylistically similar blocks on the application site.

3.17 Given the sites distance from the Grove Conservation Area, and notwithstanding its visibility, the overall impact of the development on local and more remote conservation and heritage interests, including the setting of St Mary’s Church, Harrow on the Hill to the South, and specific features in the wider landscape (such as Bentley Priory in Harrow weald to the North) is considered to be acceptable and in accordance with the NPPF (2012), The London Plan (2011) policy 7.8 and policy D14 of the Harrow Unitary Development Plan (2004).

4) Residential Amenity

Impact on neighbouring amenity – Sunlight / Daylight

4.1 Policy 7.6B, subsection D, of The London Plan (2011) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

4.2 The application proposes a perimeter style development that brings the buildings closer to those surrounding the application site. Given the size, scale and massing of the proposed development, it will have some impacts on the amenities of the surrounding residential and commercial occupiers.

4.3 The description of development above sets out the proximity of the proposed blocks to the nearest adjacent buildings. Broadly speaking, this relates to Blocks A, B and C in relation to the flatted developments of Greenhill Mansions, Murray Court and Wilton Place. Blocks C, D/E and F in relation to the properties on Lyon Road, in particular Platinum House. Block G in relation to Platinum House and the nearest property is on St John’s Road. Finally, Block H, and to a lesser extent, Block A, in relation to the adjacent properties on St John’s Road, namely No.5-13, Elmer Court flats and Tapley Court flats.

4.4 It is noted that a number of objections received have been in relation to issues of the impact on neighbouring amenity, in particular loss of views, loss of light in overshadowing and loss of privacy.

4.5 In support of the application, the applicant has prepared and submitted a ‘Daylight, Sunlight and Overshadowing’ report, prepared by a consultant Brook Vincent and Partners (BVP). The Daylight, Sunlight and Overshadowing report has been prepared based upon the Building Research Establishment (BRE) publication ‘Site Layout Planning for Daylight and Sunlight, a guide to good practice’. The BRE guide highlights use of

something referred to as Vertical Sky Component (VSC). The Vertical Sky Component is a measure of the amount of skylight falling on a vertical plane. It is most commonly applied to the light falling at the centre of a window and in this sense is a measure of the potential for good daylighting. The VSC is calculated by taking the ratio of the skylight falling onto a point to the unobstructed skylight available at that same point on a horizontal plane. In other cases, the report uses the Average Daylight Factor (ADF) as a measure of interior daylight. That ADF starts with the VSC calculation in order to confirm the angle of obstruction and visible sky. It then goes on to consider the area of glass receiving light and the transmittance qualities of that glass. The end result is compared to the room's use.

4.6 The BRE Guide states that for rooms with supplementary artificial lighting, the ADF should be at or in excess of:

2.0% - Kitchens

1.5% - Living Rooms

1.0% - Bedrooms

4.7 BVP highlight that the BRE Guide does not take into account the more modern layout of an open plan kitchen situated beyond the living and dining space from the service window. It is therefore conventional to treat kitchen areas as internal rooms served by task lighting in the modern mode. Similarly, the concept of the window garden, which form part of the proposed development, is not referred to in the guidance either.

4.8 The Daylight, Sunlight and Overshadowing report makes an assessment of the impact of the proposed development upon the adjacent residential properties. The report concludes that in relation to daylighting, neighbouring residential buildings would retain a satisfactory level (meaning that the DF level would be at or above the above ratios), with two exceptions.

4.9 The first exception is that of the flank (north west facing) elevation of Wilton Place, where there are three windows that would, as a result of the development, not satisfy the BRE criteria. The Daylight, Sunlight and Overshadowing report states that these windows "seem to serve kitchens but ...these are large windows for what must be a relatively small spaces, as rooms to both front and rear also have to be accommodated within the length of the flank wall". Officers note that the length of the flank wall is approximately 9.5m. The Daylight, Sunlight and Overshadowing report goes onto conclude that in relation to these three windows, and taking into account the internal arrangement of the building, that it is "appropriate to expect ADF to be reasonable and there may be no adverse affect."

4.10 The other location is Platinum House. The report highlights that Platinum House has been converted from commercial offices into a residential building, and as part of this conversion, continuous and deep balconies have been installed on the outside the building. The report highlights these aspects of the refurbishment have had the effect of diminishing the availability of daylight into the building, as it stands at the moment. The report highlights that the balconies to Platinum House severely restrict the existing daylight availability. To comply with the BRE criteria in this scenario the report argues would be to place an unfair burden on the proposed development. In other words, the works that have been undertaken to Platinum House have already resulted in a majority of those dwellings not complying with the BRE criteria. The applicant contends that, whilst inevitably the proposed development would not improve the situation, it would also not make it sufficiently worse in terms of the level of daylight received, by the occupiers of

Platinum House. The applicant highlights that in 2008 the Council granted planning permission for works to Equitable House, which added a two storey extension at roof level (adding two further floors) and a seven story extension to the side of the building. The applicant contends that this proposal gives rise to similar impacts.

4.11 The applicant has undertaken a similar exercise in relation to the impact of the proposed development upon sunlight. The report highlights that not all adjacent properties have been assessed, because not all windows have a southerly aspect and the BRE guide recognises that there can be no expectation of sunlight availability, in particular in an urban landscape in these circumstances. The report concludes that in the great majority of neighbouring residential locations, sunlight availability would remain in accordance with the BRE criteria. Again an exception is Platinum House, where although the majority the building faces east, its conversion and the addition of deep (and screened) balconies prevents appropriate levels of sunlight in its current format. Again the applicant contends that the proposed development would not significantly exacerbate this situation.

4.12 The Daylight, Sunlight and Overshadowing report also assesses the impact of the proposed development on overshadowing. The report concludes that the impact of the proposal will be negligible, and that all aspects of public space will be continue to be satisfied in terms of BRE criteria. It is noted that the Daylight, Sunlight and Overshadowing report was prepared on the basis of the original submission drawings, and since that time various amendments have been made to the proposed scheme, not least the reduction in height of Block F by two storeys and Block H by one storey. The applicant has therefore submitted an addendum report which concludes that daylighting to the neighbouring residential buildings would be slightly improved in comparison to the findings in the original report, and as such remained satisfactory in all locations, with the above exceptions.

4.13 On the basis of the Daylight, Sunlight and Overshadowing report, the overall impact of the development on neighbouring properties is considered to be acceptable. Nevertheless, a limited number of properties will suffer from some adverse impact arising from the reduction in daylight or sunlight, following development. Members will need to balance these limited adverse impacts, against the wider benefits to the borough, and the area, represented by the development overall, in their final deliberation. Officers are of the view that the impacts identified do not, on their own, require refusal of the development on the basis of conflict with the Development Plan.

Impact on neighbouring amenity – Privacy / Overlooking

4.14 In terms of overlooking and loss of privacy, this must be considered in the context of the existing lawful use of the buildings, i.e. office buildings which until recently provided open glazed elevations from which wide ranging views were available. The existing buildings, whilst being located more centrally, for the most part overlook adjacent properties on all of the boundaries, but in particular Lyon Road. In relation to Blocks D/E and F, it is considered that the proposed relationship with the adjacent properties, in particular Platinum House, is acceptable.

4.15 The elevations along Lyon Road are public, and therefore this a front-to-front relationship. Whilst the actual distance separating the various buildings has been reduced in some cases, given the existing location of both Equitable House and Lyon House, in other areas the distance has remained the same or even increased. For

example, at present the closest face-to-face distance between Equitable House and Platinum House is 15.1m; under the proposed scheme the closest face-to-face distance of Block F with Platinum House would be 17.1m.

4.16 Similarly, the relationship between Blocks G and H, and the adjacent properties on St John's Road, is, on balance, considered acceptable. Due to the location and the heights of these buildings, their impacts on the adjacent occupiers is greater, although intervening vegetation, and the differing form and layout, with part obscure glazed balconies means that the perception of actual overlooking may vary between the buildings along the street. The proposed development will enable views into the frontage areas on the North side of the street. These areas are however currently overlooked from the street. Block G (the tower) will clearly enjoy, from its upper levels, panoramic views of the town centre and the wider Harrow area, including a wide range of nearby properties. In this context, the juxtaposition of building heights, and the separation of the buildings elevations is not considered to result in a sensation from the nearby hotel, residential properties or the wider users of commercial properties in the town centre of intrusive overlooking between the new flats in the upper floors of the tower, and the existing buildings.

4.17 The application proposes three six storey buildings (Blocks A and B, and part of Block C) on its southern boundary adjacent to the flats on Gayton Road. The situation is slightly different in this location, as with the exception of the certain areas of Lyon House, generally speaking the existing buildings are situated further away. The existing flats are also situated away from the boundary, the exception being the northern end of Wilton Place, and there is some intermediate vegetation along the site boundary. In terms of the level of overlooking, it is noted that the areas to the rear of the flats in question – Greenhill Mansions, Murray Court, and Wilton Place – are not comprised of private amenity space. Rather, this is more general amenity space for the benefit of all the occupiers of these flats, the majority of which is taken up by garages and car parking. Following submission the application has been amended in order to reduce the number of external balconies – and consequent perceived levels of overlooking to the adjacent properties. In particular, balconies have been omitted from flats 11, 16, 21 and 26 on Block A, and flats 6, 7, 10, 11, 14, 15, 18, 19, 22 and 23 from Block C, and replaced by Juliet style balconies. It was considered that these external balconies would have resulted in a perceived and actual level of overlooking that would have been unacceptable, in particularly in relation to Wilton Place, where the proximity between the existing and proposed buildings would be at its closest (approximately 10.5m).

4.18 The changes made are considered to strike an acceptable balance between the more solid walls (with windows) of the new development, and the more open and continuous glazed elevations of the former office buildings. The likely levels of overlooking of the adjacent properties is accordingly considered to be acceptable in this context.

Living Conditions for Future Occupiers

4.19 Harrow Core Policy CS1 (Overarching Policy) K states that the Council will require a high standard of residential design and layout consistent with the London Plan (2011) and associated guidance. In mixed tenure schemes a consistent standard of design and layout will be required throughout the development.

4.20 The Mayor's interim London Housing Design Guide (LHDG) was compiled after extensive consultation on a draft guide launched by the Mayor in July 2009. Whilst it

applies to grant funded housing and London Development Agency development, its guidelines are considered by the Mayor to be best practice in residential design. Additionally, the principles of the Guide have been written into the newly released draft Housing SPG (EiP consultation version), in support of policy 3.5 of the now adopted London Plan (2011). Policy 3.5 sets out that new housing development should comply with Table 3.3 in The London Plan (2011), which in turn sets out minimum space standards for dwellings of different sizes. Paragraph 3.36 of The London Plan (2011) states that these figures are *"based on the minimum gross internal floor area (GIA) required for new homes relative to the number of occupants and taking into account commonly required furniture and the spaces needed for different activities and moving around, in line with the Lifetime Home standards."*

4.21 The Council has adopted Supplementary Planning Document (SPD): Residential Design Guide (2010) also sets out minimum Gross Internal Areas (GIA) for different size residential units.

4.22 The application documents suggest that all of the proposed residential units would meet the minimum internal floor space standards required by the above planning policies. As discussed above, the scheme has been revised and this has resulted in the loss of 14 balconies from Blocks A and C combined. These balconies have been replaced with Juliet windows. Whilst not specifically set out in The London Plan (2011), the LHDG does advise that balconies are provided for the purposes of private amenity space for new flats. In this case, the 14 units referred to would not meet this aspiration. It is considered that whilst this is regrettable the protection of existing residents' amenity should be afforded greater weight. The occupiers of these flats would still benefit from the amenity space provided within the rest of the development. Notwithstanding specific concerns expressed in the consultation responses about the quality of the new flats, the developments, save in respect of these specific circumstances, meet The London Plan (2011) (and Harrows) space requirements.

4.23 Saved Policies D4 and C16 of the Harrow Unitary Development Plan (2004) and policy 3.8 of The London Plan (2011) seeks to ensure that all new housing is built to Lifetime Homes standard. The London Plan (2011) policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion. Appeal decisions in Harrow confirm that this policy can be given significant weight when assessing planning applications. As such, all new homes must meet 'Lifetime Home' standards and at least 10 per cent must achieve the enhanced 'Wheelchair Home' standards.

4.24 The applicant has confirmed that all of the dwellings would meet the Lifetimes Homes standards, and that 10% would meet Wheelchair Homes standards. This is considered acceptable, and would meet the policy objectives of The London Plan (2011) and the Harrow Unitary Development Plan (2004), together with the adopted SPG.

4.25 The London Plan (2011) policy 3.6 seeks to ensure that children have safe access to good quality, well designed, secure and stimulating play and informal recreation provision. London Plan Supplementary Planning Guidance: Providing for Children and Young People's Play and Informal Recreation' requires well designed play and recreation space for every child to be accommodated in new housing development. Policy D5 of the Harrow Unitary Development Plan (2004) requires new residential development to provide suitable amenity for future occupants. This is also a requirement of policy D4 of the Harrow Unitary Development Plan (2004).

4.26 The GLA have advised that a minimum of 890 sq m of playspace needs to be provided. Based on the information submitted, the scheme would provide 2119.5 sqm of courtyard / informal public amenity space within the application site, and 527.8 sq m of dedicated playspace (split over two separate areas). The GLA have confirmed that they are satisfied that the level of playspace proposed is acceptable and complies with the 4.27 London Plan and associated SPG. However, they have advised that further specific details of the nature of the playspace (i.e. facilities and landscaping etc) should be provided, and have recommended that a planning condition should be imposed in this regard.

4.28 The nature of the proposed uses, including the office and Class A uses, are not considered to result in noise or odour disturbances for the future occupiers of the development, nor the adjacent occupiers for that matter. The Council's Environmental Protection Officer has reviewed the planning application and confirmed that there is no objection, subject to conditions in relation to the demolition of the existing building, construction of the new development, and sound insulation measures for the new flats. It is considered that on this basis, and subject to further controls in relation to the opening hours of the commercial units (which would also be subject to a separate planning condition), that the application is acceptable in this regard.

4.29 Overall, the proposed development is considered acceptable in terms of the living conditions of future occupiers, and would meet the policy objectives of the relevant Development Plan policies, subject to the aforementioned planning conditions.

4.30 The residential properties proposed would all be classified as flats, as opposed to dwellinghouses, and therefore would not benefit from Permitted Development rights. As such, any future works (which are considered unlikely given the nature of development) would require planning permission. However, notwithstanding the submitted details, precise details of the levels of the building, internal road and footpaths in relation to the adjoining land and highways would be required through a planning condition, to ensure that the development, when carried out, reflects the assumptions made in this assessment having regard to these matters.

Climatology / Wind Tunnel

4.31 It is noted that an objection has been received from the CBHE in relation to the potential for the development to cause a wind tunnel effect along Lyon Road.

4.32 The application is supported by a Wind and Environmental Conditions report, undertaken by a suitably qualified consultant. The report has the following analysis and conclusion:

"The proposed massing includes a number of buildings of a similar height to the existing Platinum House. These create a sheltered courtyard which is likely to be comfortable for recreational uses. By reducing the open areas to the east of the site the project is likely to improve shelter to St John's Road and to the gardens to the east, making these spaces more comfortable for pedestrians and for recreational use.

The proposed walls and planting in the garden area to the north of the site appear appropriate in providing shelter from the existing acceleration described above.

In environmental terms, the key concern is whether the changes to the site are likely to result in positive or negative impacts on pedestrians on and around the development: both the building users and the wider public. Overall the project is likely to result in very few impacts in microclimate terms, with a possible small to moderate positive impact on wind conditions for recreational users of the site, St John's Rd and the new public garden.recommend that unless there is a significant change in the building massing, no further microclimate study should be required for this project."

4.33 On the basis of this report, and in the absence of any substantial evidence to the contrary, it is considered that the impact of the development upon wind and microclimate would be acceptable.

Conclusion

4.34 The proposed development would result in some localised additional impacts for some adjacent properties. The application has been amended in response to concerns and representations in order to respond to both wider design and localised concerns around impacts. Notably, the height of key buildings has been reduced, and balconies that might have afforded opportunity for greater overlooking have been omitted or re-designed; with the objective of striking a balance between impact on existing residents, and the amenities in the new development.

4.35 These impacts, adverse and positive, need to be weighed in the context of the Development Plan objectives for this site, and for the wider area and a balanced view struck. Officers consider that the revisions to the scheme serve result in a development that can be permitted, notwithstanding specific localised impacts identified above.

4.36 Therefore, it is considered that in this highly urbanised environment, where the mix of residential and commercial properties sit side-by-side, in terms of the impacts on the adjacent occupiers, the application is, on balance, acceptable and consistent with The London Plan (2011) policy 7.6B, saved policy D5 of the Harrow Unitary Development Plan (2004) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

5) Traffic and Parking

5.1 The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use.

5.2 Paragraph 29 of the NPPF states that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The NPPF maintains a town centre first approach and encourages the development of sites close to good public transport at higher densities. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.

5.3 Paragraph 33 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport

infrastructure;

- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF is clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

5.4 The London Plan (2011) Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan (2011) sets out maximum parking standards for new development dependant upon their use and level of public transport accessibility.

5.5 Core Policy CS1 (Overarching Policy) Q/R/S set out the following:

Q. The Council will work with Transport for London and other appropriate authorities to secure enhancements to the capacity, accessibility and environmental quality of the transport network in accordance with the Local Investment Plan and to improve orbital connectivity between neighbouring boroughs. Highway investment will focus on junctions with identified existing or future capacity constraints where these support economic development reliability and general operating conditions of buses.

R. Parking for new development will be managed to contribute to the delivery of a modal shift from the private car to more sustainable modes. The Development Management Policies DPD will give local interpretation of London Plan parking standards and detail requirements for sustainable Travel Plans.

S. Over-development of sites with a low public transport accessibility rating will be resisted. Higher densities will be considered appropriate where the proposal involves the redevelopment of a previously-developed site of strategic significance and can secure improvements to local transport sufficient to enhance the public transport accessibility level of the site.

5.6 Saved policy T6 of the Harrow Unitary Development Plan (2004) requires new development to address the related travel demand arising from the scheme and policy T13 requires new development to comply with the Council's maximum car parking standards.

5.7 A Transport Assessment (TA) that considers the traffic implications for the development has been submitted with the planning application. It is noted that a number of objections have been received that raise concerns in reaction to the potential traffic situation from the proposed development. Among those objecting on these grounds are the Campaign for a Better Harrow Environment (CBHE), who question some of the assumptions in the TA. The application site is in close proximity to Harrow-on-the-Hill Station and Harrow Bus Station, and a number of bus routes operate in immediate the area. As such, the site has Public Transport Accessibility Level (PTAL) of 6a, meaning it is one of the most accessible locations in public transport terms.

5.8 A number of comments have been received that suggest that there are 'major' issues with regard to traffic generation and highway safety, advising that at peak times there are traffic problems on Lyon Road, St John's Road and on surrounding roads. Concern has been raised that the TA submitted by the applicant suggests that there would be a

minimal impact upon transport facilities due the promotion of a number of different alternatives, but respondents question whether this will be the case.

