

GREATER LONDON AUTHORITY

[REDACTED]
(By email)

Our Ref: MGLA300419-1614

30 May 2019

Dear [REDACTED]

Thank you for your request for information which the GLA received on 29 April 2019. Please accept my apologies for the slight delay in responding. Your request has been dealt with under the Environment Information Regulations 2004.

You asked for;

...please could you supply all correspondence and notes of telephone calls between the GLA and (1) Harrow Council and (2) the Harrow Hill Trust from 1st July 2016 to today's date in relation to the planning application and appeal the subject of the current public inquiry.

Please find attached the information we have identified as within scope of your request. Please note that some information is exempt from disclosure under Regulation 13 (Personal information) of the EIR. This information could potentially identify specific employees for example, and as such constitutes as personal data which is defined by Article 4(1) of the General Data Protection Regulation (GDPR) to mean any information relating to an identified or identifiable living individual. It is considered that disclosure of this information would contravene the first data protection principle under Article 5(1) of GDPR which states that Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject.

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely

[REDACTED]
Information Governance Officer

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>

[REDACTED]

From: [REDACTED]
Sent: 02 September 2016 10:31
To: [REDACTED] harrow.gov.uk'
Cc: [REDACTED] patersonplanning.com; [REDACTED] harrowschool.org.uk; [REDACTED]
Subject: RE: POST STAGE 1 -FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Dear [REDACTED]

I have checked your planning committee agenda for the 7th Sep and it does not seem Harrow School is included in it. Can you please advise on this and what measures have been taken to address the outstanding energy issues (shown below).

Many thanks,

From: [REDACTED] harrow.gov.uk [mailto:[REDACTED] harrow.gov.uk]
Sent: 04 August 2016 12:12
To: [REDACTED]
Cc: [REDACTED] patersonplanning.com; [REDACTED] harrowschool.org.uk; [REDACTED] [REDACTED] [REDACTED]
Subject: RE: POST STAGE 1 -FOLLOW UP: HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Dear [REDACTED]

My apologies for the delay in responding to you.

The above planning application is due to be heard at the Harrow Strategic Planning Committee of 7th September 2016. We have received a number of objections from individuals, residents associations, trusts and petitions. I confirm that we will be addressing all these objections within the Council's final Committee report.

I can also confirm that we are currently assessing the issues relating to sustainable development/energy and should the application be recommended for grant, appropriate conditions will apply. In addition, should the Council resolve to grant these proposals, I can confirm that the Mayor will be consulted under Article 5 of the Town & Country Planning (Mayor of London) Order 2008.

Should you have any queries relating to the above please do not hesitate to let me know.

Many thanks.

Kind regards,

[REDACTED]
[REDACTED] | Senior Planning Officer
Development Management | West Team
Planning & Regeneration
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2XY

Tel: 020 8736 [REDACTED]
Email: [REDACTED] [harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

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From: [REDACTED] [mailto:[REDACTED]@london.gov.uk]

Sent: 26 July 2016 10:55

To: [REDACTED]

Cc: [REDACTED]@patersonplanning.com; [REDACTED]@harrowschool.org.uk; [REDACTED] [REDACTED] [REDACTED]

Subject: POST STAGE 1 -FOLLOW UP: HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

All

I am sending this email as a matter of follow up. Can you please advise the progress so far, since our stage 1 report was issued at the end of last month.

As detailed in our stage 1 report para 83 – Representations - We are receiving local objections to the scheme sent directly to the Mayor's office and the GLA Assembly Member (Navin Shah), from trusts such as Harrow Hill Trust (HTT) and petitions from residents.

We do expect these objections to be addressed satisfactorily by the Council/Applicant and will form part of the Council's planning report.

As you are aware, we are supportive of the scheme in terms of land-use principle, however in addition to securing the proposed measures through appropriate conditions, there remain some outstanding issues particularly related to sustainable development – energy (the following points extracted from our stage 1 report):

Energy efficiency standards

Overheating: Even though the applicant has provided evidence that Policy 5.9 has been followed in order to minimise the cooling, further design measures should be investigated in order to reduce the unwanted solar gains entering the affected spaces. Based on the information provided, the proposed development does not appear to achieve any carbon savings from energy efficiency alone compared to a 2013 Building Regulations compliant development. The applicant should model additional energy efficiency measures and commit to the development exceeding 2013 Building Regulations compliance through energy efficiency alone. The BRUKL sheet including efficiency measures alone should be provided.

District Heating: Given the upcoming opportunities for district heating networks in the area, the applicant should contact the Council's energy officer to determine the current situation of the proposed network; evidence of correspondence should be provided to demonstrate that this has been fully investigated.

Combined Heat and Power (CHP)

Whilst the proposal is welcomed, the BRUKL sheet of the 'be clean' scenario should be provided (without any renewable technologies). The applicant should also provide information such as the total site's heating load (MWh annually) as well as information on the management arrangements proposed for the system, including anticipated costs, given that the management and operation of small CHP systems can significantly impact their long term financial viability.

Renewable energy technologies

The proposal for the PV is welcomed. However, a detailed roof layout should be provided indicating the PV installation provision. The BRUKL sheet of the 'be green' scenario should also be provided.

I advise the above outstanding issues addressed and/or resolved satisfactorily before the scheme is referred back to the Mayor as stage 2 referral.

Finally, please be advised that due to the summer holiday the last Mayoral Meeting we have got in August is on the 17th, then the 5th Sep.

As I will be on holiday for 2 weeks (15th -31st) August, the 5th Sep Meeting or the 12th Sep will be fine for me to take your scheme to the Mayor.

Happy to discuss, if required.

Regards,



[REDACTED]

From: [REDACTED]
Sent: 03 October 2016 13:54
To: [REDACTED] harrow.gov.uk'
Cc: [REDACTED] (BuroHappold.com)'; [REDACTED] (BuroHappold.com)'; [REDACTED] harrow.gov.uk'; [REDACTED] (patersonplanning.com)'
Subject: RE: POST STAGE 1 -FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Dear [REDACTED]

Following on from your telephone discussion with our energy specialist and the further docs you have submitted thereafter, you have satisfactorily addressed all items, therefore there remain no outstanding issues in terms of energy.

Many thanks for all your cooperation.

[REDACTED]

68 An overheating analysis using thermal dynamic modelling has been undertaken to assess the overheating risk within the conditioned areas of the building; its results demonstrate that a number of room spaces pass when assessed against the intense and long summer years of 1976 and 2003 and all room spaces pass against the London design summer year of 1989 except the sports halls. Even though the applicant has provided evidence that Policy 5.9 has been followed in order to minimise the cooling, further design measures should be investigated in order to reduce the unwanted solar gains entering the affected spaces.

The applicant has stated that they will continue to use comfort and cooling load analysis to aid balancing sensible solar shading with good daylight in the school buildings during the next design stage, with particular focus on the sports building which has been shown to be uncomfortable under very hot summer conditions. It is important that the principles of effective ventilation and heat gain optimisation are addressed at this stage as they could impact on the visual appearance and layout of the building. The applicant should therefore consider the incorporation of further design measures in order to reduce the excessive solar gains.

The applicant has stated that the sports halls is built into the hill, which reduces the opportunity to have cross ventilation. In addition, sports hall 1 has a very high occupancy due to spectating, albeit on an infrequent basis. According to the applicant, the rooflights are therefore an essential aspect for both ventilation and daylight in the hall. Discussions are currently ongoing in particular for the shading options, in order to maintain the external aesthetic but allow for better protection against unwanted solar gain. The applicant has stated that this will be finalised at the next stage and should it not be possible to fully achieve adaptive comfort passively, it is proposed that supplementary cooling from the borehole may be used. The applicant has also provided the BRUKL document which shows that the cooling required with passive measures is less than the notional building cooling requirements for the hall.

No further information required at this point; a condition should however be added requesting a full Overheating analysis to be submitted prior to occupation.

72 The applicant is proposing to install a 104 kWe (140 kWth) gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide 60% of the development's total heat load. A reduction in regulated CO2 emissions of 94 tonnes per annum (27%) will be achieved through this second part of the energy hierarchy. Whilst this is welcomed, the BRUKL sheet of the 'be clean' scenario should be provided (without any renewable technologies). The applicant should also provide information such as the total site's heating load (MWh annually) as

well as information on the management arrangements proposed for the system, including anticipated costs, given that the management and operation of small CHP systems can significantly impact their long term financial viability.

The applicant has stated that an estimate of the heat demand of the buildings has been calculated based upon benchmark figures from Buro Happold's design of similar buildings. The expected total site's heating load is 815 MWh annually. Based on the 60% CHP contribution and the thermal output of the CHP, the unit is expected to run circa 3,500 hrs p.a. The estimated running hours are well below the 5,000 hrs threshold usually advised for a smooth operation of a CHP engine; the applicant should therefore explain the rationale behind the proposed CHP sizing or re-size the CHP. Moreover, it has been confirmed that a maintenance cost of £15/MWh heat generated from the CHP has been allowed for; this works out at £11,500 per year for operation and maintenance costs for the CHP based on an annual CHP heat generation of 763 MWh/year leading to a simple payback of approximately 8 years. This is considered acceptable however the 763 MWh annual CHP heat generation does not match the initial assumptions, as stated above. This should be clarified.

The applicant has also provided the BRUKL for the 'Clean' scenario however, reading the BRUKL, there does not seem to be a CHP engine operating (no CHP electricity generated). The applicant should review their model and provide a revised one with the correct assumptions.

The applicant has carried out an analysis of demands and CHP sizes using EMD EnergyPRO software. The full analysis and rationale behind the CHP assessment has been presented. The applicant has manually calculated a DH carbon factor which has been inputted in the model which explains why the CHP does not generate electricity. The calculated carbon factor is 0.166 kgCO₂/kWh. This equates to a 5,429hr annual operation with 60% of the total annual heat demand being supplied through the CHP. **No further information required.**

73 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 600sq.m. of photovoltaic (PV) panels. A reduction in regulated CO₂ emissions of 41 tonnes per annum (12%) will be achieved through this third element of the energy hierarchy. A detailed roof layout should be provided indicating the PV installation provision. The BRUKL sheet of the 'be green' scenario should also be provided.