5.9 Comments have been received that the TA identifies that there might be an increase in peak underground trips, and as such there should be a commensurate improvement in the capacity of Harrow-on-the-Hill station.

5.10 The Highway Authority were consulted and have reviewed the application. Whilst overall raising no objection, the detailed response on the specific elements of the scheme is set out below:

Traffic Generation

5.11 A London database of trip generation for different land uses (TRAVL) has been applied by the applicant and the combination of the highest level of trips have been chosen to illustrate the maximum impact on the local road network.

5.12 The previous Class B1 office use (Equitable House and Lyon House) has been appraised on the basis of staff numbers and travel mode split assumptions as no comparable TRAVL database exists. On this basis, approximately 200 private motor vehicles would arrive and leave the site during the morning and afternoon/evening peak traffic periods respectively. In theory this could equate to 3-4 vehicles utilising the site every minute during both peak hour periods. In reality the spread of arrivals and departures would be variable with the 'grouping' of vehicles and gapping of activity when no vehicles would be generated by the development. This predicted level of activity from the prior Class B1 use is a reasonable reflection of travel movements and it is accepted that the Class B1 use did not measurably impact on surrounding highway network capacity.

5.13 The proposed scaled down new Class B1 use would statistically have the potential to generate an estimated 30 vehicles during peak with the Class A uses expected to add up to 35 vehicles with a further 100 potentially associated with Class D1 (although it is noted that the end user of this has not yet been identified). It is accepted that with the Class A uses in particular there would be a trend toward linked trips to these destinations as demand is expected to be ancillary to other retail attractions within the town centre thereby further reducing new singular 'one off' trips to these proposed uses. The residential element has the potential to generate up to 200 vehicle movements during peak periods.

5.14 Therefore, in theory, in excess of a total of 350 private car journeys (the combined AM and PM trips) could result from the proposal site at peak which would appear to be an increase on the previous level of Class B1 usage where an estimated 200 vehicles were in evidence during the peak hour periods.

5.15 However the capacity of the original car park will reduce from 300 to 123 spaces which would act as a parking restraint tool to reduce vehicular activity to and from the site to a level below that previously generated by the whole site as a Class B1 use. The high accessibility to public transport services and the extensively controlled and restricted surrounding road network will also greatly assist in encouraging the use of sustainable travel modes and the reduction of private car borne use. A finalised Travel Plan will further encourage these aims.

5.16 The projected vehicle impact on the highway is therefore considered substantially reduced as compared to the previous B1 use and is therefore de-minimis and raises no specific concerns.

Car Parking

5.17 The original car park serving the offices at Equitable House and Lyon House had a capacity for approximately 300 vehicles with a generous provision of on-street pay and display parking spaces available nearby within the Harrow Town centre area.

5.18 The number of on-site parking spaces proposed equates to 123 and would serve 287 residential units (C3). 3,050.8 sqm of commercial floor space consisting of Classes B1, A1, A2, A3 or D1 is proposed.

5.19 117 undercroft parking spaces would specifically serve the C3 element of 287 units with six spaces at ground level serving the flat units at ground level. This equates to a unit to parking ratio of approximately 1: 0.4 and is considered appropriate given the site's high accessibility level, in public transport terms, of PTAL 6a. 14 of those spaces would be allocated for disabled badge holders to cater for any such demand. Both the C3 and disabled parking provisions conform to The London Plan (2011) parking standards. Transport for London (TfL) would encourage a further reduction in provision given the high PTAL rating (as set out in the GLAs Stage 1 response). However, it is considered that a reasonable balance between parking restraint and scheme viability has been achieved hence the level of provision is considered acceptable.

5.20 94 out of the 123 residential spaces would consist of a multi-stacking system which best utilises available space and this methodology is supported subject to conformity with Building Regulation requirements. There would be 26 electric charging points with the same number as passive provision for future use in line with The London Plan (2011) requirements for sustainable private car travel.

5.21 To ensure that parking restraint is fully applied to this location the development would be made 'resident permit restricted' in order to deter additional private car ownership/usage affiliated to the site. Parking resulting from the proposal would be further dissuaded by the extensive on-street parking controls in the area although it is accepted that visitors to the site would have the opportunity to park in neighbouring town centre roads and car parks where 'pay and display' facilities exist.

5.22 The remaining Class A1, A2, A3, B1 commercial and D1 uses would not be afforded any parking provision with the exception of one disabled space. This is again considered acceptable and is within Harrow Unitary Development Plan (2004) / The London Plan (2012) maximum standards. Patronage of these uses would be accommodated by public transport or the use of paid for on or off-street parking facilities with a proportion of these trips being linked to existing trips to comparable town centre destinations thereby limiting additional new trip generation.

Cycle Parking

5.23 For the C3 residential element there would be a provision of 352 secure spaces and 20 for the B1/D1, A1 uses giving a total of 372 which is in line with The London Plan (2011) standards and therefore acceptable. Precise details of the cycle parking (i.e. the type of storage mechanism) would be required by way of a planning condition. Such

provision should also provide for flexible use of parking facilities to enable use by scooters/motorcycles.

Access and Servicing Arrangements

Surface Level

5.24 A service road to access Bocks A, B, C, D and E would be created through the site to allow for service, refuse collection and emergency vehicles. The new gated access into the site would be from Lyon Road with a one-way service road operation discharging onto a new egress in St John's Road. The six ground floor 'duplex' block B flat car park space users would use this road provision. Some limited servicing would be provided on-street for blocks (F, G and H) not readily accessible from the service road.

5.25 Both access/egress points are considered acceptable in terms of the low quantum of proposed vehicular activity and safety parameters however some modification/removal of the existing on-street 'Pay and Display' parking bays would be required resulting in a net loss of three spaces in St Johns Road in particular. Their loss is unlikely to significantly impact upon overall parking spaces in the town centre, and is therefore considered acceptable. The amendments to the parking bays together with the provision of the new access from Lyon Road and egress from St John's Road including closure of existing access points situated off Lyon Road would be executed under a Section 278 (Highways Act 1980) Legal Agreement.

5.26 The frequency of servicing for the C3 residential aspect is expected to consist of just under 30 visits per day in total with the remaining 'commercial' uses generating less than 15 daily trips per day. As these activities would be spread out throughout the working day avoiding peak traffic periods there are no specific concerns with regard to the projected levels of activity. No measurable stacking of vehicles onto Lyon Road is envisaged owing to this low trip generation and generous set back of the gated arrangement. A full Servicing and Delivery plan would be secured under appropriate condition post planning permission to ensure that this pattern of activity is reflected in practice.

Under Croft Parking

5.27 A further new single access/egress is proposed in St John's Road to serve 'in and out' movements for the under-croft parking facility provided for the 126 residential car park spaces. This access is located south of the new exit point serving the 'surface level' exit arrangement. Again the principle of the proposal in terms of the projected vehicle usage levels and safety considerations is acceptable albeit with further loss of 'pay and display' parking bay facilities as described above and loss of two to three disabled bay provision. There is scope to relocate the latter and this and other necessary works including provision of the new access/ egress point on St John's Road would be secured under a separate Section 278 (Highways Act 1980) Legal Agreement.

Pedestrian Permeability

5.28 This would now be greatly improved as compared to the original development which did not promote pedestrian movements through the site. The green space together with the natural gapping between building and service road provision will allow the free flow of pedestrians through the site in line with the aspirations in the Department for Transport approved best practice (Manual for Streets 2007). The management of this link (and its

safety / security) has been discussed with the Crime Prevention Design Advisor.

Construction Logistics Plan (CLP)

5.29 A full CLP would be a requirement to be secured under a planning condition given the Town Centre location of the site, should Members grant planning permission.

Travel Plan

5.30 A full Travel Plan should be submitted post permission and secured under a Section 106 Agreement, and should support the Area Travel Plan proposed for the LDF Harrow and Wealdstone Area Action Plan.

Conclusion

5.31 The objections to the proposal on transport related grounds are noted. In particular, the comments in relation to the parking provision highlight the view that the 123 spaces proposed would not be sufficient to support the development. However, it is the view of the Highway Authority, and supported by the GLA, that the parking provision is acceptable and would actually help to restrain traffic generation in the area by limiting the number of cars that would be accommodated on the site, which would be significantly lower than the current existing provision. In terms of wider parking issues, a planning condition is recommended that would restrict the ability of residents to gain residents parking permits for the public roads. The site is within the highest public transport accessibility level, and would make a valuable contribution to the upgrade of Harrow-on-the-Hill Station and Harrow Bus Station. It is therefore concluded that the application is acceptable in transport terms.

6) Development and Flood Risk

6.1 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere (para 100). Saved policy EP12 of the Harrow Unitary Development Plan (2004) states that development likely to result in adverse impacts, such as increased risk of flooding, river channel instability or damage to habitats, will be resisted. The reasoned justification (3.47) goes on to state that susceptibility of land to flooding is a material planning consideration.

6.2 The site is located within Flood Zone 1 (the least vulnerable zone) and the application represents operational development on less than 1Ha of land. In accordance with the Environment Agency's (EA) Flood Risk Standing Advice (FRSA), the EA has not raised any objections to the application. The FRSA repeats good practice advice in terms of effective surface water management.

6.3 The Council's Drainage Engineers have recommended conditions requiring details of drainage system for the development to be submitted should the application be recommended for approval. The application is therefore considered acceptable in this context.

6.4 It is noted that Thames Water has 'identified an inability of the existing waste water infrastructure to accommodate the needs of this application.' Officers have written to Thames Water to seek clarification on this, and it transpires that Thames Water consider that a Grampian style planning condition should be imposed to require details of the sites

connection to the public sewer network. Local Planning Authorities would not usually impose such conditions, because the connection of a development to the public sewer is controlled by other non-planning legislation, namely Section 106 of the Water Industry Act 1991 (as amended). As such, a planning condition in relation to this matter would not comply with Circular 11/95, and therefore would be unlawful.

6.5 In terms of waste water, this area is served by Mogden Waste Water Treatment Works (WwTW) in Hounslow. Thames Water are currently undertaking a £140m upgrade of this facility that will increase sewage treatment capacity by 50%. Furthermore, both The London Plan (2011) and Harrow's Core Strategy (2012) are adopted up-to-date Development Plan documents for this area that have been subject to extensive consultation, including Thames Water, and public examination. The Development Plan allocates this area for modest growth, of which this site would contribute, and takes into account the infrastructure requirements such as WwTW.

Conclusion

6.6 There are no significant flood risk and associated issues that would be created by way of the proposed development. Planning conditions are recommended in relation to surface water run-off and drainage that would mitigate the effects of the development.

7) Sustainability

7.1 The NPPF advises that when determining planning applications, local planning authorities should expect new development to:

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption

7.2 Policy 5.1 of The London Plan (2011) seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent by 2025. Policy 5.2A/B of The London Plan (2011) sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A. Overall, The London Plan (2011) requires a 25% reduction in carbon dioxide emissions over Building Regulations 2010 Target Emissions Rate (TER), and to achieve Code for Sustainable Homes (CSH) Level 4 (for residential) and BREEAM Very Good (for the commercial uses).

7.3 Harrow Council has adopted a Supplementary Planning Document on Sustainable Building Design (adopted May 2009).

7.4 The applicant has submitted an Energy Statement, which explores the various sustainability options for the development and advises of what measures are recommended. The Energy Statement sets out a three stage approach, where Stage 1 explores the use of passive measures to reduce the energy generation / consumption of the building through 'passive' measures; Stage 2 explores whether the development can support the use of a Combined Heat and Power (CHP) to supply electricity; finally, Stage 3 highlights the various renewable energy sources that be used on the site.

7.5 In terms of passive measures, the Energy Statement advises that natural ventilation will be explored in the first instance. The proposed buildings will be constructed with low u-values and good air permeability (5m³/m²/hr@50pa). The applicant advises that the

apartments on the site have been designed to allow for cross ventilation where possible. In addition, the dwellings would be equipped with Mechanical Ventilation with Heat Recovery which would have a 'summer bypass' system. When the internal air temperature exceeds the external air temperature, the unit will recognise this and activate a 'summer bypass' thereby bringing cooler external air into the dwelling and bypassing the heat exchanger. This is not strictly a cooling system, but allows the occupants to further control the comfort conditions within the dwellings. The commercial areas would undergo a thermal modelling overheating study to ascertain their cooling needs, with natural ventilation used wherever possible. Air quality and ambient external noise factors would need to be considered before confirming the appropriate strategies.

7.6 In terms of the Stage 2 measures, the applicant has confirmed that in this case a CHP is not viable on the site, and also notes that there are no existing district heating or cooling networks in the vicinity. As such, the option of a CHP on the site has been discounted. As an alternative, therefore, the applicant's strategy is to create a plant room within the building to allow for future connection to either a district heating or CHP network in the future. This would begin with Block C (Phase 1) which will consist of individual boilers to each of the units and PV panels to make up the necessary 'green' technology to meet required targets. As each additional phase is constructed, using the same heating strategy, each will be given an individual plant room to create the infrastructure for a network of district heating in the area when this network becomes available. The floor area of Block C plant room will be 164 sqm. The plant rooms of the subsequent phases will be at least 40 sqm to allow for the necessary plant. In addition, a central Energy Centre would be created to allow for greater flexibility in providing an energy strategy across the site dependent upon future London Plan and Building Regulations targets as each phase is constructed. The Energy Centre would be located the car park / basement.

7.7 It is noted that the GLA have raised some concerns with regards to this aspect of the proposal, commenting that individual plant provision disincentivises the delivery of a central energy centre, and is inherently less efficient. The GLA acknowledge that a site-wide network would not be delivered until the development is fully completed, but would accept a commitment to deliver the network within a Section 106 agreement/planning condition, where this would include a suitable trigger point for when the site-wide network would be brought on line. As such, the GLA have queried with the applicant whether the proposed plant room planned for Block C (164 sqm.) would be large enough to accommodate a centralised boiler plant capable of supplying the whole site network. Discussions between the applicant and the GLA are continuing and as such in this case it is considered that a condition requiring details to be submitted and approved would be appropriate to deal with this aspect.

7.8 The Energy Statement advises that given the large amount of roofpace proposed, that solar photovoltaic (PV) is appropriate for this site as part of the Stage 3 assessment. On the basis, the applicant proposes 1,159 sqm of PV panels would be installed on rooftop arrays on all of the proposed buildings. The applicant proposes a PV membrane as part of the roofing system which would lie flat. In addition to this, the Stage 3 assessment identifies that all of the residential units and commercial areas would be fitted with high efficiency gas boilers.

7.9 In response to concerns raised by the GLA, the applicant has advised that there is potential for green roofs or walls at the development, but that this would be dependent upon available roof area remaining after the installation of PV panels. If PV membranes are to be used, then it may be that a mixture of green walls and roofs would be suitable to

the site. This may enhance the biodiversity and reduce the requirement for sustainable urban drainage.

7.10 The applicant has advised that the combined package of measures would result in an overall regulated carbon dioxide saving against 2010 Building Regulations of 60.79 tonnes per year for this development, which is equivalent to a 25% saving.

7.11 The London Plan (2011) policy 5.15 states that development should minimise the use of mains water by incorporating water saving measures and equipment and designing residential development so that mains water consumption would meet a target of 105 litres or less per head per day (lpd). The EA have not objected on this matter, but have advised by way of an informative, measure to achieve this. The applicant has committed to achieve Level 4 of the Code for Sustainable Homes, which includes a mandatory require for water efficiency of the 105 lpd criteria. As such, it is considered that the Council can be confident that this requirement would be met.

Conclusion

7.12 The proposed sustainability measures are considered acceptable, taking into account the overall carbon dioxide savings that they would achieve in relation The London Plan (2011) requirements. To ensure compliance with the above planning policies, it is recommended that a planning condition is imposed to address sustainability matters and ensure that the development will achieve the appropriate level to meet the BREEAM and Code for Sustainable Homes standards.

8) S17 Crime & Disorder Act

8.1 Policy D4 of the Harrow Unitary Development Plan (2004) advises that crime prevention should be integral to the initial design process of a scheme. Policy 7.3 of The London Plan (2011) seeks to ensure that developments should address security issues and provide safe and secure environments.

8.2 The proposed development would lead to the regeneration of this area with a new use that would ensure increase surveillance and natural pedestrian footfall of the local area. These effects are known to have a positive impact upon crime reduction by virtue of the natural deterrent that is created. Of course, the proposed residential units could be a target for crime themselves and therefore it is important to ensure that the development would be built to a high standard including Secure by Design measures.

8.3 It is noted that the applicant undertook pre-application discussions directly with the Crime Prevention Design Advisor (CPDA), and that they have sought to respond to the issues raised during those discussions. The nature of the post development – a perimeter site faces onto the adjacent Lyon Road and St John’s Road, especially the ground floor commercial occupiers – would result in increased activity and greater natural surveillance.

8.4 In terms of the internal security of the block, there would be several pedestrian entrances, as well as the three vehicular accesses noted above. It is proposed that the main pedestrian entrance is via a step (or lift) between blocks E and F. There would also be pedestrian accesses adjoining the vehicular entrances from Lyon road and St John’s Road stop there would also be a pedestrian access adjacent to block G from St John’s Road. It is noted that all of these accesses would be controlled via gates or in the form of a folding railing. It is understood that the access arrangements will allow for all people to access the site during daylight hours, but from dusk till dawn this would be controlled.

Conclusion

8.5 On this basis the application is considered acceptable. This noted that the CPDA does not have any objection to the application, but has advised that specific measures should be sought by way of a planning condition imposed on a consent to ensure compliance with, insofar as possible, with Secure by Design standards. This is considered appropriate, and as such a planning condition is recommended.

9) Planning Obligations

9.1 Policies 8.1 and 8.2 of The London Plan (2011) seek to ensure that development proposals make adequate provision for both infrastructure and community facilities that directly relate to the development. Developers will be expected to meet the full cost of facilities required as a consequence of development and to contribute to resolving deficiencies where these would be made worse by development.

9.2 A payment or other benefit offered pursuant to a Section 106 Agreement cannot be required unless it complies with the provisions of the Community Infrastructure Levy Regulations 2010 (Regulation 122), which provide that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

9.3 The NPPF provides further amplification on the Government's position regarding the use of planning obligations, setting out the same tests as above, and advising that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

9.4 Members should note that Section 143 of the Localism Act (2011) came into force on the 15/01/2012, and introduces 'local finance considerations' as a material consideration in planning decisions. A local finance consideration is defined as "grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown".

9.5 The applicant indicated during the pre-application phase that the development viability would not support delivery of the Councils full suite of Section 106 planning obligation expectations, including alongside the requirement for payment of the Mayors CIL, affordable housing, requirements for education, transport, employment and health contributions. In addition, the applicants have indicated that the proposal would seek to deliver a new shared public space at the junction of St Johns and Lyon Road (on the site of the Council surface car park).

9.6 The Council has considered the submitted viability assessment and agrees that the development cannot sustain a full suite of financial contributions. Harrow is however actively seeking, through both local and regional capital programmes, funding towards the delivery of a broad suite of infrastructure to support regeneration and renewal, and growth in the borough – and particularly in the heart of Harrow. The proposed Section 106 Agreement therefore provides for the delivery, as a priority of a minimum affordable housing level and provides finance towards the creation of the shared public space, new health services and an employment/skills co-ordinator in the first instance. In the event that the Council is successful securing additional capital finance to underpin these

programmes, the s106 provides for the re-deployment of the funds towards education and transportation infrastructure, together with additional funds to support economic development in the area.

9.7 The contributions have been derived from the Councils in house facilities calculators for education and health, from cost estimates in respect to the public realm and from actual cost based upon service delivery for the economic development contributions. The transport contribution would be assigned towards the development and implementation of measures to provide accessible station platforms at Harrow on the Hill station and improve the performance and safety of buses in Harrow town centre. The delivery of the public realm would require further agreements under S278 (together with appropriate design and community consultation prior to implementation).

9.8 In addition to the above, the Section 106 Agreement would require a Recruitment Training and Management Plan, which would promote the use of local works during the construction of the development, a Green Travel Plan (discussed above) and a fee payable to the Council for the monitoring of the Agreement.

Conclusion

9.9 Subject to the prior completion of the Section 106 Agreement, the proposed development is considered to be in accordance with policies 8.1 and 8.2 of The London Plan (2011) and Core Policy CS1 (Overarching Policy) Z and AA.

10) Impact on Health and Wellbeing

10.1 The proposed development is to be constructed to Lifetimes Homes standard and provides modern, spacious accommodation with acceptable levels of daylight and open space. The development, particularly through the provision of affordable new homes, would enable some of those residents in housing need within the borough to be appropriately housed. The construction and operation of the site would provide opportunities for the development of skills (including support through the S106) and new employment space. Insofar as the development has impacts upon surrounding properties, these are not considered to result in serious or adverse implications on the occupants health and wellbeing.

11) Consultation responses

11.1 The majority of these have been dealt within the assessment contained within the body of the report.

11.2 The comments in relation to a loss of property values in the local area are noted, but in planning terms cannot be afforded significant weight. Similarly, the loss of a private view is not protected in the remit of the planning system.

11.3 In relation to concerns regarding the potential for disturbance from the demolition of the existing buildings, and the construction of the development, are noted, but because they are temporary and arise as an inevitable consequence of growth and regeneration can only be given limited weight as an argument against development that seeks to respond to the growth and development aspirations set out in the development plan for the area. Notwithstanding this, a planning condition requiring a Construction Management Plan in relation to the demolition of the building and the build is recommended.

11.4 Comment has been made that a library could be incorporated into the new scheme, and this would compensate for the loss of the Gayton Road library. This is noted, and such provision would be welcomed. However, as set out in the main report, it is not necessarily the case that the D1 floorspace would be used as a library. The footprint and overall size of the D1 floorspace is also not considered adequate to meet the need for future library provision in the town centre. The space would however, be safeguarded for some form of community use.

11.5 It is noted that several comments received in relation to the current state of the town centre, aspirations for Harrow market and other town centre improvements. As set out in the main body of the report, it is the view of Officers that the proposed development would have significant positive impact on the town centre in a variety of ways. However, resolving all of the challenges associated with the town centre is a matter for the wider Area Action Plan and falls outside the remit of this planning application.

11.6 A comment has been received that compares this application to the redevelopment of Twickenham station, in the London Borough of Richmond-upon-Thames. Whilst this comparison is noted, clearly this application has to be considered on own merits.

11.7 It is noted that concern was raised that the original consultation period for the application was over the Christmas / New Year period, and therefore may not have received proper attention from the general public. There is an obligation to register and advertise planning applications upon receipt and in this case the proposals were submitted towards the end of last year. In terms of the public consultation, 875 properties were contacted by letter, site notices were erected at three locations around the site boundary, and advertisements were placed in the local press. This process was then repeated after the new year in relation to the revised plans and details submitted by the applicant. On this basis, it is considered that the Council has satisfied its statutory obligations in relation to public consultation.

12) CONCLUSION

12.1 It is noted that there has been some local opposition to the proposed development. Clearly, residents and the local residents association, together with CBHE, are concerned about a range of issues and impacts that may arise from the development, including the principle of development, design and visual impact, its affect on neighbours and the current and future traffic and congestion problems on the local highway network.

12.2 Through the assessment of the application and the report above, officers have sought to address the central elements relating to the principle of development and the impacts and effects of the proposal. The proposal sits within a development plan context that supports, alongside the NPPF, sustainable growth. The development represents an investment in Harrow of over £50m and provides new homes, employment space and commercial and community space. The proposal generates funds for infrastructure equivalent to some £1.7m and facilitates construction of an additional 49 affordable new homes. The costs and viability of the development dictates a scale and form of development that some find cause for concern. In turn these drivers result in impacts upon surrounding properties that are variable, and in a few cases, would fall short of the published guidelines.

12.3 Officers nevertheless consider that for the reasons above and having regard to all of the material submitted, the representations received and the national and Local "Development Plan" context, the application can be recommended positively for approval

subject to a S106 agreement and a suite of planning conditions. The application is also required to be referred to the Mayor of London for consideration in accordance with article 4(1) of the Town and Country Planning (Mayor of London) Order 2008 (as amended).

CONDITIONS

1 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 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

a: facing materials

b: balcony treatment

c: the ground surfacing

d: the boundary treatment

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

REASON: To safeguard the appearance of the locality in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

3 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works, including details of on site play equipment. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

4 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 accordance with Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

5 Prior to the commencement of development details of the means of protection of the Preserved Trees shall be submitted to and approved in writing by the local planning authority prior to the commencement of development and shall include details of

- (i) type of protective fencing
- (ii) height of protective fencing
- (iii) location of protective fencing

The construction of the development shall be carried out in strict accordance with the approved details.

REASON: To protect retained trees on the site to maintain their longevity in accordance with Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

6 The approved A1 / A2 / A3 premises shall not be open to the public except between the hours of 08.00 to 23.00 Monday to Saturday and between 10.00 and 17.00 hours on Sundays and Bank Holidays. The approved A1 / A2 / A3 premises shall not be open at any other time except with the prior agreement in writing of the Local Planning Authority.
REASON: To safeguard the amenities of neighbouring residential occupiers, as required by saved policies D4 and EP25 of the Harrow Unitary Development Plan (2004).

7 No site works or development 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 levels of the site, have been submitted to, and approved by, the local planning authority.
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 in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

8 Notwithstanding the submitted details, before the first occupation of the building hereby permitted, details of the facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority, provided prior to the development being first occupied and retained thereafter.
REASON: To ensure the delivery of a sustainable development which seeks to minimise travel by private car in accordance with PPS1 and its supplement Planning and Climate Change, PPG13 and Policies D4 and T6 of the Harrow Unitary Development Plan (2004). The development hereby permitted shall not be commenced until the disposal of surface water and surface water attenuation / storage works have been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.
REASON: To prevent the increased risk of flooding in accordance with the objectives set out under saved policy EP12 of the Harrow Unitary Development Plan (2004).

9 No goods, materials, plant or machinery shall be stored within the car park of the approved development 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 saved policies D4 and T6 of the Harrow Unitary Development Plan (2004).

10 Before the development hereby permitted is occupied a Sustainability Strategy, detailing the method of achievement of Level 4 of the Code for Sustainable Homes (or successor) for the residential units and BREEAM Very Good (or successor) for the store extension, which includes details of siting, design and noise levels of any equipment, the reduction of baseline CO₂ emissions by 20%, and mechanisms for independent post-construction assessment, shall be submitted to and approved in writing by the Local Planning Authority. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.
REASON: To ensure the delivery of a sustainable development in accordance with the NPPF, Policies 5.1, 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A of The London Plan (2011),

saved Policy D4 of the Harrow Unitary Development Plan (2004) and adopted Supplementary Planning Document Sustainable Building Design (2009).

11 The development hereby permitted shall not be commenced until the disposal of surface water and surface water attenuation / storage works have been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To prevent the increased risk of flooding in accordance with the objectives set out under saved policy EP12 of the Harrow Unitary Development Plan (2004).

12 A Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition taking place on the site and the demolition of the buildings and structures on the site shall be carried out in accordance with the approved Demolition Method Statement.

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network in accordance with policies D4, T6 and EM25 of the Harrow Unitary Development Plan (2004).

13 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To manage the impact of the development upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

14 No development shall take place, including any works of demolition, until a Construction Logistics Plan (CLP) has been submitted to, and approved in writing by, the local planning authority. The approved CLP shall be adhered to throughout the construction period.

REASON: To manage the impact of the development in terms of the traffic movements upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

15 Before the first use of the development hereby permitted, a Delivery and Servicing Plan (DSP) shall be submitted to, and approved in writing by, the local planning authority. The approved DSP shall be adhered to throughout the operation of the store.

REASON: To manage the impact of the development upon the local area during its operation in the interests of public amenity and the local natural environment in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

16 The following certificates of compliance should be submitted to the planning authority for approval before the development is occupied.

1. A test of compliance should be carried out in accordance with BS EN ISO 140-4 1998 "Field measurements of airborne sound insulation between rooms" all test results should be rated in accordance with BS EN ISO 717-1: 1997 "Rating of sound insulation in buildings and of building elements. Part 1 Airborne sound insulation"

2. A test of compliance should be carried out in accordance with BS EN ISO 140-7 1998 "Field measurements of impact sound insulation of floors" all test results should be rated in accordance with BS EN ISO 717-2: 1997 "Rating of sound insulation in buildings and of building elements. Part 2 impact sound insulation"

REASON: To ensure that adequate precautions are taken to avoid noise nuisance between premises and to safeguard the amenity of neighbouring residents in accordance with Harrow Core Policy CS1 (Overarching Policy) K and policies D4 and EM25 of the Harrow Unitary Development Plan (2004)..

17 Within six months of the permission hereby granted, a Vacancy Strategy shall be submitted to the local planning authority in writing. The Vacancy Strategy shall include (but not be limited to) a scheme to ensure that the approved A1/2/3 units that front onto Station Road can be utilised for temporary alternative uses in the event that commercial occupiers cannot be found upon completion of the units. The Vacancy Strategy shall be approved in writing by the local planning authority and shall be implemented in strict accordance with the approved details thereafter, unless otherwise agreed in writing with the local planning authority.

REASON: To ensure the vitality and viability of the area and safeguard the appearance of the locality in accordance with The London Plan (2011) policy 4.12 and Policy D4 of the Harrow Unitary Development Plan (2004).

18 The 287 homes in this development, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter retained to those standards.

REASON: To ensure provision of 'Lifetime Home' / Wheelchair' standard housing in accordance with policies 3.8 and 7.2 of The London Plan (2011), Harrow Core Policy CS1 (Overarching Policy) K and Saved Policies D4 and C16 of the Harrow Unitary Development Plan (2004).

19 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To safeguard the appearance of the locality in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

20 Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the application site / development shall be installed in accordance with details to be submitted to and approved in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant Design Guides on the Secured by Design website: <http://www.securedbydesign.com/guides/index.aspx> and shall include the following requirements:

1. all main entrance door sets to individual dwellings and communal entrance door sets shall be made secure to standards, independently certified, set out in BS PAS 24-1:1999 'Security standard for domestic door sets';

2. all window sets on the ground floor of the development and those adjacent to flat roofs or large rainwater pipes (downpipes) shall be made secure to standards, independently

certified, set out in BS.7950 'Security standard for domestic window sets'.

Following implementation the works shall thereafter be retained.

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, in accordance with Policy D4 of the Harrow Unitary Development Plan (2004), and Section 17 of the Crime & Disorder Act 1998

21 Prior to the substantial completion of the approved buildings, 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 by the Local Planning Authority. Such details to include the specific size and location of all equipment. The approved details shall be implemented prior to first occupation of the building and shall be retained thereafter and no other television reception equipment shall be introduced onto the walls or roof of the approved building without the prior written approval of the Local Planning Authority.

REASON: In order to prevent the proliferation of individual television reception items on the building to the detriment of the visual amenity of the area in accordance with saved Policy D4 of the Harrow Unitary Development Plan (2004).

22 Before the development hereby permitted is occupied, arrangements shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within the Controlled Parking Zone.

REASON: To ensure that the scheme adequately addresses the landscaping and sustainability requirements of saved Policies D4, D9 and T13 of the Harrow Unitary Development Plan (2004).

23 The development hereby permitted shall be carried out in accordance with the following approved plans:

Masterplan: M513_050.PL2, M513_051.PL2

Block A: M513_100.PL2, M513_101.PL2, M513_102.PL2, M513_103.PL2, M513_105.PL2, M513_106.PL2, M513_107.PL2

Block B: M513_110.PL2, M513_111.PL2, M513_112.PL2, M513_113.PL2, M513_115.PL2, M513_116.PL2, M513_117.PL2

Block C: M513_120.PL2, M513_121.PL2, M513_122.PL2, M513_123.PL2, M513_124.PL2, M513_125.PL2, M513_126.PL2, M513_127.PL2, M513_128.PL2, M513_129.PL2, M513_130.PL2, M513_131.PL2,

Block D/E: M513_135.PL2, M513_136.PL2, M513_137.PL2, M513_138.PL2, M513_139.PL2, M513_140.PL2, M513_141.PL2, M513_142.PL2, M513_143.PL2, M513_144.PL2

Block F: M513_145.PL2, M513_146.PL2, M513_147.PL2, M513_148.PL2, M513_149.PL2, M513_150.PL2, M513_151.PL2, M513_152.PL2

Block G: M513_155.PL2, M513_156.PL2, M513_157.PL2, M513_158.PL2, M513_160.PL2, M513_161.PL2, M513_162.PL2, M513_163.PL2,

Block H: M513_165.PL2, M513_166.PL2, M513_167.PL2, M513_168.PL2, M513_169.PL2, M513_170.PL2, M513_175.PL2, M513_176.PL2, M513_177.PL2

Contextual Sections: M513_200.PL2, M513_201.PL2, M513_202.PL2, M513_203.PL2, M513_204.PL2, 513_205.PL2

Landscape Plans: 1103/01, 1103/02

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

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2012), the policies of The London Plan (2011), Harrow's Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan (2004) listed in the informatives below, as well as to all relevant material considerations including the responses to consultation. The development would result in the regeneration of a key town centre site that would help to deliver the Development Plan aspirations for new homes and jobs in the Harrow and Wealdstone Intensification Area. The development would provide new private and affordable homes, contributing to the delivery of new housing required by The London Plan (2011) and the Harrow Core Strategy (2012). The redevelopment of the vacant, and commercially unviable offices, would result in a mix of new commercial floorspace being provided, that would focus on flexible office space for small and medium sized enterprises, for which there is currently a demand in the Borough. The development would result in active ground floor uses along Lyon Road, which would enliven this public space and generate wider footfall in association with the Town Centre, and would result in new community facilities and public realm improvements. The development would be of a high quality design that would respect and complement the surrounding area, and create a new landmark within the town. The impact upon surrounding properties has been considered within the design and the development balances the impact on amenities of the surrounding uses with the wider economic and development plan objectives for the borough set out in the development plan. The information submitted in support of the application demonstrates that the impact upon surrounding properties, traffic conditions, protected trees and the wider panorama, is acceptable, having regard to development plan policies and the aspirations for the Metropolitan Centre of Harrow and the borough which are set out in the emerging Heart of Harrow Area Action Plan.

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy Framework 2012

The London Plan (2011):

- 2.7 – Outer London: Economy
- 2.13 – Opportunity areas and intensification areas
- 2.15 – Town Centres
- 3.1 – Ensuring equal life chances for all
- 3.3 – Increasing housing supply
- 3.4 – Optimising housing potential
- 3.5 – Quality and design of housing developments
- 3.8 – Housing Choice
- 3.9 – Mixed and balanced communities
- 3.11 – Affordable Housing Targets
- 3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 4.1 – Developing London's Economy
- 4.7 – Retail and town centre development
- 4.8 – Supporting a successful and diverse retail sector
- 4.9 – Small shops
- 4.12 – Improving Opportunities for all
- 5.1 – Climate change mitigation
- 5.2 – Minimising carbon dioxide emissions

- 5.3 – Sustainable design and construction
- 5.7 – Renewal energy
- 5.9 – Overheating and cooling
- 5.10 – Urban greening
- 5.11 – Green roofs and development site environs
- 5.12 – Flood risk management
- 6.1 – Strategic approach
- 6.2 – Assessing effects of development on transport capacity
- 6.9 – Cycling
- 6.10 – Walking
- 6.13 – Parking
- 7.1 – Building London’s neighbourhoods and communities
- 7.2 – An inclusive environment
- 7.3 – Designing out crime
- 7.4 – Local character
- 7.6 – Architecture
- 7.7 – Location and design of tall and large buildings
- 7.13 – Safety, security and resilience to emergency
- 7.14 – Improving air quality
- 7.15 – Reducing noise and enhancing soundscapes
- 8.1 – Implementation
- 8.2 – Planning obligations

Harrow Core Strategy (2012)

- CS1 B/C/D/E Local Character
- CS1 G Open Space, Sport and Recreation
- CS1 H/I/J/K Housing
- CS1 L/M Town Centres
- CS1 N/O/P Economic Development and Employment
- CS1 Q/R/S Transport
- CS1 T Responding to Climate Change
- CS1 U Sustainable Flood Risk Management
- CS 1X Sustainable Waste Management
- CS 1 Z/AA/AB Infrastructure

Harrow Unitary Development Plan (2004):

- S1 – The Form of Development and Pattern of Land Use
- SEM1 – Development and the Boroughs Regeneration Strategy
- SEM2 – Hierarchy of Town Centres
- D4 – The Standard of Design and Layout
- D5 – New Residential Development – Amenity Space and Privacy
- D9 – Streetside Greenness and Forecourt Greenery
- D23 – Lighting
- H7 – Dwelling Mix
- EM24 – Town Centre Environment
- T6 – The Transport Impact of Development Proposals
- T13 – Parking Standards
- EP12 – Control of Surface Water Run-Off
- EP25 – Noise
- C16 – Access to Buildings and Public Spaces
- C17 – Access to Leisure, Recreation, Community and Retail Facilities

Other Relevant Guidance:

Supplementary Planning Document: Residential Design Guide (2010)
Supplementary Planning Document: Accessible Homes (2010)
Supplementary Planning Document Sustainable Building Design (2009)
Supplementary Planning Document: Access for All (2006)
Code of Practice: Refuse Storage and Collection of Domestic Refuse (2008)

2 Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract a liability payment of £971,530 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and Section 211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £971,530 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 27,758 sqm

You are advised to visit the planningportal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

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 THAMES WATER:

There may be public sewers crossing / adjacent to the site, so any building within 3m of the sewers will require an agreement with Thames Water Utilities. The applicant should contact the Area Service Manager, Mogden, at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage

6 PERMEABLE PAVING:

Note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

7 ENVIRONMENT AGENCY NOTE:

This development is located within an area of serious water stress due to limited water resources in the local area and high and growing demand for water. We therefore suggest you investigate the use of water efficiency measures and aim to achieve 105 litres/head/day (l/h/d), equivalent to level 3/4 for water within the Code for Sustainable Homes.