The applicant has provided both the 'be green' BRUKL and the PV roof layout; these are acceptable. As the manually calculated carbon emissions from the DER and area figures of the BRUKL files provided do not match the carbon emissions stated in the report, the applicant should provide the revised carbon emissions figures for each stage of the energy hierarchy. Moreover, should the 'be clean' BRUKL be amended, the applicant should consequently provide the revised 'be green' BRUKL.

The applicant has provided the 'Green' BRUKL and has explained that the numerical discrepancies have been checked and the correct areas are as given in the BRUKL for Stage D.

The BER assessable gross internal floor area is 10252.7 m² which can be split into 6,840.8 m² for the Sports Building and 3,411.9 m² for the Science Building. The revised savings are equal to 111 CO₂ tonnes p.a. which can be

translated to 36% over Part L 2013. **No further information required.**

From: [REDACTED]
Sent: 28 September 2016 12:36
To: [REDACTED]@harrow.gov.uk'
Cc: [REDACTED] (BuroHappold.com); [REDACTED] (BuroHappold.com); [REDACTED]@harrow.gov.uk; [REDACTED] (patersonplanning.com)
Subject: RE: POST STAGE 1 -FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Thanks [REDACTED] for this additional information.
I will come back to you with comments before the end of next week.

Kind regards,

From: [redacted] [mailto:[redacted]@rssa.co.uk]

Sent: 28 September 2016 09:28

To: [redacted] harrow.gov.uk'

Cc: [redacted] ([redacted]@BuroHappold.com); [redacted]

([redacted]@BuroHappold.com); [redacted]@harrow.gov.uk; [redacted]

([redacted]@patersonplanning.com)

Subject: RE: POST STAGE 1 -FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Dear All

Further to the comments below and following Buro Happold's conversations with [redacted] please find attached the further information requested.

We trust this covers all the items required.

Kind regards

[redacted]

[redacted] [redacted]

Associate / Rivington Street Studio

Please take a look at our re-modelled website by clicking on our logo below:

rivingtonstreetstudio

23 Curtain Road
Shoreditch London
EC2A 3LT

Telephone: 020 7739 [redacted]

Direct dial: 020 7456 [redacted]

www.rivingtonstreetstudio.co.uk

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Think before you print!

From: [redacted] [mailto:[redacted]@london.gov.uk]

Sent: 08 September 2016 13:52

To: [redacted] harrow.gov.uk'

Cc: [redacted] [redacted] [redacted]

Subject: RE: POST STAGE 1 -FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16 [Filed 08 Sep 2016 13:54]

Dear [redacted] & [redacted]

Thanks for the update on this application and the further information submitted in regard to energy outstanding issues.

Please find below the follow up assessment and there are issues that need to be addressed further before conditions are considered.

Please note that paragraph nos refer to our stage 1 report issued earlier in June.

Regards,



The applicant has provided some information however a more detail and clarification is required on some of the issues below:

68 An overheating analysis using thermal dynamic modelling has been undertaken to assess the overheating risk within the conditioned areas of the building; its results demonstrate that a number of room spaces pass when assessed against the intense and long summer years of 1976 and 2003 and all room spaces pass against the London design summer year of 1989 except the sports halls. Even though the applicant has provided evidence that Policy 5.9 has been followed in order to minimise the cooling, further design measures should be investigated in order to reduce the unwanted solar gains entering the affected spaces.

The applicant has stated that they will continue to use comfort and cooling load analysis to aid balancing sensible solar shading with good daylight in the school buildings during the next design stage, with particular focus on the sports building which has been shown to be uncomfortable under very hot summer conditions. It is important that the principles of effective ventilation and heat gain optimisation are addressed at this stage as they could impact on the visual appearance and layout of the building. The applicant should therefore consider the incorporation of further design measures in order to reduce the excessive solar gains.

This item is still outstanding.

69 Based on the information provided, the proposed development does not appear to achieve any carbon savings from energy efficiency alone compared to a 2013 Building Regulations compliant development. The applicant should model additional energy efficiency measures and commit to the development exceeding 2013 Building Regulations compliance through energy efficiency alone. The BRUKL sheet including efficiency measures alone should be provided.

The applicant has modelled further passive measures and has provided a revised 'Lean' BRUKL demonstrating compliance with the Part L 2013. This is welcomed.

70 The applicant has stated that there are no existing district heating networks within the vicinity of the proposed development. However, the Energy Masterplan for the London Borough of Harrow (January 2016) includes a long term vision of a district heating network within Harrow; the proposed network is approximately 800m from the school site. Given the upcoming opportunities for district heating networks in the area, the applicant should contact the Council's energy officer to determine the current situation of the proposed network; evidence of correspondence should be provided to demonstrate that this has been fully investigated. The applicant has, however, provided a commitment to ensuring that the development is designed to allow future connection to a district heating network.

The applicant has provided evidence of correspondence with David Hughes, the Harrow Council Planning Policy Manager in the Appendix. The email provided states that a potential connection to Harrow school was not included in the 'opportunity areas' studied by Arup but should be investigated as a possible addition to the southern cluster at the next stage of the study (for which the Council is tendering in two weeks); this is welcomed. Although the proposed approach is currently considered acceptable the applicant should keep pursuing the opportunity of connecting to the proposed network as the design progresses. A condition should be included requiring the applicant to provide further information on a potential connection and further evidence of communication with the local authority, at pre-commencement stage. No further information required at this stage.

72 The applicant is proposing to install a 104 kWe (140 kWth) gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide 60% of the development's total heat load. A reduction in regulated CO2 emissions of 94 tonnes per annum (27%) will be achieved through this second part of the energy hierarchy. Whilst this is welcomed, the BRUKL sheet of the 'be clean' scenario should be provided (without any renewable technologies). The applicant should also provide information such as the total site's heating load (MWh annually) as well as information on the management arrangements proposed for the system, including anticipated costs, given that the management and operation of small CHP systems can significantly impact their long term financial viability.

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This item is still outstanding.

From: [REDACTED] [harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk) [mailto:[REDACTED]@harrow.gov.uk]

Sent: 05 September 2016 14:55

To: [REDACTED]

Cc: [REDACTED] [rssa.co.uk](mailto:[REDACTED]@rssa.co.uk)

Subject: RE: POST STAGE 1 -FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Dear [REDACTED]

My apologies for not replying to you sooner.

The application will not be going to Committee on 7th September as we initially anticipated. We had some comments from both internal and external consultee's and the applicant is making some amendments to the scheme. We are now aiming for the application to be heard at the Committee of 19th October.

In terms of our response to you on energy, energy related conditions and responding to objections, it is our intention address these in the Committee Report and send this to you prior to the application going to Committee.

I trust this is acceptable however if you have any concerns please do not hesitate to let me know.

Many thanks.

Kind regards,

[REDACTED]

[REDACTED] [REDACTED] | Senior Planning Officer
Development Management | West Team
Planning & Regeneration
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2XY

Tel: 020 8736 [REDACTED]

Email: [REDACTED] [harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

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From: [REDACTED] [REDACTED] [[mailto:\[REDACTED\]@london.gov.uk](mailto:[REDACTED]@london.gov.uk)]

Sent: 05 September 2016 14:43

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: POST STAGE 1 -FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Thanks [REDACTED] for this. Does it mean this application reported to the committee?

From: [REDACTED] [REDACTED] [[mailto:\[REDACTED\]@rssa.co.uk](mailto:[REDACTED]@rssa.co.uk)]

Sent: 05 September 2016 12:04

To: [REDACTED]

Cc: [REDACTED] [REDACTED] [REDACTED] ([REDACTED] [BuroHappold.com](mailto:[REDACTED]@BuroHappold.com))

Subject: FW: POST STAGE 1 -FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Dear [REDACTED]

We have been forward your email to Harrow Council and understand that [REDACTED] will be responding to the questions raised within the committee report.

For your information, I attach the document that we sent through to the Council in response to your comments. I have copied in our services engineer, [REDACTED] [REDACTED] who will be able to assist with any queries that this may raise regarding energy.

Kind regards

[REDACTED]

[REDACTED] [REDACTED]
Associate / Rivington Street Studio

Please take a look at our re-modelled website by clicking on our logo below:

rivingtonstreetstudio

23 Curtain Road
Shoreditch London
EC2A 3LT

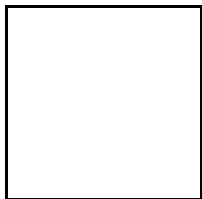
Telephone: 020 7739 [REDACTED]
Direct dial: 020 7456 [REDACTED]
www.rivingtonstreetstudio.co.uk

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From: [REDACTED] [[mailto:\[REDACTED\]@harrowschool.org.uk](mailto:[REDACTED]@harrowschool.org.uk)]
Sent: 02 September 2016 11:25
To: [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Subject: FW: POST STAGE 1 -FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16 [Filed 02 Sep 2016 11:25]

FYI



[REDACTED] [REDACTED] *PA to Director of Estates*

The Bursary, 5 High Street, Harrow on the Hill, Middlesex, HA1 3HP
[REDACTED] harrowschool.org.uk www.harrowschool.org.uk
+44 (0) 20 8872 [REDACTED] +44 (0) 7768 [REDACTED]

From: [REDACTED] [[mailto:\[REDACTED\]@london.gov.uk](mailto:[REDACTED]@london.gov.uk)]
Sent: 02 September 2016 10:32
To: [REDACTED]@harrow.gov.uk'
Cc: [REDACTED] patersonplanning.com; [REDACTED] (Director of Estates); [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Subject: RE: POST STAGE 1 -FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Dear [REDACTED]

I have checked your planning committee agenda for the 7th Sep and it does not seem Harrow School is included in it. Can you please advise on this and what measures have been taken to address the outstanding energy issues (shown below).

Many thanks,

[REDACTED]

From: [REDACTED] harrow.gov.uk [[mailto:\[REDACTED\]@harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)]
Sent: 04 August 2016 12:12
To: [REDACTED]
Cc: [REDACTED] patersonplanning.com; [REDACTED] harrowschool.org.uk; [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Subject: RE: POST STAGE 1 -FOLLOW UP: HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Dear [REDACTED]

My apologies for the delay in responding to you.

The above planning application is due to be heard at the Harrow Strategic Planning Committee of 7th September 2016. We have received a number of objections from individuals, residents associations, trusts and petitions. I confirm that we will be addressing all these objections within the Council's final Committee report.

I can also confirm that we are currently assessing the issues relating to sustainable development/energy and should the application be recommended for grant, appropriate conditions will apply. In addition, should the Council resolve to grant these proposals, I can confirm that the Mayor will be consulted under Article 5 of the Town & Country Planning (Mayor of London) Order 2008.

Should you have any queries relating to the above please do not hesitate to let me know.

Many thanks.

Kind regards,

[REDACTED]

[REDACTED] [REDACTED] | Senior Planning Officer
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Planning & Regeneration
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2XY

Tel: 020 8736 [REDACTED]

Email: [REDACTED] [harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

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From: [REDACTED] [REDACTED] [[mailto:\[REDACTED\]@london.gov.uk](mailto:[REDACTED]@london.gov.uk)]

Sent: 26 July 2016 10:55

To: [REDACTED]

Cc: [REDACTED] [patersonplanning.com](mailto:[REDACTED]@patersonplanning.com); [REDACTED] [harrowschool.org.uk](mailto:[REDACTED]@harrowschool.org.uk); [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Subject: POST STAGE 1 -FOLLOW UP: HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

All

I am sending this email as a matter of follow up. Can you please advise the progress so far, since our stage 1 report was issued at the end of last month.

As detailed in our stage 1 report para 83 – Representations - We are receiving local objections to the scheme sent directly to the Mayor's office and the GLA Assembly Member (Navin Shah), from trusts such as Harrow Hill Trust (HTT) and petitions from residents.

We do expect these objections to be addressed satisfactorily by the Council/Applicant and will form part of the Council's planning report.

As you are aware, we are supportive of the scheme in terms of land-use principle, however in addition to securing the proposed measures through appropriate conditions, there remain some outstanding issues particularly related to sustainable development – energy (the following points extracted from our stage 1 report):

Energy efficiency standards

Overheating: Even though the applicant has provided evidence that Policy 5.9 has been followed in order to minimise the cooling, further design measures should be investigated in order to reduce the unwanted solar gains entering the affected spaces. Based on the information provided, the proposed development does not appear to achieve any carbon savings from energy efficiency alone compared to a 2013 Building Regulations compliant development. The applicant

should model additional energy efficiency measures and commit to the development exceeding 2013 Building Regulations compliance through energy efficiency alone. The BRUKL sheet including efficiency measures alone should be provided.

District Heating: Given the upcoming opportunities for district heating networks in the area, the applicant should contact the Council's energy officer to determine the current situation of the proposed network; evidence of correspondence should be provided to demonstrate that this has been fully investigated.

Combined Heat and Power (CHP)

Whilst the proposal is welcomed, the BRUKL sheet of the 'be clean' scenario should be provided (without any renewable technologies). The applicant should also provide information such as the total site's heating load (MWh annually) as well as information on the management arrangements proposed for the system, including anticipated costs, given that the management and operation of small CHP systems can significantly impact their long term financial viability.

Renewable energy technologies

The proposal for the PV is welcomed. However, a detailed roof layout should be provided indicating the PV installation provision. The BRUKL sheet of the 'be green' scenario should also be provided.

I advise the above outstanding issues addressed and/or resolved satisfactorily before the scheme is referred back to the Mayor as stage 2 referral.

Finally, please be advised that due to the summer holiday the last Mayoral Meeting we have got in August is on the 17th, then the 5th Sep.

As I will be on holiday for 2 weeks (15th -31st) August, the 5th Sep Meeting or the 12th Sep will be fine for me to take your scheme to the Mayor.

Happy to discuss, if required.

Regards,



From: [REDACTED] harrow.gov.uk
Sent: 15 November 2016 11:55
To: [REDACTED] tfl.gov.uk
Cc: [REDACTED]@tfl.gov.uk; [REDACTED] tfl.gov.uk
Subject: RE: POST STAGE 1 FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Dear [REDACTED]

I can confirm that we will amend our conditions relating to cycle parking and DSP. We consider the current condition relating to the submission of a finalised CLP to be adequate.

I trust this is acceptable however if you have any concerns please let me know.

Many thanks.

Kind regards,

[REDACTED] | Senior Planning Officer
Development Management | West Team
Planning & Regeneration
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2XY

Tel: 020 8736 [REDACTED]
Email: [REDACTED] [harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

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From: [REDACTED] [mailto:[REDACTED]@london.gov.uk]
Sent: 15 November 2016 09:24
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: POST STAGE 1 FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Many thanks [REDACTED] for this.

[REDACTED] – Would you please amend the conditions and / or add new ones to address the remaining TfL concerns as outlined below.

Kind regards,

[REDACTED]

From: [REDACTED] [mailto:[REDACTED]@tfl.gov.uk]
Sent: 14 November 2016 15:53
To: [REDACTED]

Cc: [REDACTED]@harrow.gov.uk'; [REDACTED]

Subject: Re: POST STAGE 1 FOLLOW UP (2) : HARROW SCHOOL - D&P3820 - LAP Ref: P/1940/16

Good Afternoon [REDACTED]

Having reviewed the documents sent over, TfL is satisfied where the outstanding transport issues have been addressed. Our only concerns are set out in the comments below:

- TfL supports the advice given by LB Harrow's Highways Engineers who would like to see additional cycle parking secured by condition (See para 6.9.3)
- TfL welcomes the framework CLP submitted, the finalised version should be secured by condition. The finalised version should address the concerns from LB Harrow's Highways Management Team regarding the provision of more detailed drawings and further clarification of the material set up of the construction phase.
- It is also welcomed that a full DSP will be submitted to LB Harrow for their consideration. This should be secured by condition.

If there is anything else I can be of assistance with, please do not hesitate to contact me.

Kind Regards,

[REDACTED]

[REDACTED] I Assistant Planner
TfL Planning, Transport for London

E: [REDACTED] [TfL.gov.uk](mailto:[REDACTED]@tfl.gov.uk)

A: 10th Floor, Windsor House, 42-50 Victoria Street, London SW1H 0TL

For more information regarding the TfL Borough Planning team, including TfL's Transport Assessment Best Practice Guidance, and pre-application advice please visit <http://www.tfl.gov.uk/info-for/urban-planning-and-construction/>



From: [REDACTED]
Sent: 06 April 2017 15:17
To: [REDACTED]
Cc: [REDACTED]@harrow.gov.uk
Subject: RE: Securing of MOL swap for P/1940/16

Hi [REDACTED]

I will let [REDACTED] comment on the specifics for P/1940/16, but what you suggest here makes sense to me. We will be looking to do something very similar at Lowlands Rec as part of the (pre-app) TfL scheme for HotH station - so this could prove to be a helpful precedent in the borough.

[REDACTED] | Senior Strategic Planner | Development & Projects | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED]@london.gov.uk

From: [REDACTED] [mailto:[REDACTED]@patersonplanning.com]
Sent: 06 April 2017 14:54
To: [REDACTED]
Cc: [REDACTED]@harrow.gov.uk
Subject: Securing of MOL swap for P/1940/16

Dear [REDACTED] and [REDACTED]

Initially we had proposed that the MOL swap for the new Harrow School Sports Building would be secured through a s106 that effectively placed a schedule on the title deed showing the swapped-in and swapped-out MOL land, and that this would remain on the title deed until such time as the Local Plan Policies Map was updated to formally reflect the MOL boundary change.

However, on reflection, we think this approach to securing the swap contravenes the NPPF (paragraph 83) and London Plan policy 7.17, which state that any review of the boundaries of MOL/GB should be carried out through the statutory Local Plan process. As the Local Plan process is a totally separate process, it cannot be that the Local Plan process can be pre-empted by the grant of this planning application.

We are therefore proposing that the draft s106 heads of terms and the Harrow Council officer's report be amended as follows:

1. That the land on which we are proposing to develop the new Sports Building is to remain as MOL (to which MOL/GB policy is to apply) unless and until taken out by a Local Plan amendment to MOL boundary;
2. The land to the west of the proposed Sports Building, which is currently proposed to be 'swopped in', is to be an area of MOL extension;
3. The area of MOL extension is to remain outside the existing MOL boundary unless and until the MOL boundary is changed through the statutory Local Plan process;
4. However, to ensure MOL policy applies to the MOL extension area, the s106 will include a covenant by the School to the effect that:- once the new Sports Building has been implemented, the existing buildings demolished, and the landscaping undertaken, the land identified as the MOL extension area will not be developed except for development which is appropriate to development in MOL or otherwise in accordance with London Plan Policy 7.17 (or successor policy).

The above does not change the principle of the MOL land swap but rather the mechanism by which the swap is to be secured, ensuring MOL policy applies to the 'MOL extension area' in perpetuity but in a way that would not potentially be unlawful.

The Harrow Planning Officer's Report will need to include wording that a swap of MOL land is not proposed and will need to set out the above proposed approach.

As the land on which the new Sports Building is to be located will remain MOL. We also think it will be important that the officer's report reaffirms the very special circumstances. The VSC include the following considerations to be taken into account both individually and as a package:

- a. The site circumstances, including the significant planning constraints experienced across the School's estate and the lack of alternative suitable land;
- b. The pressing academic curriculum need for sports and sciences;
- c. The very significant sports benefits of the proposal, including the provision of indoor sports facilities which are of very high quality, for community use for up to 25 hours per week (1,300 hours per annum) for the life of the building, equivalent to a total benefit of £XXm [NB we are still costing this] to the local community over a 50 year period;
- d. The provision of significant shared access to very high quality sports facilities for the local community and local schools at no charge to the public purse in a sustainable location and in an catchment area that experiences high levels of deprivation and where there are no comparable sports facilities of such quality;
- e. The significant net gain in the quality and area of the land to the west to which MOL policy is in the future to be applied (the land is to be cleared with current buildings demolished and high quality landscape implemented as proposed);
- f. The provision of a high quality landscaped core providing an overall enhancement to the setting of five Listed Buildings (Head Master's, Vaughan Library, Chapel, New Schools, and Butler Building) as well as the enhancement of the Conservation Area, in accordance with NPPF and Development Plan policy.

I'm therefore seeking your views on the acceptability of the above approach given the GLA have to date accepted and supported the MOL land swap approach.

Kind regards

[REDACTED]

[REDACTED]
[REDACTED]
Director

Paterson Planning & Partners Ltd
103 Gunterstone Road, London, W14 9BT
[REDACTED]

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Click [here](#) to report this email as spam.