Achieving a water efficiency standard of 105l/h/d within new homes can be accomplished at very little extra cost (under £125 extra per home^{1[1]}) and typically only involves low/dual flush toilets, low flow/aerated taps and showerheads and efficient appliances (dishwasher and washing machines) and does not require more expensive rain or greywater technologies. The Government's 'Water Calculator' provides information on how to achieve and assess water efficiency within new homes: [http://www.planningportal.gov.uk/uploads/br/water efficiency calculator.pdf](http://www.planningportal.gov.uk/uploads/br/water%20efficiency%20calculator.pdf)

1[1] London's draft Water Strategy, GLA, 2009

<http://legacy.london.gov.uk/mayor/environment/water/docs/draft-water-strategy.pdf>

As the proposed development is over six stories we believe that deep piling may be used. Deep piling can result in physical disturbance of aquifers and pose a pollution risk to controlled waters. If piling is proposed, the chosen method must not increase the risk of near-surface pollutants migrating into deeper geological formations and aquifers.

Due to the number of car parking spaces proposed please also refer to our guidance on using oil separators within the drainage scheme.

8 COMPLIANCE WITH PLANNING CONDITIONS

IMPORTANT: 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.

Plan Nos: Masterplan: M513_050.PL2, M513_051.PL2

Block A: M513_100.PL2, M513_101.PL2, M513_102.PL2, M513_103.PL2, M513_105.PL2, M513_106.PL2, M513_107.PL2

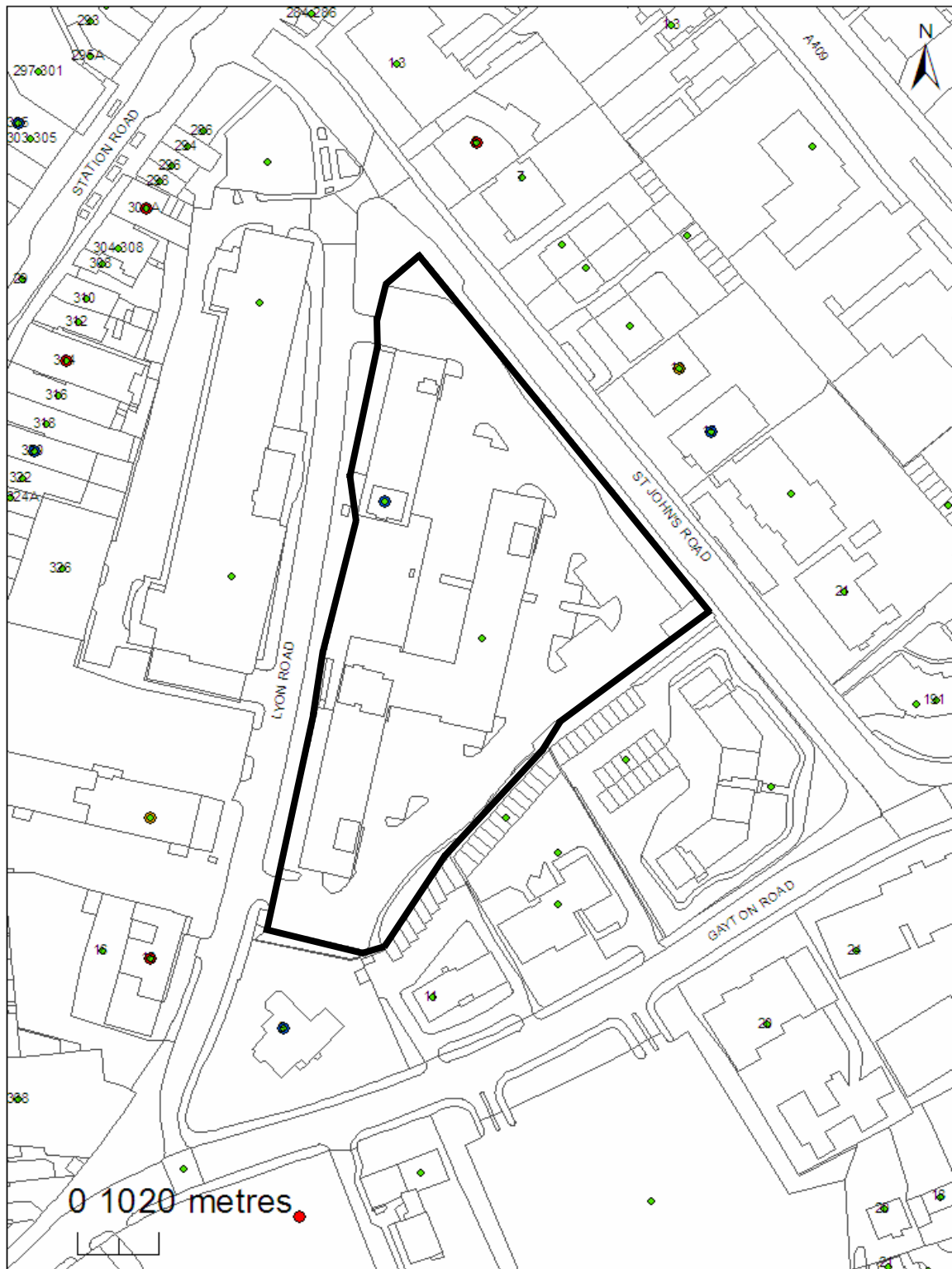
Block B: M513_110.PL2, M513_111.PL2, M513_112.PL2, M513_113.PL2, M513_115.PL2, M513_116.PL2, M513_117.PL2

Block C: M513_120.PL2, M513_121.PL2, M513_122.PL2, M513_123.PL2, M513_124.PL2, M513_125.PL2, M513_126.PL2, M513_127.PL2, M513_128.PL2, M513_129.PL2, M513_130.PL2, M513_131.PL2,

Block D/E: M513_135.PL2, M513_136.PL2, M513_137.PL2, M513_138.PL2,

M513_139.PL2, M513_140.PL2, M513_141.PL2, M513_142.PL2, M513_143.PL2,
M513_144.PL2
Block F: M513_145.PL2, M513_146.PL2, M513_147.PL2, M513_148.PL2,
M513_149.PL2, M513_150.PL2, M513_151.PL2, M513_152.PL2
Block G: M513_155.PL2, M513_156.PL2, M513_157.PL2, M513_158.PL2,
M513_160.PL2, M513_161.PL2, M513_162.PL2, M513_163.PL2,
Block H: M513_165.PL2, M513_166.PL2, M513_167.PL2, M513_168.PL2,
M513_169.PL2, M513_170.PL2, M513_175.PL2, M513_176.PL2, M513_177.PL2
Contextual Sections: M513_200.PL2, M513_201.PL2, M513_202.PL2, M513_203.PL2,
M513_204.PL2, M513_205.PL2
Landscape Plans: 1103/01, 1103/02

EQUITABLE HOUSE, LYON ROAD, HARROW



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SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item No. 2/01
Address: 55 STATION ROAD, NORTH HARROW, HA2 7SR
Reference: P/0297/12
Description: CHANGE OF USE OF RETAIL SHOP (USE CLASS A1) TO ESTATE AGENTS (USE CLASS A2)
Ward: HEADSTONE NORTH
Applicant: Mr Gurdev Singh
Case Officer: Andy Parker
Expiry Date: 10 April 2012

RECOMMENDATION

GRANT planning permission subject to conditions:

REASON

North Harrow District Centre is subject to recognised unique structural problems which have resulted in high levels of existing vacant retail units. Consequently measures are being undertaken by the Council to initiate actions to revitalise the area. Taking into consideration these problems, and the actions being undertaken by the Council, it is considered that, subject to a condition that would restrict the uses within Use Class A2, to those normally associated with shopping trips, the benefits of bringing an existing vacant unit back into use would outweigh any potential adverse impact on the vitality of the shopping centre which would result from the loss of a further retail unit. Subject to restrictions on the hours of opening the proposed use would not detract from the amenities of nearby residents. The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011 and the saved policies of the Harrow Unitary Development Plan (2004), as well as to all relevant material considerations including any responses to consultation.

INFORMATION

The application is reported to the Planning Committee because the proposal would constitute a departure from the Harrow Unitary Development Plan (2004)

Statutory Return Type: E(20) Change of Use

Council Interest: None

Gross Floorspace: 75sqm

Net additional Floorspace: N/A

GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A

Site Description

- The application site comprises the ground floor of a two storey building which is located on the western side of Station Road situated 16m to the south of its junction with Cambridge Road.
- The premises is a vacant florist unit with residential accommodation above.
- The shop frontage width is 5.5m and a floor area of 75m².
- The premises is located within the primary shopping frontage of North Harrow District Centre.
- The ground floor shop has an existing internally illuminated fascia sign.
- To the north of the site is a No. 53 Station Road a hairdressers (Class A1).
- To the south of the site is No.57 is a restaurant (Class A3)).
- The rear of the application site is accessed via a rear service road.
- To the rear of the premises is a hardsurfaced area which can accommodate two parking spaces and a refuse storage area.
- The site is located 42m to the north of North Harrow tube station.

Proposal Details

- Permission is sought to change of use of the premises from Class A1 (Retail) to Class A2 (Estate Agents).
- No internal or external alterations are proposed.

Revisions to Previous Application

- Not applicable.

Relevant History

LBH/4386

Alterations to shop front
07/07/1969

LBH/4386/1

Illuminated fascia sign
07/07/1969

LBH25748

Change of use from shop to estate agent building society
Granted 21/06/1984

LBH/36932

Illuminated fascia sign
Granted 27/10/1988

LBH36931

Shop front
Refused 16/01/1989

LBH/37759

Shop front
Granted 23/02/1989

Pre-Application Discussion (Ref.)

- Not applicable.

Applicant Submission Documents

- Design and Access Statement

Consultations

Headstone Residents' Association: No response

Highway Authority: No objection subject to a condition requiring cycle storage provision.

Advertisement

Departure from the Development Plan

Site Notice

Expiry: 14/04/2012

Press Advertisement

Expiry:22/03/2012

Notifications

Sent: 15

Replies: 0

Expiry: 19/03/2012

Addresses Consulted

1, 2 Cambridge Road

51, 51A, 52, 53, 53A, 54, 55A, 56, 65 Station Road

Unit 1 Churchill Court, 58 Station Road

Summary of Responses

- Not applicable.

APPRAISAL

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Character and Appearance of the Area
- 3) Residential Amenity
- 4) Traffic and Parking
- 5) Accessibility
- 6) S17 Crime & Disorder Act
- 7) Consultation Responses

1) Principle of the Development

The National Planning Policy Framework (NPPF) (2012) requires that local planning authorities should pursue policies which promote the viability and vitality of town centres.

The NPPF states that where town centres are in decline, local planning authorities should plan positively for their future to encourage economic activity.

The London Plan 2011 reinforces the principles of the NPPF

Policy 4.7B of the London Plan requires that retail, commercial, financial and leisure facilities should be focused in sites within town centres.

The application site is located within North Harrow District Centre and is located in the defined Primary Shopping frontage.

Policy EM16 of the Harrow Unitary Development Plan (2004) states that in the primary shopping frontage of harrow metropolitan centre and of the district centres, the change of use of shops (Class A1) to (professional and financial services) (Class A2) or (food and drink) (Class A3) will normally be permitted provided that:-

- a) the proposed use provides a service that is directly related to a shopping trip and supports the retail function of the centre;
- b) the length of the primary frontage in non-retail use at street level in the centre (including any outstanding permissions) would not exceed 15% of the total in Harrow Metropolitan Centre and 25% of the total in the district centres;
- c) a harmful concentration of non-retail uses is not created or added to.

With regard to North Harrow District Centre, the length of the primary frontage in non-retail use is 31.71%, which is 6.71% in excess of the 25% percentage limit above which indicates the level at which the amount of non-retail activity may begin to harm the character and vitality and viability of the shopping centre. The proposed change of use would increase this percentage by 0.81% to 32.52% and therefore fails to comply with Policy EM16 (b).

However, the centre has been affected by a significant decrease in footfall, as a result of which businesses have closed and North Harrow as a shopping centre has declined.

In view of the high level of existing vacancies, the Council has in recent months, undertaken extensive work to build up a partnership for the District Centre and to initiate actions to revitalise the area, including exploring the possibility of a North Harrow Local Development Order (LDO) and the introduction of a Town Centre Manager.

The Local Development Order is currently an emerging document which has been cleared by the Secretary of State on April 3rd 2012, and it is likely the LDO will be formally adopted by the Council by June 2012.

The LDO covers No. 34 to No. 70 and 51 to 81 Station Road as well as No. 340 to No. 378, and No.547 to No. 555 Pinner Road. No.55 Station Road therefore falls within the defined area of the LDO. The aims and objectives of the LDO are therefore considered to be a material consideration when assessing a current planning application.

The LDO for North Harrow District Centre is intended to support the viability and vitality of the shopping area by allowing flexible uses of existing and vacant premises in parts of the town centre, and to attract more start up businesses. It is hoped that the LDO will encourage businesses to locate in this area in the knowledge that the process and risks for obtaining consent will be removed, thereby cutting costs. The ultimate objective of the LDO is to assist in reducing the proportion of empty shop frontages in North Harrow District Centre.

Within designated parts of North Harrow, including No.55, the LDO would grant planning permission for changes of use of ground floor premises from the current use to the following:

- A1: Shops
- A2: Financial and Professional Services
- A3: Restaurants and Cafes
- B1 (a) as an office other than a use within A2 (financial and professional services)
- D1: Non-residential institutions specifically; health centres, day nurseries, public halls and non-residential education and training centres (subject to a maximum of 150 square metres).

The proposed use which is the subject of the current planning application is therefore a use that would be permitted by the LDO. Taking into consideration the status of this document and the recognised unique structural problems in North Harrow, it is considered that the benefits of the proposal, which would enhance the daytime activity and footfall in the centre and would reduce the proportion of empty shop frontages, would outweigh any potential adverse impact on the vitality of the shopping centre which would result from the loss of a further retail unit.

However, some uses that fall within Class A2, despite being for visiting members of the public are not normally associated with shopping trips (e.g betting shops, solicitors offices, insurance brokers), and may be closed during normal shopping hours. It is therefore considered that, if members were minded to approve this application, in order to safeguard the vitality of the shopping centre, it should be subject to a condition that would restrict the permission to those uses within Class A2 normally associated with shopping trips.

There is a hairdressers (Class A1) at No.55 Station Road, located immediately to the north of the application site. There is also within this parade a fitted kitchen shop at No. 59 Station Road, a chemists at No. 61 Station Road and a hairdressers at No.65 Station Road. The proposal would not therefore result in a harmful concentration of non A1 uses and would therefore comply with Policy EM16 (c).

Whilst the proposed development would fail to comply with Policy EM16 (b) for the reasons outlined above, it is considered that the material considerations would outweigh the Development Plan presumption against the application.

2) Character and Appearance of the Area

The proposed change of use of the ground floor of the premises would bring the use of the property back in operational use and would therefore have a positive impact on the vibrancy of the area.

No other internal / external alterations are proposed and any significant advertisement of the business is likely to require advertisement consent.

Policy EM16 of the Harrow Unitary Development Plan (2004) states that in the primary shopping frontage of Harrow Metropolitan Centre and of the District Centres, the change of use of shops (Class A1) to (professional and financial services) (Class A2) or (food and drink) (Class A3) will normally be permitted provided that:-

- e) a window display or other frontage appropriate to the shopping area is maintained.
- non class a uses will not be permitted in primary frontages.

To ensure the vibrancy and appearance of the district centre is not compromised, an operational condition is attached to this permission to ensure that the ground floor shop window is not obscured and kept in active operation. The proposal would therefore comply with the NPPF (2012); policies 7.4B and 7.6B of the London Plan; saved policies D4 and EM24 of the UDP.

3) Residential Amenity

The application site is located within a parade of shops on a busy road and there are a variety of uses within this parade. The principle of the change of use of this site is deemed not to be detrimental in terms of its impacts upon the amenities of neighbouring residential occupiers, subject to a condition which would restrict the hours of operation. In this respect, it is noted that the applicants are seeking to operate the premises between 09:00 hours to 19:00 hours Mondays to Fridays inclusive and 10:00 hours and 15:00 hours Saturday and at no time on a Sunday. The LDO in respect of the 'changes of use' of the ground floor premises would be subject to a condition which would restrict the hours of operation to between 08:00 and 22:00 hours. These more generous opening hours reflected in the attached condition. As such, the application is considered to be consistent with policy 7.6B of the London Plan (2011) saved policies D5, EM25 and EP25 of the Harrow Unitary Development Plan (2004).

4) Traffic and Parking

Policy EM16 of the Harrow Unitary Development Plan (2004) states that in the primary shopping frontage of Harrow Metropolitan Centre and of the District Centres, the change of use of shops (Class A1) to (professional and financial services) (Class A2) or (food and drink) (Class A3) will normally be permitted provided that:-

d) the premises can be adequately serviced without causing harm to highway safety and to highway safety and convenience;

The premises can be adequately serviced from the rear service road and there is a hardsurfaced area to the rear which is currently used for parking.

The Council's Highways Authority raises no objection to the proposal as the principle of the change of use from A1 to an A2 use. As this proposed A2 use complements the existing shopping facilities in North Harrow and given the activities associated with the closeness of the A1 to A2 user profile, some of the new business generated is likely to be incidental to the already existing shopping activities hence creating little variance in current demands and activities hence naturally reducing additional patronage by the private motor car to the area. This coupled with the relatively small scale of the proposal and the ample on street 'pay and display' parking availability/ good bus service links at this location, there is no objection to the proposal.

Given the small gross floor area only 1 secure cycle space should be provided in line with 2011 London Plan standards.

Refuse storage would be provided as per existing to the rear of the property. It is considered that this refuse storage arrangement would be adequate and would not have an adverse impact on refuse collection to any significantly greater degree than the current use.

As such, it is considered that the proposal would not be detrimental to the free flow and

safety of vehicular traffic and pedestrians on the public highway in accordance with saved policies D4 and T13 of the Harrow Unitary Development Plan (2004).

5) Accessibility

The proposal involves no external alterations to the existing shop front. A site inspection, has noted that the existing shop frontage has a level entrance and proposed floor plans indicate that the width of the front entrance would be acceptable. It is therefore considered that suitable access would be provided for people with disabilities.

The proposal would therefore comply with London Plan (2011) policies 3.1B and 7.2B; saved policies C16 and C17 of the UDP and the SPD: Access For All (2006).

6) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

7) Consultation Responses

Not applicable.

CONCLUSION

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 as set out above:

This application is recommended for grant.

CONDITIONS

1 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 The premises shall only be used as an estate agent, bank, building society and employment agency within Class A2 and for no other purpose within Class A2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

REASON: To safeguard the vitality and viability of North Harrow District Centre in accordance with saved policies EP25 and T13 of the Harrow Unitary Development Plan (2004).

3 The use hereby permitted shall only be open to customers between the following times:
a) 0:800 hours to 22:00 hours.

REASON: To safeguard the amenities of neighbouring residential properties, in accordance with saved policies D4 and EP25 of the Harrow Unitary Development Plan 2004.

4 The development hereby permitted shall not commence until details of the window display, including lighting thereof, have been submitted to, and approved by, the local planning authority, and thereafter such a display shall be installed and retained in that form.