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 10 May 2017 13:12
To: [REDACTED] harrow.gov.uk'
Cc: [REDACTED]
Subject: RE: P/1940/16 - Harrow School Sports and Science

Dear [REDACTED] – thanks for the update and sending this through.
Yes, I'll send you an officer-level comments soon.
Is the planning committee date of the deferral correct? I thought it was on Wed, 26th April.

Kind regards,

[REDACTED]

From: [REDACTED] harrow.gov.uk [mailto:[REDACTED] harrow.gov.uk]
Sent: 10 May 2017 13:07
To: [REDACTED]
Cc: [REDACTED]@harrow.gov.uk; [REDACTED] harrow.gov.uk;
[REDACTED] harrow.gov.uk
Subject: FW: P/1940/16 - Harrow School Sports and Science

Dear [REDACTED]

I trust you are well.

Please note that the Harrow School application was deferred at the Planning Committee of 24th May 2017. Members also requested that the information regarding the mechanism for an MOL extension rather than an MOL swap is consulted upon. I attach details to this effect.

Please can we have the GLA formal comments on this issue so that we can present it to the Planning Committee on 21st June 2017.

I trust this is acceptable and look forward to hearing from you.

Many thanks.

Kind regards,

[REDACTED]

[REDACTED] | Principal Planning Officer
Development Management | West Team
Planning & Regeneration
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2XY

Tel: 020 8736 [REDACTED]
Email: [REDACTED] [harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

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The information contained in this e-mail is confidential and is intended for the named recipient(s) only. If

From: [REDACTED]@harrow.gov.uk
Sent: 10 May 2017 13:07
To: [REDACTED]
Cc: [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk;
[REDACTED]@harrow.gov.uk
Subject: FW: P/1940/16 - Harrow School Sports and Science
Attachments: Covering letter.docx; Harrow School Sports Centre explanatory note re- S106 Draft Terms Concerning MOL Land & CUA revisions.docx; Revised Draft Community Use Agreement April 2017.docx; Appendix 1 - P.05.12.pdf

Dear [REDACTED]

Community use agreement and appendix 1 available at <https://www.harrow.gov.uk/www2/documents/s143185/1-01%20-%20Agenda%2026-04-17%20-%20Harrow%20School%20-%20P-1940-16%20red.pdf>

I trust you are well.

Please note that the Harrow School application was deferred at the Planning Committee of 24th May 2017. Members also requested that the information regarding the mechanism for an MOL extension rather than an MOL swap is consulted upon. I attach details to this effect.

Please can we have the GLA formal comments on this issue so that we can present it to the Planning Committee on 21st June 2017.

I trust this is acceptable and look forward to hearing from you.

Many thanks.

Kind regards,

[REDACTED]

[REDACTED] | Principal Planning Officer
Development Management | West Team
Planning & Regeneration
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2XY

Tel: 020 8736 [REDACTED]
Email: [REDACTED]@harrow.gov.uk

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PATERSON PLANNING & PARTNERS LTD

Attn: [REDACTED]
Planning & Regeneration
London Borough of Harrow
PO Box37
Harrow, HA1 2XY

Paterson Planning & Partners Ltd
[REDACTED]

27.04.2017

Dear [REDACTED]

Re: P/1940/16 – Further consultation on MOL approach and the CUA

In response to the Planning Committee's request, I enclose our Statement on the approach to MOL and the revised CUA, to be the subject of re-consultation.

With respect to the latter, clause 12.2 has been updated. In respect of the Planning Committee's suggestion - for the inclusion of a local resident on the CUA Management Committee - the Statement welcomes comments on this proposal.

We have taken this approach as we are unclear on the criteria and nominations procedure for including additional membership of the CUA Management Committee. Ideally, we (both the School and the Council) will want members that add value and have a vested interest in making the CUA function properly (i.e. a beneficiary of the Agreement such as a primary school head or the leader of a local sports club).

We have therefore specifically ask for suggestions in respect of the nominations procedures and selection criteria. The Council and the School can then consider any comments received in deciding whether this suggestion by the Planning Committee is taken forward and in what form.

We are pleased to note that the re-consultation period proposed by the Council will not impact upon our application being determined at the May Planning Committee. This is crucial in respect of our intended construction programme.

Lastly, we would ask that the Council press the GLA for a formal response on the approach to MOL.

Yours sincerely

[REDACTED]
Director

Harrow School Sports Centre – S106 Draft Terms Concerning Metropolitan Open Land (MOL) and Revised Community Use Agreement

MOL Explanatory Note

Introduction

In place of the previously proposed “MOL land swap”, the following is proposed by the applicant. It is to be noted that the consequence is an increase in the area of land to which MOL policy is to be applied, a material consideration for the Council to take into account and is capable of comprising very special circumstances (VSC) in terms of MOL Policy.

Public consultation on this note proposal is requested to take place, the extent and length of which should be determined by the Council. This is without prejudice to the contention that such consultation is not strictly required.

Reference should be made to Plan P.05.12 accompanying this explanatory note.

The covenants proposed to be included within the section 106 agreement are as follows.

S106 Covenants Proposed

1. The area to the west of the application site shown on Plan P.05.12 delineated in black and coloured light green (referred to below as “the MOL extension land”) shall remain permanently open and not be developed at any time in the future except for landscaping purposes approved by the authority or in accordance with policy relating to MOL as set out in London Plan Policy 17.7 or a revision thereof.
2. The existing buildings which are within the MOL extension land and also those within the area delineated in blue on Plan P.05.12 shall be demolished no later than 15 months after first occupation of the proposed new sports facility building the subject of planning application P/1940/16.
3. The area of land delineated in blue on Plan P.05.12 shall thereafter not be developed at any time in the future except for landscaping purposes approved by the authority or in accordance with the policy relating to MOL as set out in London Plan Policy 17.7 or a revision thereof.

Explanation

These covenants ensure:

- No land is taken out of MOL as a consequence of this planning proposal – the existing designated area of MOL remains the same in area and subject to MOL policy.
- Any revisions to the MOL boundary may be considered through the statutory Local Plan process as set out in the Framework.
- There is a net gain in the area of land to which MOL policy is to be applied.

The final bullet point made above is capable of amounting to VSC (‘very special circumstances’) in MOL/Green Belt terms in accordance with the government’s NPPF (the Framework). The VSC is to be weighed in the balance together with other VSC

(including educational VSC) against the strong presumption against development of MOL by inappropriate development, which is by definition harmful, together with other harm. Unless the VSC clearly outweighs such harm, planning permission should be refused. If the VSC does clearly outweigh such harm and any other planning harm caused by the proposed development, planning permission may be granted.

The applicant's Planning Statement gives further explanation as to such matters. In addition, buildings currently within the MOL extension land will be demolished and the MOL extension land will be landscaped to a high quality as will the land on which the existing sports building is currently located.

Revised Community Use Agreement (CUA)

The applicant has made further revisions to the draft CUA to take account of the comments of the Planning Committee and to provide clarity as to the application of the Agreement. The revised CUA is appended to this Statement.

At its meeting of 26th April, the Planning Committee requested that consideration be given to expanding the membership of the CUA Management Committee to include a local resident.

The applicant welcomes comments on this proposed further amendment and, in particular, suggestions as to the criteria and procedure for the nomination and selection of any additional members.

27.04.2017

[REDACTED]
[REDACTED]

From: [REDACTED]@harrow.gov.uk
Sent: 06 November 2017 16:57
To: [REDACTED]
Cc: [REDACTED]@rssa.co.uk; [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk
Subject: P/1940/16 - Harrow School Sports Building
Attachments: 061117 GLA Justification.pdf

Dear [REDACTED]

As discussed, please find a note from the Council which seeks to justify why the LPA was minded to recommend a grant for the above application.

We await to hear from you in regard to the Stage 2 referral.

Should you have any queries regarding the attached note, please do not hesitate to contact me.

Many thanks.

Kind regards,

[REDACTED]

[REDACTED] [REDACTED] | Principal Planning Officer
Development Management | West Team
Environment & Enterprise
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2UY

Tel: 020 8736 [REDACTED]
Email: [REDACTED]@harrow.gov.uk

Regeneration and Planning
[REDACTED] Nicholls
Divisional Director

[REDACTED]
Greater London Authority
4th Floor
City Hall
The Queen's Walk
London
SE1 2AA

Date: 6th November 2017

Dear [REDACTED]

Town and Country Planning Act 1990 (As amended)

Site: Harrow School, 5 High Street, Harrow HA1 3HP

Proposal: Harrow School Sports Hall and Swimming Pool, Football Lane, Harrow

Following our recent meetings in relation to the above proposal, you have asked that I prepare a note that justifies the Council's recommendation to grant the Sports Hall element of the application.

The Council have continually recognised the strategic importance of Harrow School and its estate. To this end, the Council support proposals, in principle, for the redevelopment of the estate that form part of an agreed masterplan which seek to secure community access to land and facilities. The masterplan was agreed as part of the Harrow Supplementary Planning Document (SPD) which was adopted by the Council in July 2015. The primary aim of developing the SPD was to engage with the Local Planning Authority and the wider community, the School's proposed plans to improve alter and extend its buildings and school facilities over the next 15 - 20 years. The proposals for the proposed sports and science building form the cornerstone of the school's improvement strategy. The aim is to enhance the school's international reputation as an outstanding centre of education and, in that context, to manage and retain its unique historic, conservation and landscape setting.

The School is constrained by a number of planning designations that make it an extremely challenging site to develop. The Hill itself is designated as an area of special character and is covered by eight Conservation Areas, while the School's estate lies within six of these. The School's estate also comprises a significant number of listed buildings and structures, a registered park, a Borough Grade I site of nature conservation importance and an archaeological priority area. A large proportion of the estate (84%) is also designated Metropolitan Open Land.

The proposal represents a departure from the development plan, being a development on Metropolitan Open Land (MOL) and for a use contrary to the site's allocated purpose. However, it is concluded that the much needed educational facilities alongside the proposed community benefits associated with the proposal, are compelling other material considerations that point to a decision other than in accordance with the Local Plan in this instance.

It is recognised that the proposal raises legitimate local concerns about development on MOL, conservation and heritage impacts, impact on local views and visual amenity. This was reflected in the level of scrutiny afforded by the Planning Committee which initially met on 16th November 2016 where the application was deferred for the following reasons:

- *To allow the applicant and the Council additional time to flesh out the details of the Community Use Agreement;*
- *To allow the applicant to improve the appearance of the buildings in terms of scale, design, architecture and materiality to ensure that the proposed buildings were of a high quality and compliant with NPPF (National Planning Policy Framework) paragraph 126 and DM1 (Development Management);*
- *To allow the applicant to reconsider the re-siting of the proposed building outside of MOL, and pay particular attention to the siting of the sports building at the existing site.*

After the submission of additional details and further analysis on the siting of the Sports building, the application was presented at the Planning Committee for a second time on 21st June 2017 where the proposal was granted subject to the final Community Uses Agreement (CUA) being reported back to Committee. The CUA was presented at the Planning Committee of 6th September 2017 where it was approved. As such, every effort has been made in the siting of the development to address these and other issues through the course of the planning application.

a) Principle of Development

The main in-principle issue is the proposed development of the replacement sports building upon MOL. The Council note that the current facilities do not fully meet the curricular requirements of the school given they cannot provide all the sports options necessary due to the capacity of the current facilities. It is also acknowledged that the facilities do not meet modern sporting standards and that redevelopment offers the potential to secure world class facilities. Further, the proposal seeks to secure increased public access to these enhanced facilities, which adds further weight to the need for the facilities. This is because it will secure access for other schools in the Borough to what are being designed as excellent facilities to meet Sport England standards. The School have proposed 1300 hours per annum will be made available for community uses. This is a significant enhancement on the current 410 hours per annum currently offered. This type and level of provision is therefore a significant boost to other local schools, and can be supported in this regard. It is also argued that the sports buildings themselves are in danger of subsidence, and that the best option is to rebuild the sports facilities. With regards to this, evidence has been submitted to the Council which can be concurred with

that the building does need replacing. Therefore, given the curricular needs of the school, and the condition of the buildings currently, the Council accepts that there is a need to replace the buildings which amounts to special circumstances.

b) Site Selection

The supporting documents outline how the site selections process evolved, and in accordance with the SPD, the Council would agree that the site chosen for the new buildings is the most appropriate location to meet the educational needs of the school, and to minimise impacts on the MOL and openness due to them being located right on the boundary of the substantial tract of MOL, and their proximity to existing buildings. It is also noted that the Harrow School site is severely constrained due planning designations within the School estate. Therefore, the need for the facilities and the location of them with regards to MOL can be supported. The Council has reviewed the detailed scheduling and curriculum requirements to illustrate the need for the amount of floorspace within the sports centre, and as indicated above, in conjunction with the increased public access, this amount of floorspace would be the minimum necessary to meet both these needs.

Of particular note is the site of the existing Sports Centre which was throughout the application process, suggested by some as a more suitable site for the proposed development. However, it is noted that the use of this site would result in the loss of the sports facilities for educational purposes and during the construction phase of the development. It is also noted that the much needed full provision of educational and sporting facilities could not be accommodated on this single site. The site is wholly within MOL and therefore would need to demonstrate very special circumstances for the increased provision for sporting and educational facilities. However, it is unlikely that the very special circumstances could be provided given the site constraints and therefore this could impact on the community benefits proposed with the current scheme. It is also noted that the site is directly adjacent to the public footpath on Football Lane which will inevitably have a detrimental impact on the Capital Ring Views. The site is also directly adjacent to the Music Building and therefore would be within the setting of this Grade II Listed Building. The applicant has also indicated that the mains sewer that runs through the site would present difficult challenges.

c) Design/Impact on Views

It is acknowledged that the building is substantial and does disrupt the openness toward the bottom of the hill. However, the proposals also include the demolition of the existing Sports building and Peel House which will contribute to the openness within the setting of the Conservation Area. Furthermore, the Sports building has been substantially built into the hill which gives at an appearance of a one storey building when viewed from the west elevation and a staggered three storey building when viewed from the north and south. The articulation and materiality incorporated into the design has helped soften the scale and impact of the building. The proposal uses a simplified palette of materials which seeks to ensure that the building matches the Listed buildings located at the top of the hill. This adds to the softening of the long distance views. In addition, the proposal includes a substantial amount of tree planting and around the buildings which further assimilates the building into the surrounding landscape.

The design of the building is considered to adequately reduce any impacts upon MOL and other designations, particularly heritage assets. With regards to minimising the impact of the sports building on the MOL and openness, the proposal is for it to be significantly built into the hill to help reduce the overall bulk and mass of the visible building, and to keep its height to a minimum. Therefore, the proposed building is considered in-principle acceptable given the overall benefits of the scheme – however there is still a loss of MOL. The Council considers that the landscaping core would form a natural expanse of open space adjoining onto the existing MOL, which in the context of the MOL as a whole, is a very small proportion of this designation right upon the edge, and that coupled with the net increase and special circumstances of a schools educational needs, the case for developing on MOL is justified in this regard.

Conclusion

The Council consider that the need for the development has been clearly demonstrated in the application proposals. Furthermore, the very special circumstances have been demonstrated which include:

- The site circumstances, including the significant planning constraints experienced across the School's estate and the lack of alternative suitable land;
- The pressing academic curriculum needs for sports;
- The very significant sports benefits of the proposal, providing sports facilities in a sustainable location which are of very high quality and sports training facilities for young persons in particular;
- The provision of significant shared access to very high quality sports and leisure facilities for the local community and local schools with the cost of construction of the facilities at no charge to the public purse in an area of high deprivation and need for sports facilities, where there are no comparable sports facilities in the area of such quality.
- The significant net gain in the quality and area of the land to the west to which MOL policy will be applied via a legal agreement (the land is to be cleared with current buildings demolished and high quality landscape implemented as proposed);
- The provision of a high quality landscaped core providing an overall enhancement to the setting of five Listed Buildings (Head Master's, Vaughan Library, Chapel, New Schools, and Butler Building) as well as the enhancement of the Conservation Area, in accordance with NPPF and Development Plan policy.

It is under the above context that the proposals are considered acceptable. Whilst noting the harmful impact on the Conservation Area, the wider benefits to both Harrow School and the wider community are considered to override these concerns in this instance.

I trust the above summarises the Council's position on the proposals. Should you require any further information please do not hesitate to contact me.

Yours sincerely,


Principal Planning Officer

Tel: 020 8736 
Email:  harrow.gov.uk

[REDACTED]

From: [REDACTED]
Sent: 17 November 2017 18:17
To: [REDACTED]
Cc: [REDACTED]; Juliemma McLoughlin; [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk
Subject: D&P/3820 Harrow School sports and science buildings

Dear [REDACTED]

Thanks again for your hard work to date engaging with us to test the feasibility of various alternative design options for delivering a new sports building for Harrow School. Following the provision of your latest illustrative design work and other supporting information (including planning commentary and the position of Harrow School on various related matters), and the receipt of a statement from Harrow Council officers summarising the LPA's support for the submitted scheme and reasons for recommending the application for approval, we took an update briefing to the Deputy Mayor for Planning today.

The Deputy Mayor recognises that there is a genuine need to enhance the existing sports facilities due to their current condition and the intention of the School to extend the sports subjects curriculum from GCSE-level to A-level. The proposed 1,300 hours p.a. community use arrangement (and the benefits that this would offer to local residents as well as various other local schools) is also recognised as a significant potential benefit of this scheme.

Nevertheless, having considered the information available the Deputy Mayor is of the view that:

- (i) it is technically feasible to deliver the enhanced sports facilities on the existing sports hall site;
- (ii) doing so would provide a more appropriate response to MOL; and,
- (iii) issues associated with temporary arrangements for decanted functions during the construction period are surmountable.

Accordingly the Deputy Mayor reiterated that the application is unacceptable in its current form, and that to appropriately respond to MOL policy, the new sports building must be provided on the site of the existing sports hall, with its footprint minimised as far as possible. Further to this we are keen to continue working with all relevant parties in order to systematically work through the remaining design and operational challenges associated with delivering this solution, in order to help Harrow School secure the planning permission necessary to deliver these enhanced facilities and their associated community benefits.

Kind regards

[REDACTED]

[REDACTED] | Principal Strategic Planner | Development & Projects | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED]@london.gov.uk

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 03 January 2018 12:15
To: [REDACTED] harrow.gov.uk'
Cc: [REDACTED] harrow.gov.uk; [REDACTED] harrow.gov.uk
Subject: RE: Harrow School Stage 2 GLA Referral.

Hi [REDACTED]

Thanks, that is much appreciated.

Kind regards

[REDACTED]

[REDACTED] [REDACTED] | Principal Strategic Planner | Development & Projects | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED] [london.gov.uk](mailto:[REDACTED]@london.gov.uk)

From: [REDACTED] harrow.gov.uk [mailto:[REDACTED]@harrow.gov.uk]
Sent: 03 January 2018 11:36
To: [REDACTED] <[REDACTED]@london.gov.uk>
Cc: [REDACTED] harrow.gov.uk; [REDACTED] harrow.gov.uk
Subject: RE: Harrow School Stage 2 GLA Referral.

Hi [REDACTED]

I have had confirmation from [REDACTED] Nicholls that submitting the Stage II referral on the 16th is acceptable however he has stressed that we would not like to delay it any further. We will therefore hold off formal submission until 16th January 2018.

I am currently collating all the external responses to the application along with the associated planning committee reports (and addendums), draft decision notice and draft s.106 which I hope to send to you by the end of the week.

Many thanks.

Kind regards,

[REDACTED]
[REDACTED] [REDACTED] | Principal Planning Officer
Development Management | West Team
Environment & Enterprise
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2UY

Tel: 020 8736 [REDACTED]
Email: [REDACTED] [harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

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From: [REDACTED] [REDACTED] [[mailto:\[REDACTED\]@london.gov.uk](mailto:[REDACTED]@london.gov.uk)]
Sent: 02 January 2018 12:21
To: [REDACTED] [REDACTED] [REDACTED]
Subject: RE: Harrow School Stage 2 GLA Referral.

Hi [REDACTED]

Thanks, and Happy New Year to you both too!

I will await your confirmation in due course.

[REDACTED]

[REDACTED] [REDACTED] | Principal Strategic Planner | Development & Projects | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED]@london.gov.uk

From: [REDACTED]@harrow.gov.uk [[mailto:\[REDACTED\]@harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)]
Sent: 02 January 2018 10:33
To: [REDACTED] [REDACTED] <[REDACTED]@london.gov.uk>; [REDACTED]@harrow.gov.uk
Subject: RE: Harrow School Stage 2 GLA Referral.

Hi [REDACTED]

Happy New year!