REASON: To ensure that the unit does not detract from the vitality of the shopping parade / centre by its appearance in the street scene in accordance with saved policy EM16 of

the Harrow Unitary Development Plan (2004)

5 The use hereby permitted shall not be occupied until full details of secure cycle parking provision for staff has been submitted to, and approved in writing by, the local planning authority. The works shall be completed in accordance with the approved details and thereafter retained.

REASON: To ensure that the cycle parking provision is available for use by the occupants of the site and in accordance with the Council's parking standards in accordance with saved policy 6.9 of the London Plan (2011).

6 No music or any other amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises either attached to, or in the vicinity of, the premises to which this permission refers.

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents in accordance with saved policy D5 of the Harrow Unitary Development Plan (2004).

7 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; 55/01

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

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

North Harrow District Centre, is subject to recognised unique structural problems which has resulted in high levels of existing vacant retail units. Consequently measures are being undertaken by the Council to initiate actions to revitalise the area. Taking into consideration these problems, and the actions being undertaken by the Council, it is considered that, subject to a condition that would restrict the uses within Class A2, to those normally associated with shopping trips, the benefits of bringing an existing vacant unit back into use would outweigh any potential adverse impact on the vitality of the shopping centre which would result from the loss of a further retail unit. Subject to restrictions on the hours of opening the proposed use would not detract from the amenities of nearby residents. The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011 and the saved policies of the Harrow Unitary Development Plan (2004), as well as to all relevant material considerations including any responses to consultation.

The following policies are relevant to this decision:

The National Planning Policy Framework (2012)

The London Plan 2011:

2.15.C Town Centres

3.1B Ensuring Equal Life Chances For All

4.7.B Retail and Town Centre Development

4.8.B Supporting a Successful and Diverse Retail Sector

6.9 B Cycling

7.2.C An inclusive environment

7.3.B Designing out crime

7.4.B Local character

7.6B Architecture

7.15 Reducing noise and enhancing landscapes

Harrow Core Strategy (2012)

Core Policy CS1.L
Core Policy CS1.M
Core Policy CS1.B

Harrow Unitary Development Plan 2004:

SEM2 Hierarchy of Town Centres

EP25 Noise

D4 Design and The Built Environment

EM16 Change of Use of Shops – Primary Shopping Frontages

EM24 Town Centre Environment

C16 Access to Buildings and Public Spaces

C17 Access to Leisure, Recreation, Community and Retail Facilities

T6 The Transport Impact of Development Proposals

T13 Parking Standards

Supplementary Planning Document: Access for All 2006

2 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.

3 COMPLIANCE WITH PLANNING CONDITIONS

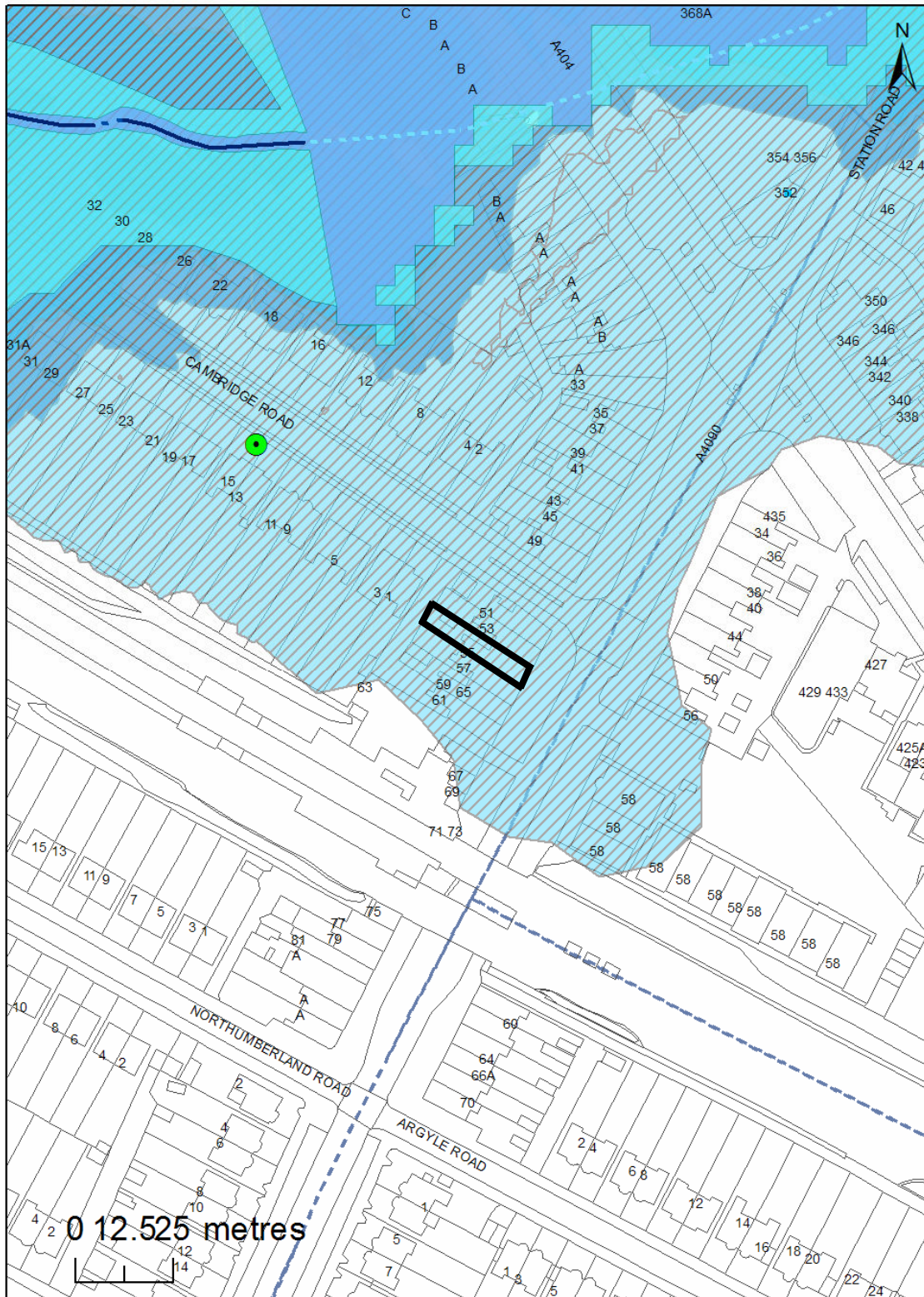
IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- 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.

5. The applicant is advised that advertisement consent may be required for any alterations to the existing signage.

Plan Nos: Site Plan; 55/01

55 STATION ROAD, NORTH HARROW



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Item No. 2/02

Address: STANMORE COLLEGE, ELM PARK, STANMORE, HA7 4BQ

Reference: P/0210/12

Description: FIRST FLOOR EXTENSION TO SOUTHERN END OF ELM BUILDING INCORPORATING WORKSHOP SPACE BENEATH EXTENSION; PROPOSED EXTERNAL WORKS TO ELM BUILDING TO INCLUDE:

- NEW ACCESS RAMP TO EXISTING STAFF/ STUDENT ENTRANCE;
- RAISED PLATFORM AND STEPS WITH CANOPY ON WESTERN ELEVATION;
- FORMATION OF NEW VISITOR ENTRANCE INCLUDING NEW STAIRCASE, TIMBER PORTAL AND CANOPY;
- NEW CLADDING AND CANOPY TO LIFT SHAFT;
- INSTALLATION OF METALLIC SKIN TO PART OF EASTERN AND WESTERN ELEVATIONS;
- PART NEW GLAZING; AND
- PROPOSED HARD SURFACING AND EXTERNAL SEATING AREA.

Ward: STANMORE PARK

Applicant: MR DAVID KNOWLES

Agent: STEVENSON PROJECT MANAGEMENT LTD

Case Officer: SUSHILA BHANDARI

Expiry Date: 26/04/2012

RECOMMENDATION

GRANT planning permission subject to conditions

REASON

The proposal is considered to comply with the relevant education policies and would enhance the existing facilities on site. The proposal does not seek to increase student or staff numbers on site and as such, the proposal would have no adverse impact on local residents or highway safety. Whilst it is noted that the proposed development would be modern in design, it is considered that the juxtaposition between the old and new would enhance the appearance of the existing building. As such, there would be no impact upon the character and appearance of the existing building or the locality. The decision to grant planning permission has been taken having regard to National Planning policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informative), as well as to all relevant material considerations including any responses to consultation.

INFORMATION

The application is reported to the Planning Committee because the floor area of the proposed extension would be greater than 400m² and therefore the proposal falls outside

of the scheme of delegation under Part 1, 1(d).

Statutory Return Type: Minor Development

Council Interest: None

Gross Floorspace: n/a

Net additional Floorspace: n/a

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Nil – as the development would be wholly used for the provision of education.

Site Description

- The application site comprises Stanmore College, a further education establishment comprised of two to three storey buildings, located on the west side of Elm Park.
- The subject application relates to Elm Building, which is a single, two and three storey building located within the eastern section of the college site.
- To the south of Elm Building is Willow Building which is a single and two storey building.
- To the east of Elm Building is Spruce Building which is a two storey building comprising of temporary classrooms. This building is sited adjacent to the site boundary fronting Elm Park.
- The reception area is currently sited on the western side of Elm Building.
- The boundary along Elm Park is characterised by a low brick wall with railings on top.
- Entrance to the college is sited on the northern section of the boundary fronting Elm Park.
- Site levels rise from northeast to southeast.

Proposal Details

- The application proposes a first floor extension to the southern end of Elm Building to provide a new library, the floor area to which would be circa 375m². The proposed extension would be supported at ground level with posts and it is proposed to use the area underneath the extension as a workshop for the college.
- The proposal seeks to construct a new access ramp which would provide level access to the existing staff and student entrance. This ramp would be located along the eastern elevation of Elm Building.
- A new visitor entrance is proposed on the north-eastern side of the building, which would include new stepped entrance. A timber portal with a canopy is proposed to this entrance. This timber portal would have a depth of 5.9m, a width of 6.27m and a maximum height of 5.79m. The proposed canopy would also extend across the lift entrance.
- A new raised platform with steps is proposed along the western side of the building, which would project out to a maximum depth of 3.76m (including the steps) and to a maximum height of 1m.
- A new cantilevered canopy is also proposed on the western elevation of the building, which would span a width of 26.34m and would project out to a depth of 2.13m.
- New brick cladding is proposed to the existing lift shaft sited on the eastern side of the building.
- A new curtain wall is proposed to the section of the eastern wall where the proposed new visitor entrance is proposed. It is also proposed to re-clad the ground floor of the western elevation of the building. New glazing is proposed to the sections of the building where the new cladding would be installed.
- It is also proposed to lay down hard surfacing along the eastern side of the building to provide some external seating area.

Revisions to Previous Application

- n/a

Relevant History

EAST/406/98/FUL
SINGLE STOREY EXTENSION AT ENTRANCE
GRANTED : 16/06/1998

EAST/36/99/FUL
SINGLE STOREY EXTENSION AT ENTRANCE (REVISED)
GRANTED : 10/03/1999

EAST/377/01/FUL
ADDITION OF LIFT & ALTERATIONS TO EXTERNAL STAIRS
GRANTED : 24/05/2001

Pre-Application Discussion (Ref.)

- None

Applicant Submission Documents

- Design and Access Statement which concludes the following:
 - The development involves the extension of the Learning Resource Centre, provision of a new visitors' entrance and internal reorganisation.
 - The proposal is in keeping with the scale, style and context of the site.
 - Access requirements to the building have been incorporated and ensure an inclusive approach to the development.
 - The impact of the proposal works to public or neighbours is considered minimal.

Consultations

Highways Authority:

There is no concern or objection to this very minor extension proposal which is reinforced by the fact that the objective is to facilitate improved access and circulation with student and staff numbers remaining unchanged.

Advertisement

None

Notifications

Sent: 45

Replies: 0

Expiry: 10.04.2012

Addresses Consulted

14, 15, 16, 8, 9 - Manor House Estate, Old Church Lane

14, 18, 16, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40- Ridgeway Court, The Ridgeway

1, 2 – Bernays Close

77, 79, 81a, 81, 83a, 83, 84, 85a, 85, 86, 87a, 87, 41, 73, 75, 78, 80, 82 – Elm Park

43 – Old Church Lane

1, 3, 5, 7, 1a – The Ridgeway

Summary of Responses

- n/a

APPRAISAL

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) New Education Facilities/ Character and Appearance of the Area
- 3) Residential Amenity
- 4) Traffic and Parking
- 5) Accessibility
- 6) S17 Crime & Disorder Act
- 7) Consultation Responses

1) Principle of the Development

The education use of this site is established and in line with London Plan policy 3.18C and saved policy C7 of the Harrow UDP, there is no in principle objection to the extension of the existing education facilities, subject to consideration of the need for new facilities, the accessibility of the site and safe setting-down and picking-up points within the site.

Detailed consideration of these and other policy requirements and material considerations is undertaken in the sections below. In summary, the proposed first floor extension to Elm Building is considered to be acceptable as the proposed extension would provide modernised education facilities for the existing college.

2) New Education Facilities/ Character and Appearance of the Area

London Plan policy 3.18C seeks to support development proposals which would enhance education and skills provision through new build, expansion of existing facilities or change of use to education. Saved policy C7 of the Harrow UDP, as stated above sets down three main criteria when assessing proposal for new education facilities or the expansion of existing.

London Plan policies 7.4B and 7.6B, core policy CS 1B of the Harrow Core Strategy and saved policy D4 of the Harrow UDP seeks to ensure that all development proposals achieve a high standard of design and have regard to the local context and existing buildings.

In assessing the proposal against criterion a) of saved policy C7 the applicants supporting Design and Access Statement states that the increase in the size of the library is required to improve and enhance independent learning for students and to meet the timetabled use of the area. The existing building on the site dates back to the 1960's and since this period there has been some limited expansion to the college site, with the inclusion of temporary classrooms to cater for the education demand in the area. It is considered that the proposed library extension would enhance the existing facilities by providing a more modernised learning resource centre for existing students.

In relation to the proposed new visitor entrance on the eastern elevation of the building, the current reception area is located on the western elevation (rear elevation) facing into the college site and as such appears somewhat tucked away. The proposed entrance would be clearly apparent when entering the college site from the main entrance making it more approachable for visitors and students alike. Accordingly, the first floor extension and the proposed new visitor entrance would meet the tests of criterion a) of saved policy C7. The proposed new access ramp to the existing student and staff entrance on the

eastern side of the building, the proposed canopy, steps and raised platform on the western side of the building and the proposed seating area adjacent to the eastern elevation are considered to be neutral in terms of their impact on providing education facilities. Notwithstanding this, there would be no conflict with saved policy C7.

In assessing the proposal against criterion b) of saved policy C7, the site has a low level of public transport accessibility. However, the site is located within walking distance of Stanmore Broadway which is serviced by public transport. Furthermore, the existing establishment is for higher education and therefore most students are likely to travel to the college on their own and therefore there is unlikely to be any impact in terms of safe setting-down and picking-up (criterion c) of saved policy C7). Furthermore, the proposed extensions and alterations would not increase student or staff numbers on the site.

In assessing the impact of the proposed first floor extension against the character and appearance of the existing building and the locality, the proposal would see a modern designed extension being erected against the existing 1960's building. Whilst it is acknowledged that the proposed extension would be visible in the public realm along Elm Park, it is considered that the juxtaposition between the old and the new building would be acceptable in this case, given that the existing college building is dated and of limited architectural quality. The proposed modern extension would enhance the appearance of the building and subject to the use of appropriate materials would liven up the character and appearance of the building when viewed in the street scene. Likewise, the proposed new visitor entrance and the new cladding to part of the existing building would positively up date the appearance of the existing building. The proposed canopy, raised platform and steps located on the western side of the building would be screened from view of the street scene by the existing building and would face the college ground. These alterations are considered to be minor and would have no detrimental impact upon the character and appearance of the existing building. Likewise, the proposed external ramp and the outdoor seating area sited to the east of the building would not amount to any loss of soft landscaped areas, as the area is largely hard-surfaced and the proposal would be minor in scale and would give rise to no harm against the appearance of the existing building.

In conclusion, it is considered that the proposed development would give rise to no conflict with the objectives set out under policies 3.18C, 7.4B and 7.6B of The London Plan, core policy CS 1B of the Harrow Core Strategy and saved policies C7 and D4 of the Harrow UDP.

3) Residential Amenity

Paragraph 9.29 of the reasoned justification to saved policy C7 of the Harrow UDP states that new development must not be detrimental to the environmental quality of the surrounding locality or the amenities of residents.

The nearest residential property No.86 Elm Park is located to the north of the college site and there is some 10m distance between the northern elevation of the existing building and the site boundary adjoining this neighbouring property. The proposed first floor extension would be sited on the southern end of the existing building and would be sited some 40m away from the site boundary adjoining No.86 Elm Park. The new visitor entrance would be on ground floor level and all other proposed alterations would be confined to the envelope of the existing building. Any overlooking from the proposed first floor windows would be no greater than the level of overlooking that currently exists from the college buildings. As such, it is considered that the proposed development would have no unreasonable impact upon the residential amenities of the occupiers at No.86 Elm

Park.

The proposed development would be sited some 60m from the front boundaries of the properties located directly opposite the site. This distance is considered to be adequate to safeguard the residential amenities of those properties.

As discussed above, the proposed development does not seek to increase student or staff numbers and therefore the proposal would not intensify the use of the existing site.

In conclusion, it is considered that the proposed development would have no detrimental impact upon residential amenities of the neighbouring occupiers.

4) Traffic and Parking

As stated above, the proposed development would not amount to any increase in student or staff numbers on the site and therefore there would be no intensified use of the site. The proposed first floor extension would result in the loss of 4 parking spaces. However, there is still ample parking on the college site. The Council's Highway Authority has raised no objection to the proposed development. Accordingly, it is considered that the proposed development would not give rise to any conflict with the objectives set out under saved policies T13 and C7 of the Harrow UDP.

5) Accessibility

Policy 7.2C of The London Plan requires new development to achieve high standards of accessible and inclusive design which should be supported in Design and Access Statements submitted. Saved policy C16 of the Harrow UDP requires all development proposals to provide accessible facilities for all users. To supplement these policies, the Council has adopted Supplementary Planning Document: Access for All 2006.

The proposal seeks to construct an access ramp along the eastern elevation of the building which would provide level access for staff and students. There is also a lift access for the building. In this regard, the proposal is considered to meet the objectives of policy 7.2C of The London Plan, saved policy C16 of the Harrow UDP and the adopted SPD.

6) S17 Crime & Disorder Act

It is considered that this proposal would not lead to an increase in perceived or actual threat of crime.

7) Consultation Responses

None

CONCLUSION

In summary, for all the reasons considered above, the proposal is considered to comply with the relevant policies listed. The proposal is considered to comply with the relevant education policies and would enhance the existing facilities on site. The proposal does not seek to increase student or staff numbers on site and as such the proposal would have no adverse impact on local residents or highway safety. Whilst it is noted that the proposed development would be modern in design, it is considered that the juxtaposition between the old and new would enhance the appearance of the existing building. As such, there would be no impact upon the character and appearance of the existing building or the locality. In conclusion this application is recommended for grant.