I'm sure this will be fine however I just need to run this through with [REDACTED] and [REDACTED] They are back tomorrow so I will respond to you then.

Many thanks.

Kind regards,

[REDACTED]

[REDACTED] [REDACTED] | Principal Planning Officer
Development Management | West Team
Environment & Enterprise
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2UY

Tel: 020 8736 [REDACTED]
Email: [REDACTED]@harrow.gov.uk

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From: [REDACTED] [REDACTED] [[mailto:\[REDACTED\]@london.gov.uk](mailto:[REDACTED]@london.gov.uk)]
Sent: 02 January 2018 10:24
To: [REDACTED]; [REDACTED] [REDACTED]
Subject: RE: Harrow School Stage 2 GLA Referral.

Hi [REDACTED], [REDACTED]

I'm currently working to programme various briefings and decisions for January/February, following a spike in referrals in the run up to Christmas. To assist with this, and further to the below, would it be possible to re-programme the Harrow School stage 2 referral for 16 Jan? That would allow me to secure a decision on 29 Jan.

Please let me know if you would like to discuss further. Many thanks

██████████

██████████ | Principal Strategic Planner | Development & Projects | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 ██████████ | Fax: 020 7983 4706 | Email: ██████████ [london.gov.uk](mailto:██████████@london.gov.uk)

From: ██████████
Sent: 05 December 2017 13:56
To: ██████████ [@harrow.gov.uk](mailto:██████████@harrow.gov.uk)>
Cc: ██████████ [harrow.gov.uk](mailto:██████████@harrow.gov.uk); ██████████ <██████████@london.gov.uk>
Subject: RE: Harrow School Stage 2 GLA Referral.

Hi ██████████

Thanks for this. As discussed, due to the current pressure on Mayor's planning decisions meetings either side of Christmas the soonest we could issue a decision on this would be 22 January.

To do this I would ask that you formally refer the application to ██████████ and I on (or shortly after) 9 January. As discussed we will need:

1. Harrow Council's referral letter (by email is fine);
2. a copy of all the associated planning committee reports (and any addendums);
3. draft decision notice;
4. any draft s.106; and,
5. a copy of all external consultation responses and all submitted representations.

Our preference would be for all documents to be provided electronically. To assist with preparing the stage 2 report it would also be helpful if you could provide items 2 – 5 as soon as reasonably possible.

The formal referral letter can then follow by email on 9 January in order to trigger the statutory 14-day period.

Many thanks

██████████

██████████ | Principal Strategic Planner | Development & Projects | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 ██████████ | Fax: 020 7983 4706 | Email: ██████████ [london.gov.uk](mailto:██████████@london.gov.uk)

From: ██████████ [@harrow.gov.uk](mailto:██████████@harrow.gov.uk)
Sent: 05 December 2017 12:51
To: ██████████
Cc: ██████████ [harrow.gov.uk](mailto:██████████@harrow.gov.uk)
Subject: Harrow School Stage 2 GLA Referral.

Hi ██████████

I hope you are well.

I'm emailing to give you a heads up that the applicant for the Harrow School scheme, have requested that the LPA submit the Stage 2 referral.

I am in the process of collating the information that you will require (ie; everything new submitted and considered since the Stage 1 response). I have asked the applicant to assist in collating some of this information, namely the amended plans/documents and consultation responses. It is hoped that they are able to provide this to you directly. The LPA will look at providing the rest in conjunction with a formal request letter.

Please could you let me know if this is acceptable, and/or if there is anything specific you would wish to receive as part of the Stage 2 referral.

Kind Regards

[REDACTED]
Development Management | Central & West Team
Planning & Regeneration
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2UY

[REDACTED] [@harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

From: [REDACTED] harrow.gov.uk
Sent: 15 January 2018 14:04
To: [REDACTED]
Cc: [REDACTED] harrow.gov.uk
Subject: RE: Harrow School

Hi [REDACTED]

Sure, will do. See below.

Committee Dates	Summary of Discussion	Committee Decision
16 th November 2016	<p>Member's recognised that the proposal raises legitimate local concerns about development on MOL, conservation and heritage impacts, impact on local views and visual amenity. Members agreed to defer the application for the following reasons:</p> <p><i>-To allow the applicant and the Council additional time to flesh out the details of the Community Use Agreement;</i></p> <p><i>-To allow the applicant to improve the appearance of the buildings in terms of scale, design, architecture and materiality to ensure that the proposed buildings were of a high quality and compliant with NPPF (National Planning Policy Framework) paragraph 126 and DM1 (Development Management);</i></p> <p><i>-To allow the applicant to reconsider the re-siting of the proposed building outside of MOL, and pay particular attention to the siting of the sports building at the existing site.</i></p>	DEFERRED
21 st June 2017	After additional justification was submitted and amendments to the scheme to reduce the impacts on heritage assets, the application was granted however Members requested that the final details of the Community Uses Agreement were brought back to Committee for final approval. Members felt the Community Uses Agreement could be further improved.	GRANTED subject to the Community Uses Agreement being agreed by Members.
6 th September 2017	The improved offer set out in the Community Uses Agreement was agreed by Members.	GRANTED subject to the conclusion of a S.106 planning obligation.

I hope this helps.

Let me know if you need any additional information.

Kind regards,

[REDACTED]

[REDACTED] [REDACTED] | Principal Planning Officer
Development Management | West Team
Environment & Enterprise
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2UY

Tel: 020 8736 [REDACTED]
Email: [REDACTED]@harrow.gov.uk

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From: [REDACTED] [REDACTED] [mailto:[REDACTED]@london.gov.uk]
Sent: 15 January 2018 13:22
To: [REDACTED] [REDACTED]
Subject: RE: Harrow School

Hi [REDACTED]

There is one more related thing that I'd be grateful for your advice on if possible. Clearly the application was deferred twice at committee. I need to set out the chronology of the Council's decision making process in my report. Would you be able to briefly summarise the key dates and reasons for deferral for me?

Many thanks

[REDACTED]

From: [REDACTED]@harrow.gov.uk [mailto:[REDACTED]@harrow.gov.uk]
Sent: 15 January 2018 08:48
To: [REDACTED] [REDACTED] <[REDACTED]@london.gov.uk>
Subject: RE: Harrow School

Dear [REDACTED]

My apologies for my earlier email. I sent it thinking it was to my colleague [REDACTED] [REDACTED] who will be taking over all matters relating to Harrow School as this is my last week at the Borough!!

I did drop off the Committee Reports on a USB stick to the City Hall on Friday afternoon. Did you manage to receive this? The USB stick also contained all the consultation responses.

I am working from home today but please feel free to call me on [REDACTED] if you wish to discuss.

Many thanks.

Kind regards,

[REDACTED]

[REDACTED] [REDACTED] | Principal Planning Officer
Development Management | West Team
Environment & Enterprise

London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2UY

Tel: 020 8736 [REDACTED]
Email: [REDACTED]@harrow.gov.uk

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From: [REDACTED] [REDACTED] [[mailto:\[REDACTED\]@london.gov.uk](mailto:[REDACTED]@london.gov.uk)]
Sent: 12 January 2018 15:58
To: [REDACTED] [REDACTED]
Subject: Harrow School

Hi [REDACTED]

Hope you are well? I'm looking for some weekend reading(!) could you kindly send me the committee report(s) for the above please?

Many thanks

[REDACTED]

[REDACTED] [REDACTED] | Principal Strategic Planner | Development & Projects | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED]@london.gov.uk

From: [REDACTED] harrow.gov.uk
Sent: 16 January 2018 16:38
To: [REDACTED]
Cc: [REDACTED] patersonplanning.com; [REDACTED] rssa.co.uk; [REDACTED] rssa.co.uk;
[REDACTED] butcherat@harrowschool.org.uk; [REDACTED] harrow.gov.uk;
[REDACTED] harrow.gov.uk; [REDACTED] harrow.gov.uk; [REDACTED] harrow.gov.uk
Subject: P/1940/16 - Harrow School Sports and Science: GLA Stage 2 Referral
Attachments: 160118 GLA Stage 2 Referral P-1940-16.pdf; P-1940-16 Draft Decision Notice.doc; 4227465 -
Draft Section 106 Agreement - v6 HBPL 24 08 2017 clean version.doc; 4364078 - Final Draft
Community Use Agreement.docx

Dear [REDACTED]

Please find attached our formal Stage 2 Referral letter in relation to the above planning application. I also attach the draft decision notice, the draft s.106 Agreement and the Draft Community Uses Agreement.

You will have now received a copy of the external consultation responses and all submitted representations. Furthermore, you will also have received a copy of all the associated planning committee reports and associated addendums. The applicant's architect will have also provided you with a copy of all the up to date submission drawings and documents.

As such, you would have now received all the documents you require to assess the application proposals. We look forward to receiving your formal stage 2 response within 14 days.

I trust all the details are in order however should you have any queries, please do not hesitate to respond to me or my colleague, [REDACTED] [REDACTED]

Many thanks.

Kind regards,

[REDACTED]

[REDACTED] [REDACTED] | Principal Planning Officer
Development Management | West Team
Planning & Regeneration
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2XY

Tel: 020 8736 [REDACTED]
Email: [REDACTED] [\[REDACTED\]@harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

Dated

2017

**THE MAYOR AND BURGESSES OF THE
LONDON BOROUGH OF HARROW (1)**

-and-

**THE KEEPERS AND GOVERNORS OF THE POSSESSIONS REVENUES
AND GOODS OF THE FREE GRAMMAR SCHOOL OF JOHN LYON
WITHIN THE TOWN OF HARROW-ON-THE HILL
IN THE COUNTY OF MIDDLESEX (2)**

PLANNING OBLIGATION

Under Section 106 of the Town and Country Planning Act 1990
Relating to land at Harrow School, Football Lane, Harrow-on-the-Hill
in the London Borough of Harrow

and Planning Permission Reference P/1940/16

HB Public Law
PO Box 2
Civic Centre
Harrow
Middlesex
HA1 2UH

DX 30450 HARROW 3
Ref: PKC/HRWC-PSPS-032815

THIS DEED is made the day of 2017

BETWEEN:

- (1) **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF HARROW** of PO Box 2 Civic Centre Station Road Harrow Middlesex HA1 2UH ("**the Council**") and
- (2) **THE KEEPERS AND GOVERNORS OF THE POSSESSIONS REVENUES AND GOODS OF THE FREE GRAMMAR SCHOOL OF JOHN LYON WITHIN THE TOWN OF HARROW-ON-THE HILL IN THE COUNTY OF MIDDLESEX** of 5 High Street Harrow Greater London HA1 3HP ("**the Owner**")

RECITALS

1. The Council is the Local Planning Authority for the purposes of the 1990 Act and for the purposes of clause 2.3 below is the Local Authority for the purposes of the 1974 Act and the obligations in this Deed are enforceable by the Council.
2. The Owner is the freehold owner of the Land and has by the Planning Application applied to the Council to carry out the Development.
3. The Council resolved at a meeting of its Planning Committee on 21 June 2017 to grant planning permission for the Development in the form of the Draft Decision Notice subject to the completion of this Deed..
4. The Parties have agreed to enter into this Deed under the Operative Provisions to secure the planning obligations contained in this Deed with the intent that the same should be binding not only upon the Parties but also (in the case of the Owner) upon their successors in title and any persons claiming title through or under it or (in the case of the Council) any successor in functions thereto.