CONDITIONS

1 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement; Location Plan; Stanmore College - Elm Extension Concept Design; 022; 002; 004; 005; 006; 007; 008; 009; 011; 012; 013; 014; 015; 016; 017; 018; 019; 021; 003

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

3. The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

- a: the first floor extension
- b: timber portal and canopy
- c: new cladding to existing building
- d: new brick cladding to lift shift

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

REASON: To safeguard the appearance of the locality and the existing building in accordance with saved policy D4 of the Harrow Unitary Development Plan (2004).

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The proposal is considered to comply with the relevant education policies and would enhance the existing facilities on site. The proposal does not seek to increase student or staff numbers on site and as such the proposal would have no adverse impact on local residents or highway safety. Whilst it is noted that the proposed development would be modern in design, it is considered that the juxtaposition between the old and new would enhance the appearance of the existing building. As such, there would be no impact upon the character and appearance of the existing building or the locality. The decision to grant planning permission has been taken having regard to National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy Framework (2012)
Harrow Core Strategy (2012) – policy CS 1B,

The London Plan (2011)

- 3.18C - Education facilities
- 7.2C – An inclusive environment
- 7.3B – Designing out crime
- 7.4B – Local character
- 7.6B – Architecture

Harrow Unitary Development Plan 2004:

- D4 The Standard of Design and Layout
- T13 Parking Standards
- C16 Access to Buildings and Public Spaces
- C7 New Education Facilities

Supplementary Guidance/ Documents

Supplementary Planning Document: Access For All (2006)

2 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.

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 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

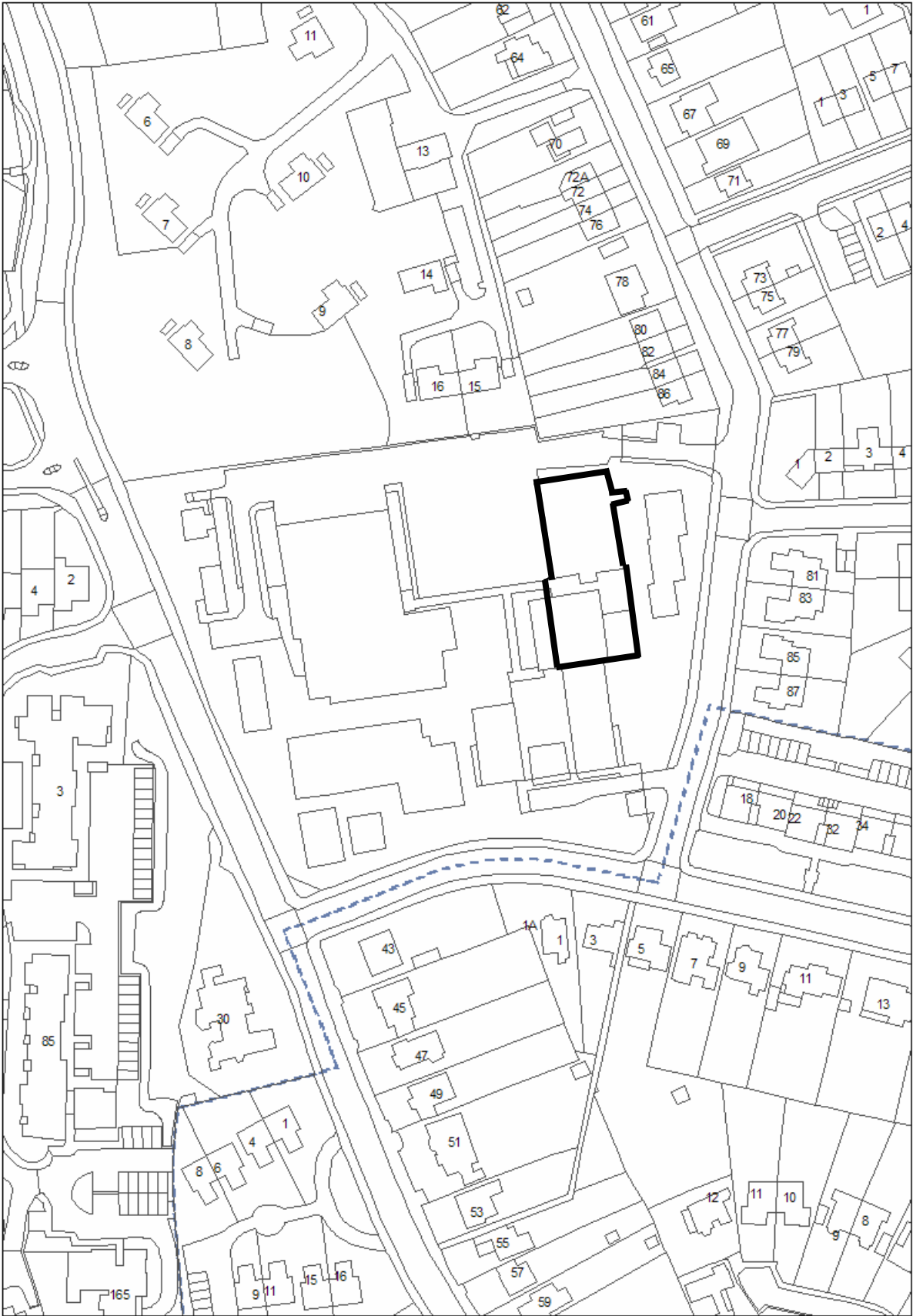
4 COMPLIANCE WITH PLANNING CONDITIONS

IMPORTANT: 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.

Plan Nos: Design and Access Statement; Location Plan; Stanmore College - Elm Extension Concept Design; 022; 002; 004; 005; 006; 007; 008; 009; 011; 012; 013; 014; 015; 016; 017; 018; 019; 021; 003

STANMORE COLLEGE, ELM PARK, STANMORE



Item No. 2/03

Address: NORTH LONDON COLLEGIATE SCHOOL, CANONS DRIVE,
EDGWARE, HA8 7RJ

Reference: P/0654/12

Description: NEW TWO STOREY BUILDING TO BE USED FOR INDOOR
ACTIVITIES TO EAST OF RICHARDSON BUILDING; ASSOCIATED
LANDSCAPING

Ward: CANONS

Applicant: MR GRAHAM PARTINGTON

Agent: NVB ARCHITECTS

Case Officer: NICOLA RANKIN

Expiry Date: 04/05/2012

RECOMMENDATION A

GRANT planning permission subject to conditions and the completion of a Section 106 agreement within 3 months (or such period as the Council may determine) of the date of the Committee decision on this application relating to:

1. Revision of the building envelope contained in the legal agreement which accompanied planning permission P/0633/09 to the form shown on drawing AL (0)03 Issue C.
2. A formal decision notice, subject to the planning conditions noted below, will be issued only upon completion, by the applicant of the aforementioned legal agreement.

Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 agreement and to agree any minor amendments to the conditions or the legal agreement.

REASON

The proposed activity building would provide a multi-functional space together with ancillary changing facilities to support new indoor activities and current outdoor sports facilities as well as much needed staff accommodation, thereby contributing to the proper functioning of the established school. The proposed building would be a high quality contemporary addition that would harmonise with the surrounding school buildings at the northern end of the site. The multi functional activity building would not intrude into any important views in this area of high landscape quality and would preserve the character and appearance of the Canons Park Estate Conservation Area and the setting of the Historic Park and Garden and Grade II listed Mansion house. The proposed building would be sited on an existing tennis court, thereby not resulting in the loss of any green space and 400m² of comparable areas of land would be removed from the existing built

envelope by way of a section 106 agreement. As such, the integrity of the building envelope, as previously agreed, would not be compromised and the openness of the metropolitan open land would be retained. The proposal would not unduly impact on the amenities of neighbouring residents and would comply with all relevant policy considerations relating to highway safety, tree protection, accessibility, ecology and biodiversity and sustainability.

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011 and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation,

RECOMMENDATION B

That if the Section 106 Agreement is not completed within 3 months (or such period as the Council may determine) of the date of the Committee decision on this application, then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement, would compromise the openness of the Metropolitan Open Land to the detriment of the character and appearance of the area, contrary to the provisions of the National Planning Policy Framework (2012), policy 7.17 of The London Plan (2011), Core policy CS1 F of the Harrow Core Strategy (2012) and saved policy EP44 of the Harrow Unitary Development Plan (2004), and no very special circumstances have been demonstrated by the applicant whereby the harm by reason of inappropriateness is outweighed by other considerations.

INFORMATION

The application is reported to the Planning Committee because the proposed development would be a non residential development and would have a floorspace greater than 400m² and would therefore fall outside of category 1(d) of the Scheme of Delegation.

Statutory Return Type: Minor Development

Council Interest: None

Gross Floorspace: 529sqm

Net additional Floorspace: sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): The Mayor of London Charging Schedule (February 2012) outlines that no CIL will be payable where "Development is used wholly or mainly for the provision of education as a school or college under the Education Acts or as an institution of higher education".

Site Description

- The site comprises the North London Collegiate School, a private school for girls, located at the end of Canons Drive
- North London Collegiate School occupies extensive grounds within Canons Park, an area designated as Metropolitan Open Land (MOL) and a Registered Historic Park and Garden. The school also falls within the Canons Park Estate Conservation Area.
- The school occupies a variety of buildings on the site, including the Grade II listed

mansion house, which is set within landscaped grounds to the south of the site and is visible in views from the adjacent Canons Park.

- The other school buildings are of much later construction and are located to the north and north west of the mansion house, with playing fields located to the east and north east.
- The main vehicular access is from Dalkeith Grove, with a secondary entrance at the end of Canons Drive.
- To the south of the site is Canons Park itself, is an area of open space subject to the same designations, as well as being a Site of Importance for Nature Conservation.
- To the west of the site is the Jubilee Line railway and abutting the north of the site are the rear boundaries of the residential properties on Dalkeith Grove.
- To the east of the site are The Lake and the residential properties situated within the Conservation Area.
- The NLCS is located on a fairly level site.
- The area of the site to which the application relates is a tarmac tennis court to the east of the Richardson Building and to the south of the Junior School and First School.

Proposal Details

- The application proposes a two storey building to provide a multi-functional space for games and physical activities.
- The proposed building would be rectangular shaped have a width of 14.3 metres and a depth of 28 metres. The building would have an overall footprint of 400m². The overall floorspace created by the proposed development would be 529m².
- The building would have a gable roof design with a maximum height of 7.26 metres.
- The development would be oriented north east and would align with the extent of the First School.
- The ground floor would be comprised of the main activity area (200m²) together with ancillary changing facilities storage and WCs. The first floor would comprise additional office space and meeting rooms.
- The new building would have a contemporary design and would be similar in style and materials to a number of the other buildings at the school, including the Library, First School the performing Arts centre.
- The main entrance would be from the south east elevation which faces towards the Richardson building. There would also be access and egress points from the main activity hall on the north west and south east elevations of the building.
- The area around the building would be remodelled, including a new paved area to the front of the main entrance with some additional soft planting and a further hardsurfaced area beyond the north east elevation with new access steps to the all weather sports pitch.

Relevant History

- EAST/446/94/FUL – Single Storey Infants School building, Detached sick room accommodation and infill extension
Granted with accompanying legal 09-Sep-1994
- P/2028/3/CFU – 3 storey auditorium with foyer, linked to music school and drama studio, relocation of cello room
Granted with accompanying legal agreement 05-Feb-2005
- P/2029/03 – Conservation Area Consent: Demolition of cello room
Granted 06-11-2003
- P/2030/03 – Listed Building consent: new auditorium and foyer link between existing music school and drama studio

Granted 06-11-2003

- P/1460/10 – Demolition of two storey western wing of dining room/classroom block and construction of replacement four storey extension with dining accommodation on ground floor and classrooms and ancillary accommodation on upper floors; Increased adjacent hardsurfacing
- P/1467/10 – Listed Building Consent: Demolition of two storey western wing of dining room/classroom block and construction of replacement four storey extension with dining accommodation on ground floor and classrooms and ancillary accommodation on upper floors; Increased adjacent hardsurfacing

Pre-Application Discussion (Ref: HA\2012\ENQ\00026)

- The site lies within designated Metropolitan Open land where there is a presumption against built development, although in the school's case there is a historic acceptance of the existing built envelope. The existing building envelope is delineated and controlled by the current section 106 agreement.
- In the past, the section 106 agreement has been varied to allow development outside of the building envelope by way of an exchange of lands in a "quid pro quo" arrangement. A similar arrangement is proposed for this current application as the siting of the proposed activity centre would be on a tennis court outside of the current envelope. There is no objection to this arrangement. However, it is considered that the proposed exchange areas should be further adjusted as detailed on the attached plan in order to better safeguard the openness of the Metropolitan Open Land. One of the proposed exchange areas would be located between the Junior School and First School (178m²). The openness of this area is partly obscured by the existing buildings. It is considered that a smaller area should be exchanged here. In order to compensate for this reduction in area, a further area could be utilised adjacent to the west of the music school as detailed on the attached plan (125.81m²), in addition to the proposed exchange area to the north of the music school.
- It is recognised that the proposal would provide necessary educational floorspace, providing much needed ancillary facilities, thereby contributing to the proper functioning of the established school. As the proposed building would be sited on an existing tennis court and subject to revisions to the section 106 agreement as discussed above, there is no objection to the principle of the development.
- It was considered that the proposed site would not have adverse impact on the Canons Park Estate Conservation Area and would have minimal impact on the setting of the grade II listed Canons House. However, at the pre-application meeting, it was recommended that alterations be made to some of the detailing/materials on the north west, south east and north east elevations in order to appear less prominent and obtrusive.
- The applicant was advised that the proposed development may have potential impacts in wildlife and diversity.
- Overall, the principle of an activity building on this site is accepted, subject to further revisions of the extant section 106 agreement.

Applicant Submission Documents

Design and Access Statement (Summary)

- North London Collegiate School is an independent day school for girls between the ages of 4 and 18 and the school has an exemplary record of the highest academic achievements.
- The Mansion House is a grade II listed building and is stands within part of the historic Canons Park and has listed features within the grounds. Canons Park is a registered

Grade II Historic Landscape. The park contains 18th, 19th and 20th Century landscape designs.

- The main school building was built in the 20th Century and further school facilities have been built progressively since then to satisfy increasing educational standards, including an indoor swimming pool, sports hall, performing arts centre, new junior school and new first school, additional academic accommodation and a new library.
- The proposed building would provide a multi use activity space for games and physical activities. The internal height required for the main hall would enable ancillary facilities and an office suite to be created on the first floor. The school is currently under allocated with office space for management staff and teachers.
- The proposed indoor activity space will be an improvement on the provision for junior sports as the current sports hall and activity space is currently over subscribed. Although, the proposed development is situated on an existing tennis court, the proposed facility will enable larger groups to participate in activities all year round and in all weather conditions increasing its utilisation.
- The proposed site has been determined as the best location after reviewing alternative sites. The proposed development is on an existing tennis court and after development the school would still have adequate provision of existing tennis courts and an outdoor soft sports field.
- The proposed site is the most suitable site for development as the site has already been previously developed as a tennis court. The proposed development will not impact on the nature of open space as it is currently bounded to the north west by the medical centre and lower school and a heavily planted area to the south east.
- The development would not be inappropriate as it fulfils the further functional requirements of the school and would not affect the areas special character.
- The functional requirements of the school have been carefully considered and the proposed building would meet the needs for the amount of space required by the school to act as an indoor activity space.
- North London Collegiate currently has a problem in respect of space in terms of Sport, the creative Arts and the need for a large indoor spaces within the school. Therefore, the Indoor Teaching Space has been designed in order to fulfil the curriculum requirement for sport, the creative arts and the need for a large indoor space within the school.
- The proposed development will not have any significant transport implications as the new facilities are intended to meet the existing need and space requirements for the current number of students. The NLCS is committed to providing and encouraging sustainable transport for its pupils both to and from the school grounds and no additional car parking spaces are being sought for this development. The development will have no impact on the school travel plan.
- The building will be designed to have a greater U value than that currently required by Building Regulations for the intention of reducing energy demands required by heating systems. At least 80% of the buildings materials will be A rated. The new development will incorporate a water meter so that water usage levels can be monitored as well as other water saving devices.
- The school are acutely aware of the fine setting of the school within the context of the Canons Park and the development is able to continue this commitment to the setting of the historic landscape. 4 new trees are proposed as well additional soft planting and social areas.

Consultations:

English Heritage: No comments. The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

Sports England: Although, the proposed facility will be located on an existing tennis court, the proposed development will allow for sports and physical education all year round and provide important ancillary facilities.

Conservation Officer: The proposed two storey building would preserve the setting of the Historic Parks and Gardens, listed building (Canons House) and the Conservation Area.

Conservation Area Advisory Committee: A photomontage of the development should be provided due to the importance of this site. It would be nested in, away from the conservation area. Design is of ordinary standards though.

Drainage: No Objection, subject to conditions

Tree Officer: The Arboricultural report is comprehensive and provided the development went ahead in accordance with the recommendations within the report, the proposal would not adversely affect the surrounding trees.

Landscape Officer: No objection, subject to conditions.

Highways Engineer: There would be no increase in the number of pupils and therefore there is no concern with the proposal.

Biodiversity Officer: Concern that breeding birds may be present when works commences. Can be addressed by conditions.

Canons Park Estate Residents Association: No response received

The Garden Society: No response received

Advertisement

Site Notice: Character of Conservation Area Expiry: 19.04.2012
Setting of a Listed Building

Press Advert: Character of Conservation Area Expiry: 19.04.2012
Setting of a Listed Building

Notifications

Sent: 54

Replies: 0

Expiry: 18.04.2012

Addresses Consulted

- 68, 70 Du Cros Drive
- 25 – 59 Dalkeith Grove (odd)
- 6 – 20 Peters Close (even)
- 53 – 59 Canons Drive (odd)
- 78, 80 Canons Drive
- Chandos Lodge, Canons Drive
- School Lodge, 90 Canons Drive
- Open space fronting Rose Garden Close
- 6, 7, 8 Rose Garden Close
- 1- 23 Dalkeith Grove (odd)
- The Lake, Lake View
- Land adjacent Lake, lake View
- Substation opposite North London Collegiate School

Summary of Responses

- None

APPRAISAL

The Government has adopted a National Planning Policy Framework [NPPF] on 27 March 2012 that consolidates national planning policy. This document now carries significant weight and has been considered in relation to this application.

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.'

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004 [Saved by Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Character and Appearance of the Conservation Area, Historic Park and Garden and Metropolitan Open Land
- 3) Setting of the Listed Building
- 4) Residential Amenity
- 5) Traffic and Parking
- 6) Development and Flood Risk
- 7) Accessibility
- 8) Sustainability
- 9) Trees and Development
- 10) Ecology and Biodiversity
- 11) S17 Crime & Disorder Act
- 12) Consultation Responses

1) Principle of the Development

The educational use of this site is established, and under saved UDP policy C7, there is no objection in principle to the expansion of existing educational facilities, subject to consideration of the need for the new facilities, the accessibility of the site and safe setting down and picking-up points within the site. It is recognised that the proposed building would provide much needed educational floorspace, staff and ancillary facilities to support the proper functioning of the school.

The site lies within designated Metropolitan Open Land where there is a presumption against built development in order to maintain the open character of these areas. However, North London Collegiate School is an established educational establishment, comprising of a number of buildings of up to four storeys in height. The site is subject to a restricted 'building envelope', as set out in a section 106 agreement originally devised in the mid 1990s and subsequently varied to enable the construction of recent developments. This building envelope therefore sets out the principle of the location of new buildings at the school.

The initial legal agreement which defined the building envelope within which all new development in the school and on the school grounds should take place was agreed

under planning permission EAST/446/94/FUL. This envelope was then varied as part of planning permission P/0228/03/CFU for a three storey auditorium which proposed development which was largely outside of the building envelope by way of an exchange of lands in a “quid pro quo” arrangement. The built envelope was further varied by planning permission P/0633/09 which proposed a sports pavilion which was outside the envelope established under P/0228/03/CFU (the existing building envelope is attached as part of the Design and Access Statement). A similar arrangement is proposed for this current application as the siting of the proposed activity centre would be on a tennis court outside of the current envelope. The building would occupy a footprint of 400m². As such, a quid pro quo, of 400m² of land is proposed for removal from the envelope. Two areas of land are proposed for removal including 310m² to the north west of the Music school and 90m² to the east of the Drama studio, just south of the Junior and First schools.

The proposed indoor activity centre would be sited on an existing tennis court towards the northern end of the site and adjacent to the existing school buildings. Notably, the school has 11 other existing tennis courts. Having regard to the proposed land exchange areas by way of a revised section 106 agreement, the existing over subscribed sports hall space and need for additional staff accommodation as well as the siting of the building, the proposed development is considered to be acceptable in principle. However, detailed consideration of the above policy requirements and other policy considerations are undertaken in the sections below.

2) Character and Appearance of the Conservation Area, Historic Park and Garden and Metropolitan Open Land

The site lies within an area of highly constrained policy designations, being within Canons Park Estate Conservation Area, a Historic Park and Garden and designated Metropolitan Open Land. Whilst these three coterminous designations can have varying objectives, for the purposes of assessing this proposal, they are generally related to the preservation and enhancement of the quality and openness of the adjacent Canons Park and the school grounds themselves.

The London Plan (2011) policy 7.17 recommends that London’s Metropolitan Open Land (MOL) be afforded the same level of protection as Green Belt, where the objective is to keep land free of built development, in order to maintain the open character of these areas. However, it notes that essential ancillary facilities for appropriate uses may be acceptable where they maintain the openness of the MOL. The policies in The London Plan are reinforced by the policies in the Harrow Core Strategy (2012) and Harrow Unitary Development Plan (2004).

Policy CS1 (F) of the Harrow Core Strategy (2012) outlines that the quantity and quality of Metropolitan Open Land, and existing open space shall not be eroded by inappropriate uses and insensitive development.

Saved UDP policy UDP policy EP44 states that Metropolitan Open Land “will be kept primarily open in character and free from building development”, whilst policy EP45 goes onto state that “additional building will only be permitted on Metropolitan Open Land where it can be demonstrated that it is essential for the proper functioning of the permitted land use”. Policy D18 states that “the Council will resist development proposals which would adversely affect the character or appearance of the setting of parks and gardens of special historic interest”. Canons Park Estate Conservation Area policy Statement recognises that the spacious appearance, landscaped setting, wildlife and open areas, as well as historical features, are amongst the positive features of the Conservation Area.

As discussed above, as part of the proposed development an exchange of lands within the agreed building envelope is proposed in a “quid pro quo” arrangement as detailed in drawing AL (0)11 Issue A, which would remove an area of open space sited to the north west of the Music school (310m²) and an area of open space to the south of the First and Junior school on site (90m²). It is considered that these areas of land are comparable to the area of land proposed for the building. The proposed building would be sited on an existing hardsurfaced tennis court in close proximity to the existing school buildings. The proposed building would be sited adjacent to the existing Drama, Medical and First school buildings and would be heavily screened from view by the presence of mature trees to the south of the tennis court. The building would therefore not visually intrude into or result in the loss of any important areas of open or green space. Having regard to the location of the proposed land exchange areas, the siting of the building as well as the removal of a total of 400m² of land, equal to the proposed footprint of the building, it is considered that the integrity of the building envelope, as previously agreed, would not be compromised and the openness of the Metropolitan open land would be retained.

The building is considered to be appropriate and reflective of the surrounding buildings in terms of scale and appearance. It would have a height of 7.26 metres and would be lower in height than the existing Drama school to the rear (8.89 metres) and would be very similar in height to the closest part of the adjacent First school to the north west (7.5 metres). Most of the buildings in this area are 1 and 1.5 storeys high and so the proposal is considered to be in keeping with the buildings on this part of the site. The proposed building would be of a contemporary design, incorporating brickwork and stone surface treatments that would match those used in the existing surrounding school buildings including the Junior and First schools and library. The areas of proposed glazing and pitched slate roof would also be similar in appearance to these buildings. Given the existence of similar modern buildings close to the site, it is considered that the proposed building would be acceptable in this location and would not appear overly dominant and would not detract from the character and appearance of the surrounding buildings.

The submitted Design and Access Statement has a study of views into and from within the site and this has been verified as part of the site visit. The proposed building would be set back behind the existing First and Junior schools and would not be visible from residential street, Dalkeith Grove, to the north west of the site. There are more tennis courts and playing fields to the north east of the proposed site. Canons Park, to the south of the site is heavily screened by substantial mature planting and the building would be largely screened from Canons Park, with the exception of glimpses through the tree coverage. Notably, a large amount of the planting is evergreen, therefore precluding views of the development in both summer and winter. The main views of the proposal are from the north playing field, however the proposed site is already dominated by school buildings and the addition of the activity centre building, with its comparable scale and high quality cotemporary design would not be unwelcome in this already developed part of Canons Park. The proposal is necessary for the proper functioning of this established use and would therefore not conflict with saved UDP policies EP44 and EP45.

The area is within a designated Historic Park and Garden as discussed, however the main landscape features of Canons Park are considered immediately adjacent to the mansion house, the walled garden and the surrounding area to the south and Lime Avenue to the east of the site. Notwithstanding this, Canons Park in general has a high landscape quality, emphasised by extensive mature vegetation and historic built features. The proposed building would be located on an existing tennis court on a developed part of the

site and would therefore not directly interfere with any historic landscapes or built features.

As discussed above, the proposed building would be largely screened by existing boundary trees on the south side of the site and despite being visible in glimpses at limited points along Lime Avenue, given the distance from this area and the presence of similar buildings adjacent to the subject site, it is considered that the proposal would not adversely affect the setting of these important areas. The proposal would therefore comply with saved policy D18 of the Harrow Unitary Development Plan.

Saved policy D14 of the Harrow Unitary Development Plan outlines that the Council will seek to preserve or enhance the character or appearance of Conservation Areas by only allowing re-development when the new building would contribute to the area by preserving or enhancing its character or appearance. Saved policy D15 notes, among other factors, that the position of the building on its site should properly relate to surrounding buildings and spaces and should be in scale and harmony with the surrounding buildings in the area. In this case, it is considered that the proposed building with its high quality and contemporary design would be an appropriate response to the characteristics of this part of the site. As discussed above, the location of the proposed building is well hidden behind mature trees and there are very limited low level viewing points from within the site and from the park to the south. It is considered that the overall size, bulk and design together with the siting would ensure that the proposal would not detract from the character and appearance of the Conservation Area. The application has been referred to the Council's Conservation Officer and no objection has been raised in this respect. The proposal would therefore preserve the spacious appearance, landscaped setting and historical features of the Canons Park Conservation Area and would comply with saved policies D14 and D15 of the Harrow Unitary Development Plan.

The proposal would also involve the re-surfacing and hard landscaping around the proposed building as well as some additional planting. Saved UDP policy EP45 seeks to limit the amount of additional hard surfacing on Metropolitan Open Land, whilst saved policy D9 requires soft landscaping to soften the impact of new development. However, the existing site is already entirely comprised of asphalt surfacing and concrete slab paving and the proposal would largely involve the re-surfacing of these areas with new concrete block paving. In addition to this, some new steps and gate are proposed to improve the access on to the adjacent all weather sports pitches. Four new trees are proposed as part of the development as well as new shrub planting. It is therefore considered that the replacement hard surfacing and new steps would be acceptable and a sufficient amount of new planting is proposed that would enhance the character and appearance of the development. A condition is imposed to ensure that a detailed planting scheme is submitted and approved prior to the commencement of development.

In summary, it is considered that the proposed development would satisfy the broadly similar policy objectives of the three land designations on the site and subject to a revised section 106 agreement the integrity of the building envelope, as previously agreed, would not be compromised. Overall, the special character, quality and openness of the Canons Park would be preserved and the proposal would therefore have an acceptable impact on the character and appearance of the area.

3) Setting of the Listed Building

Saved HUDP policy D11 states that the Council will only permit development within the curtilage of a listed building that would not detrimentally affect their setting. Attention will

be paid to the retention and enhancement of the setting of Listed Buildings, including and/or historic gardens or landscape features (reasoned justification paragraph 4.41).

The main mansion house to the south east of the school is Grade II listed, being a three storey 18th century mansion, substantially re-built in the 19th Century. The Richardson building to the north is listed by virtue of its attachment to the mansion house but is not considered to be of any special architectural merit or interest.

The proposed building would be sited some 75 metres to the north of the Grade II listed Mansion house and would be highly concealed by the presence of existing vegetation to the south. The only view that would be marginally affected would be glimpses of the Mansion House from the playground on the north east side of the site. It is considered that the proposed building would not interrupt any important views of the Mansion House from within the site and would not be visible in views of the Mansion house from outside the site. For these reasons, it is considered that the setting, character and special interest of the Grade II listed building would be preserved.

4) Residential Amenity

The building would be sited approximately 100 metres away from the nearest residential properties along Dalkeith Grove and would therefore not unduly impact on light to, or outlook from these properties.

As outlined in the submitted Design and Access Statement the new activity building is intended to meet the existing need and space requirements for the existing number of students. The number of full time registered students would still be controlled by the existing section 106 agreement. It is therefore not expected that the proposed development would result in additional comings and goings through outside curricular activities. Having regard to the established use of the site, it is considered that the use of the building as an indoor activity centre would not result in any unacceptable noise over and above existing levels. Notably the applicants have stated that the proposed development will be designed to meet the regulations of Building Bulletin 93 Acoustic Design for Schools in order to reduce noise levels.

Overall, it is considered that the proposal would be acceptable in terms of policy 7.6 (B) of The London Plan (2011) and saved policy EP25 of the Harrow Unitary Development Plan (2004).

5) Traffic and Parking

As discussed, the proposal is to enhance existing accommodation and would not result in an increase in student or staff numbers. The current travel plan, operating on the site, which includes use of a school bus, is used by majority of students. A safe bus drop-off point is provided within the site, near the Dalkeith Grove entrance. The site is also located within half a mile of Stanmore and Canons Park London underground stations and is therefore in a relatively sustainable location. The proposal is therefore considered to be consistent with the objectives of saved policy C7 of the Harrow Unitary Development Plan (2004). No additional parking is proposed as part of the development and it is not considered to have any impact on the school travel plan. The application has been referred to the Council's Highways Engineer who has raised no objection to the proposal. Therefore as the proposal would not result in any additional traffic generation or parking demand, it is considered to comply with saved HUDP policies T6 and T13.

6) Accessibility

The London Plan (2011) requires all new development in London to achieve the highest standards of accessible and inclusive design as outlined under policy 7.2. Saved policy C16 of the Harrow UDP seeks to ensure that buildings and public spaces are readily accessible to all.

The proposed activity building would incorporate level entrances. A wheelchair accessible lift is also proposed to gain access to the upper floor as well as wheelchair accessible toilets at both ground and first floor levels. It is considered that the layout of the building would enable adequate circulation for persons with disabilities and would be acceptable in relation to London Plan (2011) policies 3.1 and 7.2 and saved policy C16 of the Harrow UDP.

7) Sustainability

London Plan policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11. Harrow Council's Supplementary Planning Document on sustainable Building Design (adopted May 2009) seeks to address climate change through minimising emissions of carbon dioxide.

The applicant has provided a sustainability and energy statement within their Design and Access Statement. They have indicated that a reduction in carbon dioxide will be achieved mainly through passive measures. The measures identified include high insulation and U values, greater than what is required by the current Building Regulations standards. It is intended that all lighting within the building will be controlled by a PIR system to ensure that lights are only used when they are needed and that at least 80% of the buildings materials will have an "A" energy rating as defined by the BRE's Green Guide Specification. The new development will also incorporate a water meter so that water usage levels can be monitored as well as other water saving devices such as low flush toilets with dual flush facilities and self closing/infra red control taps. They conclude that the performance of the existing building will be enhanced through the incorporation of these measures.

In order to ensure that high sustainability standards are achieved, it is considered that a BREEAM certification should be provided to a level of either 'very good' or 'excellent' which can be required by way of a condition. Having regard to the proposed energy efficiency measures and subject to the above mentioned BREEAM certification, it is considered that the proposed development would meet the high standard and the Sustainable Building Design Vision contained within the Council's SPD (2010).

8) Trees and Development

The development site has mature trees of high amenity value with younger trees located amongst them on the southern boundary of the site. The trees with the greatest amenity value within the site are evenly spread around the sites southern boundary, but particularly the Yew, T6 and the Norway Maple T7-T9. It is proposed to remove two trees from the southern side of the site (T5 and T14) which are dead or dying and as such they have limited amenity value. In addition, to the removal of these two trees, the canopies of three Norway Maple Trees (T7-T9) overhang the proposed site and would need to be pruned in order to give clearance for the proposed building. The Arboricultural report submitted with the application states that most of the trees are in need of some basic crown pruning works due to their lack of recent management but that these trees should

be retained and protected. It is considered that the development on site will bring an opportunity for best practice tree management of the remaining trees and the opportunity for further native tree and hedgerow planting. The application has been referred to the Council's Arboricultural Officer who has raised no objection to the proposal, subject to the imposition of appropriate conditions for tree protection.

As such, conditions are imposed to ensure that the development proceeds in accordance with the submitted method statement and tree protection measures recommended within the arboricultural report in order to retain the integrity and quality of the trees in the vicinity during the construction process. Subject to these conditions, the proposal is therefore considered to be acceptable in relation to The London Plan (2011) policy 7.21 and saved policy D10 of the HUDP (2004).

9) Ecology and Biodiversity

Canons Park is a designated site of importance for nature conservation in the Harrow UDP. The site is in close proximity to the identified sites of nature conservation importance to the east and south of the proposed development. The Council's Biodiversity officer considers that birds could be affected by the proposed development due to the requirement of some major tree pruning works and the removal of two trees. All breeding birds and nests are protected under the Wildlife and Countryside Act 1981. In view of this, it is unlikely that any tree work could take place during the bird breeding season (March to August inclusive). As such, conditions are imposed to ameliorate any potential impact and ensure birds are not disturbed during the breeding season. Subject to this, the proposal would comply with saved policy EP27 of the Harrow UDP (2004).

10) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

11) Consultation Responses

None

CONCLUSION

The proposed activity building would provide a multi-functional space together with ancillary changing facilities to support new indoor activities and current outdoor sports facilities as well as much needed staff accommodation, thereby contributing to the proper functioning of the established school. The proposed building would be a high quality contemporary addition that would harmonise with the surrounding school buildings at the northern end of the site. The multi functional activity building would not intrude into any important views in this area of high landscape quality and would preserve the character and appearance of the Canons Park Estate Conservation Area and the setting of the Historic Park and Garden and Grade II listed Mansion house. The proposed building would be sited on an existing tennis court, thereby not resulting in the loss of any green space and 400m² of comparable areas of land would be removed from the existing built envelope by way of a Section 106 agreement. As such, the integrity of the building envelope, as previously agreed, would not be compromised and the openness of the Metropolitan Open Land would be retained. The proposal would not unduly impact on the amenities of neighbouring residents and would comply with all relevant policy considerations relating to highway safety, tree protection, accessibility, ecology and biodiversity and sustainability.

CONDITIONS

1 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 & Country Planning Act 1990.

2 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces of the building and the block paving have been submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the locality in accordance with saved policy D4, D11, D14 and D15 of the Harrow Unitary Development Plan (2004).

3 The development hereby permitted shall be carried out in accordance with the following approved plans: AL (0) 01 Issue A; AL (0)02 Issue B; AL (0) 03 Issue C; AL(0)04 Issue A; AL (0)05 Issue A; AL(0)10 Issue A; AL (0)11 Issue A; AL(0)20 Issue B; AL(0)30 Issue C;AL(0)50 Issue A; AL(0) 100 Issue A; AL(9)001 Issue A; TCP01; TPP01; Arboricultural Implication Report Ref: D0209111739, dated October 2011; Design and Access Statement, Document Issue B, dated November 2011; Heritage Statement and Conservation Area Assessment, Document Issue A, dated November 2011; Storm Water Drainage Design Proposals (March 2012)

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

4 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedule of plants, noting species, plant sizes and proposed numbers/densities.

REASON: To safeguard the appearance and character of the area and to enhance the appearance of the development in accordance with saved policies, D4, D9 and D10 of the Harrow Unitary Development Plan (2004).

5 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 completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 2 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 accordance with saved policies, D4, D9 and D10 of the Harrow Unitary Development Plan (2004).

6 The plans and particulars submitted in accordance with the approval of landscaping condition shall include:-

(i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point of 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained

and the crown spread of each retained tree;

(ii) details of the species, diameter (measured in accordance with para (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;

(iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site;

(v) details of the specification and position of fencing, and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with saved policies D4 of the Harrow Unitary Development Plan (2004).

7 No site works or development 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 levels of the site, have been submitted to, and approved by, the local planning authority.

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 in accordance with saved policies D4, D5 and D9 of the Harrow Unitary Development Plan.

8 If the development hereby permitted commences during the bird breeding season (March to August) inclusive trees and buildings in the vicinity of the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be located, time must be allowed for birds to fledge and the nest should not be disturbed during building works.

REASON: To safeguard the ecology and biodiversity of the area in accordance with saved policies EP27 and EP28 of the Harrow Unitary Development Plan (2004).

9 The development hereby permitted shall not commence until details of a site waste management plan have been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of sustainable waste management in accordance with policy 5.3 of The London Plan (2011).

10 Before the development hereby permitted is occupied a Sustainability Strategy, detailing the method of achievement of BREEAM 'very good or excellent' (or successor), and mechanisms for independent post-construction assessment, shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework (2012), policies 5.2.B/C/D/E of The London Plan 2011, saved policy D4 of the Harrow Unitary Development Plan 2004 and adopted Supplementary Planning Document – Sustainable Building Design 2009.

11 The development hereby permitted shall not be occupied 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 works shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption and in accordance with saved policy D4 of the HUDP and guidance in the National Planning Policy Framework.

12 The development of any buildings 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.

REASON: To ensure that adequate drainage facilities are provided and to reduce and mitigate the effects of flood risk in accordance with the National Planning Policy Framework.

13 The development of any buildings 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.

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

14 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected in accordance with saved policies D4 and D10 of the Harrow Unitary Development Plan (2004).