NOW THIS DEED WITNESSES AS FOLLOWS:-

1. Definitions and Interpretation

1.1 The following words and phrases, where they appear in capitalised form in this Deed shall have the meanings stated or referred to below unless the context otherwise requires:

“the 1974 Act”	means the Greater London Council (General Powers) Act 1974;
"the 1990 Act"	means the Town and Country Planning Act 1990 (as amended);
“Additional Trees”	means the new trees to be planted pursuant to paragraph 9 of the First Schedule by the Owner within the Additional Trees Land;
“Additional Trees Co-ordinator”	means the person appointed by the Owner at the Owner’s expense that shall manage the Additional Trees Planting Plan and Management and Maintenance Programme and shall liaise with the Council (as agreed in writing between the Parties) about the Additional Trees;
“Additional Tree Land”	means all of that land that is within the Owner’s control where the Additional Trees shall be planted by the Owner and which is shown edged blue on the Additional Trees Land Plan;
“Additional Trees Land Plan”	means the plan appended to the Fifth Schedule of this Deed;
“Additional Trees Planting Plan and Management and Maintenance Programme”	means the scheme to be submitted for the Additional Trees by the Owner to the Council for its formal approval in writing in accordance with paragraph 9.3 of the First Schedule to this Deed;

"Commencement of Development"	<p>means the date on which any material operation (as defined in Section 56(4) of the 1990 Act) forming part of the Development is first to be carried out save that for the purposes of this Deed only the following operations shall not constitute development:-</p> <p>(a) archaeological works (b) site surveys including bore holes (c) site preparation (d) environmental preparatory works (e) the erection of fencing to enclose the Development or any part of the Development (f) the laying out of temporary access roads for construction purposes (g) the erection of temporary site buildings for construction purposes (h) contamination tests (i) remediation or trial pits (j) works for decontamination remediation (k) demolition and (l) the temporary display of site notices or advertisements</p> <p>and the terms "Commence Development" "Commence" or "Commenced" shall be construed accordingly;</p>
"Community Use Agreement"	<p>means the agreement in relation to the New Sports Building to be made between the Council and the Owner in the form annexed to the Third Schedule to this Deed;</p>
"Development"	<p>means the demolition of existing buildings: existing Sports Building, Peel House, Museum Cottage, Gardeners Compound, Boyer Webb Pavilion, pavilion next to the Athletics Track; construction of new Sports Building over 3 Levels (7307 sqm); new Science Building over 3 Levels (3675 sqm); new landscaping core from existing Chapel Terrace to the Athletics Track at the base of Hill; new visitors car parking on Football Lane adjacent to Maths And Physics Schools Buildings; re-routing and re-grading of private access road; alterations to landscaping and servicing for</p>

Dining Hall; relocation of multi use games area for Moretons Boarding House to south west of Dining Hall;

"Draft Decision Notice"

means the draft notice of grant of planning permission in the form annexed to the Fourth Schedule of this Deed;

"Employment Coordinator"

means a person engaged to assist in the placement of job seekers who are receiving Jobseeker's Allowance (JSA) living in the Council's administrative area or wider West London Sub Regional into jobs arising from the construction of the Development only;

"Employment Contribution"

the sum of fifteen thousand pounds (£15,000) in respect of the Council's reasonable expenses to:

- (a) work with the Owner's contractors during the construction of the Development to identify local residents for construction and related jobs arising out of the Development;
- (b) support local residents filling the vacancies arising out of the Development;
- (c) monitor that the Employment and Training Plan targets are being met; and
- (d) should the Employment Coordinator not be appointed prior to Commencement of Development;

"Employment and Training Plan"

means a plan in writing (submitted by the Owner to the Council in accordance with paragraph 6 of the First Schedule) setting out measures to facilitate the provision of training and employment opportunities during construction of the Development for residents from within the Council's administrative area, the nature and extent of which shall be agreed jointly by the Council and the Owner that includes:

- (a) employment and training initiatives and opportunities relating to the construction of the Development and details of sector delivery;
- (b) initiatives to work with new employees and employers including, jobs brokerage and the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;
- (c) a target for the apprentices (at least a minimum number of 10 apprentices) to be employed on the Land and a target for the percentage of residents to be employed on the Land by or through local recruitment agencies or such other recruitment agencies or job centres as may reasonably be considered appropriate;
- (d) the payment of a support fee of One Thousand Five Hundred Pounds (£1,500) for each apprentice placement AND for the avoidance of doubt this sum shall not exceed Fifteen Thousand Pounds (£15,000);
- (e) a target for the percentage of BAME and a target for women workers to be employed on the Land through local recruitment agencies or job centres as may reasonably be considered appropriate;
- (f) the timings and arrangements for the implementation of such initiatives; and
- (g) suitable mechanisms and information for the monitoring of the effectiveness of such initiatives;

“Existing MOL Land”

means that part of the Land shown edged in bold blue and shaded dark olive green on the Site Plan which is currently designated as metropolitan open land in accordance with policy 7.17 of the London Plan;

“Expert”	means an independent and suitable person holding appropriate professional qualifications appointed in accordance with the provisions of clause 12 (Dispute Resolution);
“First Occupation”	means occupation for any of the purposes permitted by the Planning Permission but not including occupation by personnel engaged in demolition, construction, fitting out, decoration marketing or security operations and “Occupy” and “Occupier” shall be construed accordingly;
“Greater London Authority”	means the top-tier administrative body for Greater London, England or any other such replacement body;
“Index”	means the “All Items” Retail Prices Index published by the Office for National Statistics (or any successor ministry department or organization) [or if such index is at the relevant time no longer published such other comparable index of basis for indexation as the Parties may agree;
"Interest"	means interest at % above the base lending rate of the Bank of England Official Base Rate from time to time;
"Land"	means the land against which the obligations in this Deed may be enforced being land at Harrow School, Football Lane, Harrow-on-Hill the freehold to which is registered at the Land Registry under titles number NGL870420, NGL891417, NGL891437, NGL891599, NGL891760 and NGL893077 and shown for identification purposes edged in bold red on the Site Plan;

“Land Registry”	means Her Majesty’s Land Registry, which can be found at www.gov.uk/government/organisations/land-registry ;
“Local Goods and Services Commitment Strategy”	means the report to be provided by the Owner demonstrating the strategy for the procurement of local goods and services including provisions to secure that effort has been made by the Owner to utilise the resources within the Council’s administrative area as set out in paragraph 7 of the First Schedule;
“London Plan”	means the statutory spatial development strategy for the Greater London area in the United Kingdom that is published by the Greater London Authority and FOR THE AVOIDANCE OF DOUBT includes any amendments made thereto or any other such replacement plan;
“MOL Extension Land”	means that part of the Land delineated in black and coloured light green on the Site Plan;
“New Sports Building”	means the new sports building to be constructed as part of the Development on that part of the Land shown cross hatched in blue on the New Sports Building Plan;
“New Sports Building Plan”	means the plan appended to the Fifth Schedule of this Deed showing the location of the New Sports Building for indicative purposes only;
"Operative Provisions"	means section 106 of the Town and Country Planning Act 1990; section 111 of the Local Government Act 1972; section 16 of the Greater London Council

(General Powers) Act 1974 and section 1 of the Localism Act 2011 and all other enabling powers;

“Parties”

means the Council and the Owner;

"Planning Application"

means the application for full planning permission submitted to the Council for the Development and allocated reference number P/1940/16;

“Planning Administration Fee”

means the sum of Five Thousand Pounds (£5,000) to be paid by the Owner to the Council to cover the Council’s costs of administering the obligations in this Deed;

“Planning Permission”

means the full planning permission for the Development to be granted (in the form of the Draft Decision Notice) by the Council pursuant to the Planning Application;

"Site Plan"

means the plan bearing reference P.05.12 appended to the Fifth Schedule to this Deed;

“Sustainable Travel Statement”

means a plan in writing setting out measures to be adopted by the Owner to secure the use of sustainable forms of transport by employees, visitors and users of the Development so as to minimise so far as is reasonable the reliance on the use of private cars and a draft of which is annexed to the Sixth Schedule of this Deed;

“Statutory Undertaker”

means a statutory undertaker as defined by Section 262 of the 1990 Act and Article 2(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015; and

“Working Day”

means any day excluding Saturdays Sundays and any Bank holidays in England and **“Working Days”** shall be construed accordingly

- 1.2 Words in this Deed importing the singular meaning shall where the context so admits include the plural meaning and vice-versa
- 1.3 Words in this Deed of the masculine gender shall include the feminine and neuter genders and vice versa and words denoting natural persons shall include companies corporations firms and vice versa
- 1.4 Headings in this Deed are for ease of reference only and shall not affect the construction or interpretation of any of the provisions of this Deed
- 1.5 References in this Deed to any statutes or statutory instruments shall include and refer to any statute or statutory instrument amending consolidating or replacing them respectively from time to time and for the time being in force
- 1.6 References to any party to this Deed shall include the successors in title to that party and to any person deriving title through under or in trust for that party
- 1.7 Covenants made in this Deed:
 - (a) if made by more than one person are made jointly and severally; and
 - (b) are to the intent that the same shall bind whomsoever shall become a successor or successors in title to the Land except as otherwise provided in this Deed; and
 - (c) are to the intent that the same shall operate as a local land charge on the Land and shall be registered in the Register of Local Land Charges