15 The development hereby permitted, must be undertaken in accordance with the recommendations of the Arboricultural Implication Report (Ref: D0209111739, dated October 2011) including the method statement and tree protection plan in relation to the protected trees on site.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected in accordance with saved policy D10 of the Harrow Unitary Development Plan (2004).

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011 and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy:

- National Planning Policy Framework (2012)

The London Plan (2011):

- 3.1 – Ensuring Equal Life Chances
- 3.18 – Education Facilities
- 5.1 - Climate Change Mitigation
- 5.2 – Minimising Carbon Dioxide Emissions
- 5.3 – Sustainable Design and Construction
- 5.12 – Flood Risk Management
- 5.13 – Sustainable Drainage
- 7.1 – Building London’s Neighbourhoods and Communities
- 7.2 – An Inclusive Environment
- 7.3 – Designing Out Crime
- 7.4 – Local Character
- 7.6 – Architecture
- 7.8 – Heritage Assets and Archaeology
- 7.17 – Metropolitan Open Land
- 7.19 – Biodiversity and Access to Nature
- 7.21 – Trees and Woodlands

Harrow Core Strategy (2012)

- Core Policy CS 1 B, F, U and Z
- Core Policy CS 8

Saved Policies of the London Borough of Harrow Unitary Development Plan [2004]:

- D4 The Standard of Design and Layout
- D5 – Amenity Space and Privacy
- D9 Streetside Greenness and Forecourt Greenery
- D10 Trees and Development
- D11 Statutorily Listed Buildings
- D14 Conservation Areas
- D15 Extensions and Alterations in Conservation Areas
- D18 Historic Parks and Gardens
- EP25 –Noise
- EP26 – Habitat Creation and Enhancement
- EP27-Species Protection
- EP44 – Metropolitan Open Land
- EP45 – Additional Building on Metropolitan Open Land
- T6 – The Transport Impact of development Proposals
- T13 – Parking Standards
- C7 – New Education Facilities
- C16 – Access to Buildings and Public Spaces

Supplementary Planning Documents and Guidance

- Supplementary Planning Document Access for All [2006]
- Supplementary Planning Document Sustainable Building Design [May 2009]
- Canons Park Estate Conservation Policy Statement 1990
- Supplementary Planning Document Residential Design Guide [December 2010]

2 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.

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 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

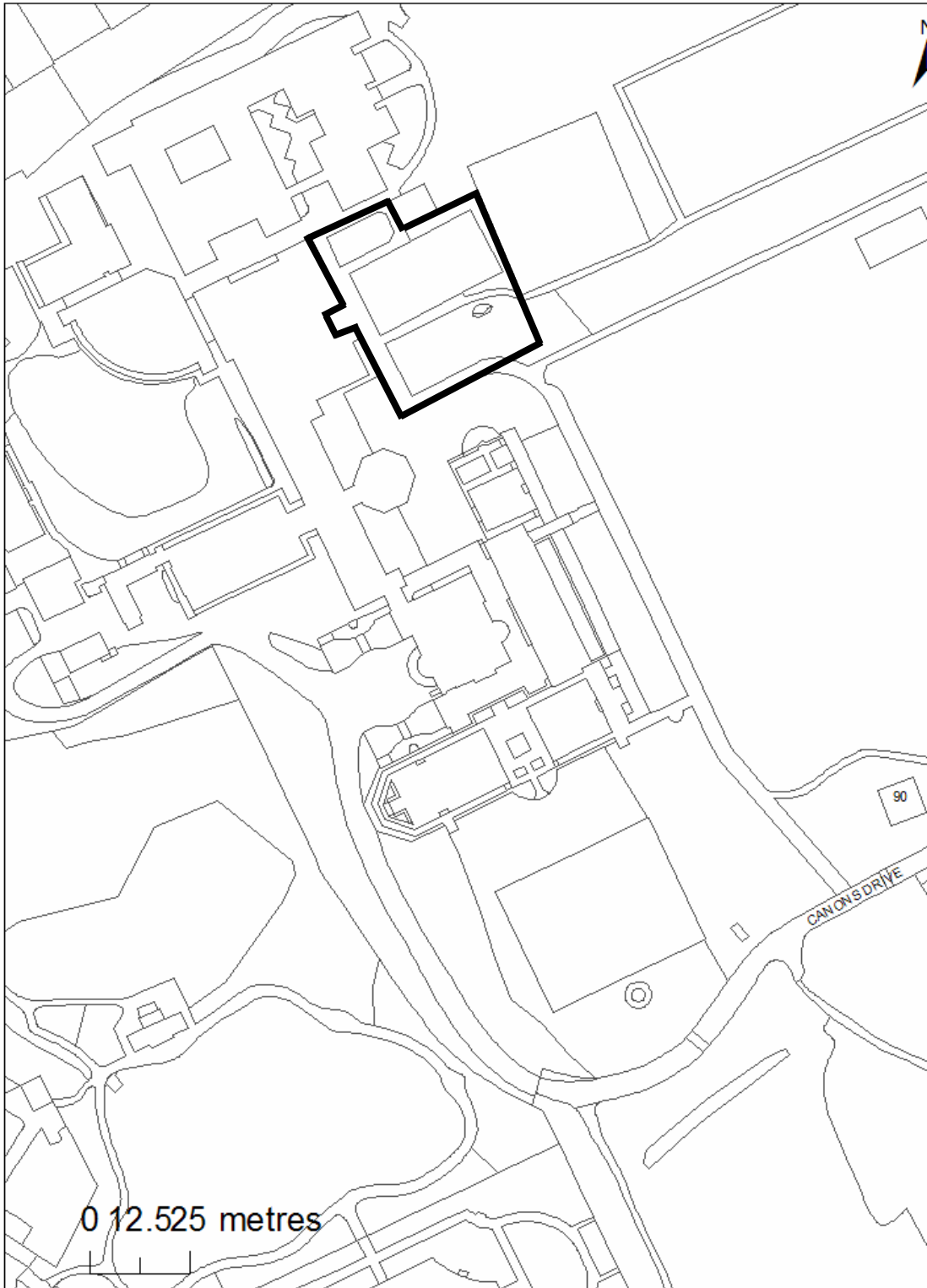
4 COMPLIANCE WITH PLANNING CONDITIONS

IMPORTANT: 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.

Plan Nos: AL (0) 01 Issue A; AL (0)02 Issue B; AL (0) 03 Issue C; AL(0)04 Issue A; AL (0)05 Issue A; AL(0)10 Issue A; AL (0)11 Issue A; AL(0)20 Issue B; AL(0)30 Issue C;AL(0)50 Issue A; AL(0) 100 Issue A; AL(9)001 Issue A; TCP01; TPP01; Arboricultural Implication Report Ref: D0209111739, dated October 2011; Design and Access Statement, Document Issue B, dated November 2011; Heritage Statement and Conservation Area Assessment, Document Issue A, dated November 2011; Storm Water Drainage Design Proposals (March 2012)

NORTH LONDON COLLEGIATE SCHOOL, CANONS DRIVE, EDGWARE



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Item No. 2/04

Address: HARROW SCHOOL SPEECH ROOM, HIGH STREET, HARROW, HA1 3HQ

Reference: P/0381/12

Description: LISTED BUILDING CONSENT: REPLACE THE LEAD AND SLATE ROOF COVERING WITH NEW LEAD AND SLATE AND INSULATE THE ROOF

Ward: HARROW ON THE HILL

Applicant: HARROW SCHOOL

Agent: MR COLIN LAVELLE

Case Officer: LUCY HAILE

Expiry Date: 26TH APRIL 2012

RECOMMENDATION

GRANT Listed Building Consent for the works described in the application and submitted plans, subject to condition(s).

REASON

The decision to grant Listed Building Consent has been taken having regard to the National Planning Policy Framework, the London Plan policy 7.8, saved policy D11 of the Harrow Unitary Development Plan (2004) and policy CS1.D of the Harrow Core Strategy (2012) as the proposed works are minor and would preserve the special character and appearance of the statutory Listed Speech Rooms.

INFORMATION

This application is reported to the Committee because the Listed Building concerned is Grade II* listed and therefore any applications for Listed Building Consent on a Grade II* listed buildings cannot be determined under delegated powers.

Statutory Return Type: 23 – Listed Building Alteration

Council Interest: None

Listed Building: Grade II*

Site Description

- The application site comprises a landmark early 19th century building with a D-shaped floor plan.
- The property is located on Grove Hill, at the junction with Peterborough Road and the High Street.
- It is set south of the Harrow School Art School and adjoins the War Memorial building

to the south.

- It is set at a much lower level to the east of the grade I listed St. Mary's Church on Church Hill and is almost opposite New Schools on Peterborough Road.
- The property became grade II* listed on 09/07/1968 and is located within the Harrow School Conservation Area, forming the source of some key views within it.
- The Speech Room is a key example of William Burges relatively few works.
- The statutory list description for the property reads '1872-77, by William Burges. Neo-medieval. Red brick. D-plan, with corner towers of 1919 and 1925 one with statue of Elizabeth I from Ashridge Park. Interior consists of Hall with banked seating on semi-circle, shallow internal wooden dome, supported on cast-iron columns and by hidden metal trusses. Not completed to Burges's design'.
- It was built for and is used by Harrow School
- The Speech Room has a lead and slate roof which is partly concealed from street view given the raised parapet roof but is largely visible from Church Hill given the raised level of the land.
- The lead and slate roofing is in a poor condition and was last replaced after the end of World War II and has had various patch repairs since.
- Welsh blue slates are used for the two towers whilst Westmorland slate is used for the principal roof.
- The roofs are currently not insulated.

Proposal Details

- Take off and refix the existing Westmorland Slates to the principal pitched roof to the front elevation.
- Take off and re-slate the two towers using matching new Welsh Slates and wherever possible re-using existing slates.
- Installation of insulation via installation of 18mm WBP ply on 96mm Celotex TD 4096 insulation beneath the lead work and allow for a 25mm ventilation space to the roof.
- The insulation would raise the roof by approximately 115mm.
- The falls and configuration of the roof would remain as existing so there is very minimal change to the existing appearance of the roof which is concealed behind the raised parapet wall.

Revisions to Previous Application

- N/A

Relevant History

- Not applicable

Pre-Application Discussion (Ref.)

- None.

Applicant Submission Documents

- Design and Access Statement
- Letter dated 24th February, 2012 from agent

Consultations

Advertisement

Alterations/extensions of a Listed Building

Harrow Observer Expiry:29/03/2012
Harrow Times Expiry:29/03/2012

Site Notice Expiry 09/04/2012

Notifications

Sent:11

Replies: 0

Expiry: 02/04/2012

Addresses Consulted

The Grove, Church Hill, HA1 3HN

Harrow School Art School, Grove Hill, HA1 3HQ

Housemasters House, The Grove, Church Hill, Harrow, HA1 3HN

Tutors Flat, The Grove, Church Hill, HA1 3HN

Matrons Flat, The Grove, Harrow, HA1 3HN

War Memorial and Old Harrovian Room, High Street, Harrow

St Marys Vicarage Church Hill, Harrow, Ha1 3HL

St Marys Church, 10 Church Hill, Harrow, HA1 3HL

Harrow School New Schools, Football Lane, Harrow, HA1 3HT

Summary of Responses

English Heritage responded on 2nd April, 2012 to state the Council is authorised to determine the application for listed building consent as they think fit.

APPRAISAL

MAIN CONSIDERATIONS

1) Character and appearance of a Listed Building

The proposal is to take off and refix the existing Westmorland Slates to the principal pitched roof and to take off and re-slate the two towers using matching new Welsh Slates but wherever possible re-using existing slates. It is also for the installation of insulation. The acceptability of the proposed works must be assessed against the need to preserve the special character of the Listed Building, having particular regard to the National Planning Policy Framework, London Plan policy 7.8, saved Harrow UDP policy D11 and Harrow Core Strategy policy CS1.D.

The National Planning Policy Framework (NPPF) paragraph 131 states: 'local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets...the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 132 states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation...Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'. Paragraph 134 states: 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'. London Plan policy 7.8 D states 'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'. Saved Harrow UDP policy D11 states: 'the Council will ensure the

protection of the borough's stock of Listed Buildings by B) only permitting alterations...that preserve the character and setting of the Listed Building and any features of architectural or historic interest which it possesses, both internally and externally'.

All roof coverings have not been replaced since the end of World War II according to the supporting Design and Access Statement. A site visit indicated that a proportion of the slate roof covering would benefit from maintenance, repair or replacement works. The proposal to take off and refix the existing Westmorland Slates to the principal pitched roof to the front elevation is therefore accepted since this area would benefit from such maintenance works and this would be a replacement using the existing materials so the appearance would be unaffected. On the other parts of the slate roof the proposal is to take off and refix the existing or, where beyond repair, replace with matching new Welsh slate. To ensure the appearance remained as close as possible to the existing and to retain as much historic fabric as possible, it would be important that only those slates beyond repair were replaced. It is also important that any replacement slates match the existing and so an appropriate condition is recommended. Therefore, these proposed alterations to the roof would preserve the character and appearance of the Listed Building and so comply with saved Harrow UDP policy D11, NPPF, London Plan policy 7.8D and Harrow Core Strategy policy CS1.D.

The lead roof covering has suffered wear and tear and according to the supporting Design and Access statement a report commissioned by the Lead Sheet Association identified numerous faults with the existing lead roofs. Therefore it requires replacement. The replacement lead roof would match the existing in appearance. Therefore, these proposed alterations to the roof would again preserve the character and appearance of the Listed Building and so comply with saved Harrow UDP policy D11, NPPF, London Plan policy 7.8D and Harrow Core Strategy policy CS1.D.

The proposal is also to insulate the building. The installation of insulation is considered appropriate since it would improve the energy efficiency of the building. It would also retain the breathability of the building given the ventilation gap that would be retained and the appearance would not be noticeably affected since the increase in height would be even throughout the roof and would only be a marginal 115mm increase in height. Therefore, the proposed alterations to the roof would preserve the character and appearance of the Listed Building and so again comply with saved Harrow UDP policy D11, NPPF, London Plan policy 7.8D and Harrow Core Strategy policy CS1.D.

CONCLUSION

For all the reasons considered above, the proposal complies with the relevant saved Harrow UDP policy D11 and National Planning Policy Framework as it would preserve the special interest of this Listed Building and therefore this application is recommended for grant subject to the following conditions

CONDITIONS

1 The works 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. Samples of replacement slates should be provided to the Council for approval in writing

prior to the commencement of this aspect of the proposed works, The works shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: The proposed replacement slates would need to match the existing in texture and appearance in order to preserve the special architectural or historic interest of the listed building in accordance with saved Harrow UDP policy D11, NPPF, London Plan policy 7.8D and Harrow Core Strategy policy CS1.D.

INFORMATIVES

1 REASON FOR GRANT OF LISTED BUILDING CONSENT

The decision to grant Listed Building Consent has been taken having regard to national planning policy, the policies of The London Plan 2011 and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The following policies are relevant to this decision:

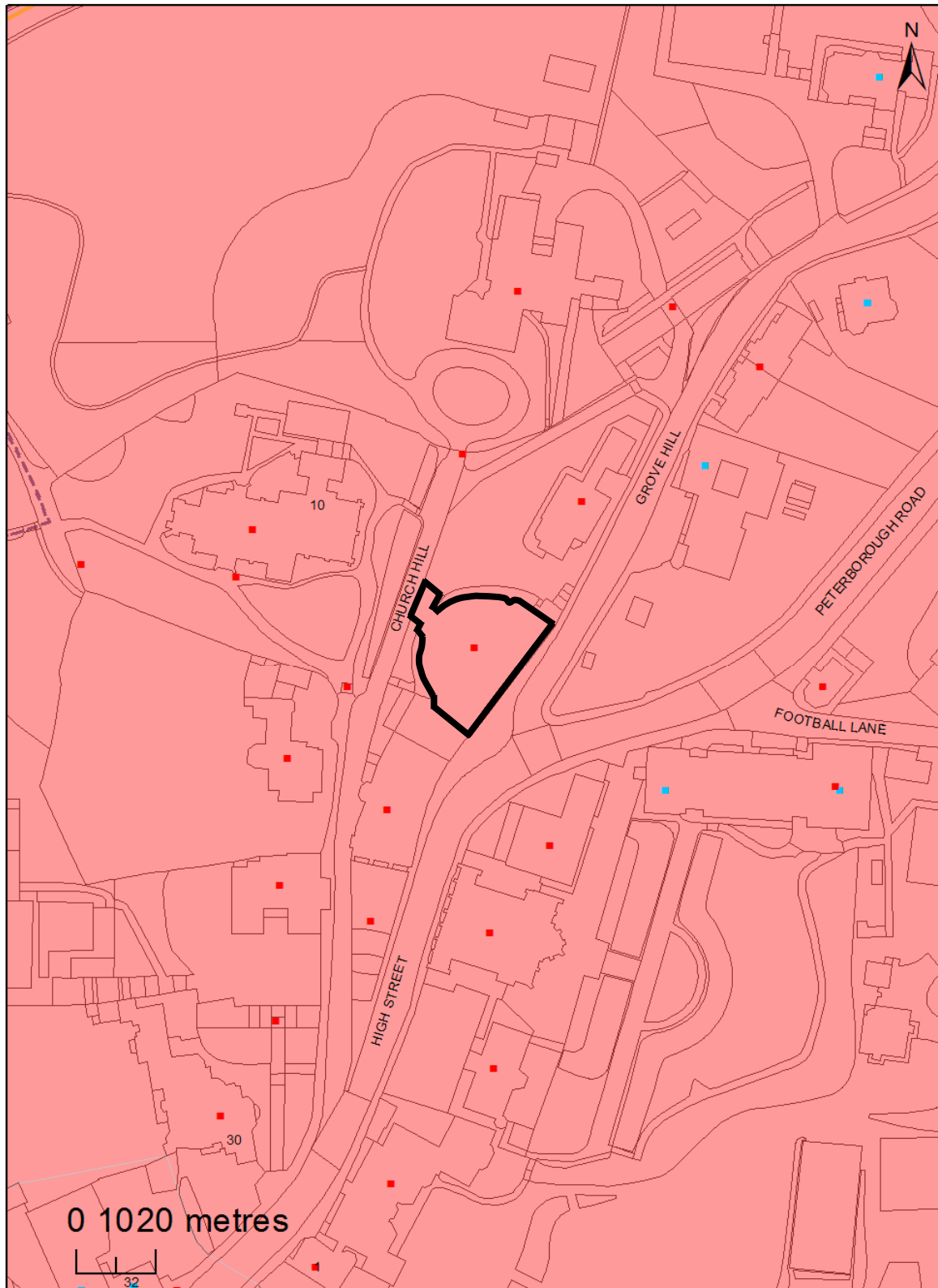
National Planning Policy Framework
Harrow Unitary Development Plan: D11
London Plan policy 7.8
Harrow Core Strategy policy CS1.D

2 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.

Plan Nos: 2321/01 REV 190112; 1723; DESIGN AND ACCESS STATEMENT;
LOCATION PLAN

HARROW SCHOOL, 5 HIGH STREET, HARROW ON THE HILL



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SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.