2. LEGAL BASIS

- 2.1 This Deed is completed under the Operative Provisions and the covenants by the Owner contained in this Deed shall subject to clause 3 below be binding and enforceable against the Owner and its successors in title to the Land
- 2.2. Each of the obligations created by this Deed constitutes a planning obligation for the purpose of Section 106 of the 1990 Act

- 2.3 The obligation contained in the First Schedule paragraph 4.1 also constitutes an obligation for the purposes of Section 16 of the 1974 Act and is entered into by the Owner with the intention that it binds the interests held by those persons in the Land and their respective successors and assigns

3. Conditionality

This Deed is a conditional agreement and shall become binding upon both of the following two conditions being satisfied: -

- (a) the grant of the Planning Permission
- (b) the Commencement of the Development

save for the provisions of clauses 7 (Notices), 8 (Council's Legal Fees) and 10 (Jurisdiction) which shall come into effect immediately upon completion of this Deed

4. Miscellaneous

- 4.1 This Deed shall cease to have effect (insofar only as it has not already been complied with) if the Planning Permission shall be quashed, revoked or otherwise withdrawn or (without the consent of the Owner) it is modified by any statutory procedure or if it expires prior to the Commencement of Development
- 4.2 Subject as otherwise provided in this Deed the Owner for itself and its successors in title to the Land agree declare and covenant with the Council that the Land shall be subject to the terms and obligations as to the manner of carrying out the Development contained in the First Schedule
- 4.3 Nothing contained or implied in this Deed shall prejudice or affect the rights discretions powers duties and obligations of the Council in the exercise of its functions as local planning authority and its rights discretions powers duties and obligations under all public and private statutes byelaws and regulations may be as fully and effectually exercised as if the Council were not a party to this Deed
- 4.4 The provisions of this Deed shall be enforceable by the Council against the Owner and all persons deriving title through or under the Owner except as otherwise provided in this Deed

- 4.5 No person shall be liable for any breach of any of the planning obligations or other provisions of this Deed after it shall have parted with its entire interest in the Land or a relevant part of the Land in respect of which a breach occurs, but without prejudice to liability for any subsisting breach arising prior to parting with such interest
- 4.6 If any provision in this Deed is held to be invalid illegal or unenforceable such invalidity illegality and unenforceability shall not affect the remaining provisions of this Deed
- 4.7 This Deed shall not be enforceable against any Statutory Undertaker or other person with any interest in any part of the Land for the purpose of the supply of electricity gas water drainage telecommunication services or public transport services
- 4.8 Nothing in this Deed shall prohibit or limit the right to develop any part of the Land in accordance with a planning permission (other than the Planning Permission) granted (whether or not on appeal) after the date of this Deed

5. Waiver

No waiver (whether express or implied) by the Council of any breach or default by the Owner in performing or observing any of the terms or conditions of this Deed shall constitute a continuing waiver and no such waiver shall prevent the Council from enforcing any of the said terms or conditions or from acting upon any subsequent breach or default in respect thereof by the Owner

6. Contracts Rights of Third Parties

- 6.1 The Contracts (Rights of Third Parties) Act 1999 ("the Act") shall not apply to this Deed and as such a person who is not named in this Deed shall not have a right to enforce any of its terms
- 6.2 For the avoidance of doubt the exclusion referred to in Clause 6.1 above shall not prevent all or any future successors in title to any of the parties to this Deed from being able to benefit or to enforce any of the provisions of this Deed

7. Notices

- 7.1 Any notice to be given under this Deed shall be in writing and shall be deemed to be validly served if delivered by hand or sent by first class post or registered/recorded delivery

7.2 The address for service for any party under this Deed shall be those stated in this Deed or such other address for service in England as the party to be served shall have previously notified in writing and in the case of notices from the Council to the Owner all notices given pursuant to the terms of this Deed shall be addressed to the Owner

7.3 Any notice served under this Deed in accordance with clause 7.1 and 7.2 above shall be deemed to have been received:

7.3.1 If delivered by hand, upon delivery at the relevant address

7.3.2 If sent by first class post, the second working day after the date of posting

8. Council's Legal Fees

The Owner shall pay on completion of this Deed the reasonable legal costs of the Council incurred in the negotiation preparation and execution of this Deed

9. Indexation

Any contribution payable under this Deed shall be increased by an amount equivalent to the increase in the Index from the date of this Deed to the date of the Index published prior to the date on which the contribution is paid

10. Jurisdiction

This Deed is governed by and interpreted in accordance with the laws of England

11. Interest

Save as otherwise provided in this Deed if any payment or contribution due under this Deed is paid late then Interest will be payable from the date payment is due to the date of actual payment

12. Dispute Provisions

12.1 In the event of any dispute or difference arising between the Parties in respect of any matter contained in this Deed (including any failure by the Parties to agree or approve any matter falling to be agreed or approved under this Deed) then save where the provisions of this Deed indicates to the contrary, such dispute or difference shall be

referred to an Expert to be agreed by the Parties, or in the absence of agreement, to be appointed, at the request of any of the Parties, by or on behalf of the president for the time being of the professional body chiefly responsible for dealing with such matters (and in the event of failure to agree thereon then the President of the Law Society for England and Wales) as may be in dispute and the decision of such an Expert shall be final and binding on the Parties

- 12.2 The Expert shall be appointed subject to an express requirement that the Expert shall reach a decision and communicate it to the Parties within the minimum practicable timescale allowing for the nature and complexity of the dispute and in any event not more than twenty-eight (28) Working Days from the date the Expert receives the written submissions of the Parties pursuant to clause 12.3
- 12.3 The Expert shall be required to give notice to each Party inviting each Party to submit within ten (10) Working Days of the expert's appointment, written submissions and supporting material and shall afford each Party a further five (5) Working Days to make counter-submissions to the written submissions of any other Party
- 12.4 The Expert's costs shall be payable by the Parties to the dispute in such proportion as the Expert shall determine and failing such determination shall be borne by the Parties in equal shares
- 12.5 The provisions of this clause 12 shall not fetter the Council's or the Owner's power to enforce this Deed by way of an application for declaratory relief or injunction or a party's ability to seek legal redress in the Courts (or otherwise) for any breach of any obligations in this Deed

13. Powers of the Council

- 13.1 Nothing in this Deed shall fetter or restrict or prejudice or affect the rights discretions powers duties and obligations of the Council in the exercise of its statutory functions under any enactment (whether public or private) statutory instrument regulation byelaws order or power for the time being in force

THE FIRST SCHEDULE

The Owner's Covenants with the Council

The Owner hereby covenants with the Council as follows:

1. Notification

1.1 Subject to clause 7 of this Deed, to give the Council seven (7) Working Days prior written notice of:

1.1.1 the anticipated date of Commencement of Development;

1.1.2 the date of First Occupation of any part of the Development;

1.1.3 the date of First Occupation of the New Sports Building;

1.1.4 the date of implementation of the Community Use Agreement;

1.1.5 the date of implementation of the Employment and Training Plan;

1.1.6 the date of implementation of the Local Goods and Services Commitment Strategy; and

1.1.7 the date of implementation of the Travel Plan.

and also to give the Council notice of the actual date of Commencement of Development and the employment of the Employment Co-ordinator and the Additional Trees Co-ordinator within seven (7) Working Days thereof.

2. Community Use Agreement

2.1. Not to Occupy or cause First Occupation of the New Sports Building until:

2.1.1 The Parties have entered into the Community Use Agreement; and

2.1.2 Such measures and terms contained within the Community Use Agreement which are specified therein as to be implemented prior to First Occupation have been implemented

2.2 To comply with the terms and conditions of the Community Use Agreement for so long as the New Sports Building exists or remains upon the Land unless otherwise agreed in writing by the Parties

3. MOL

Subject to Commencement of Development having occurred:-

- 3.1 and subject to paragraph 3.2 of this First Schedule and save as may be agreed in writing by the Council, not to allow permit or suffer any form of development on the Existing MOL Land and MOL Extension Land at any time and to ensure that the MOL Extension Land is maintained as open space in perpetuity
- 3.2 the Owner covenants with the Council that the MOL Extension Land shall only be used for landscaping purposes formally approved by the Council in writing (whether pursuant to the Planning Permission or otherwise) or for any other purpose in accordance with policy 7.17 of the London Plan (as amended) or any other replacement policy published by the Greater London Authority
- 3.3 not to Occupy and to demolish all the existing buildings that fall within the Existing MOL Land and MOL Extension Land (such buildings being five in total and as are shown shaded grey on the Site Plan) no later than fifteen (15) months after the First Occupation of the New Sports Building (unless otherwise agreed in writing by the Council)

4. Financial Contributions

- 4.1 That the Owner shall pay to the Council:
 - 4.1.1 the Planning Administration Fee on the completion of this Deed; and
 - 4.1.2 the Employment Contribution within twenty eight (28) Working Days of Commencement of Development.
- 4.2 Not to Occupy the Development until the Employment Contribution has been paid in full to the Council together with any Interest accrued thereon under clause 11 of this Deed

5. Employment Coordinator

- 5.1 Prior to Commencement of Development the Owner shall appoint the Employment Coordinator who will provide training and support to facilitate access to jobs during the construction phase of the Development

- 5.2 The Owner shall procure that the Employment Coordinator's role includes the following duties:
- 5.2.1 to identify local suppliers that may be engaged during the construction of the Development
 - 5.2.2 to identify any job vacancies arising during the construction of the Development including any apprenticeships
 - 5.2.3 to encourage applications from suitable candidates resident in the borough by liaising with the local job centres, local employment service providers, local voluntary and community sector organisations, local training providers and careers service providers
 - 5.2.4 to commission customised training (that is not currently delivered through mainstream training providers) and to identify other revenue funds to deliver appropriate construction training
 - 5.2.5 to provide basic skills and site safety training to suitable candidates; and
 - 5.2.6 to provide written progress report to the Council regarding the delivery and outcomes of the project on a quarterly basis the first report to be sent three months from Commencement of Development

6. Employment and Training Plan

- 6.1 The Owner shall not Commence Development until the Employment and Training Plan has been submitted to the Council in writing for the Council's formal written approval (such approval not to be unreasonably withheld or delayed) PROVIDED ALWAYS THAT in the event that a submission has been made to the Council pursuant to paragraph 6.1 of this First Schedule and the Council has not provided a substantive response within ten Working Days then the Council shall be deemed to have approved such submission.
- 6.2 The Owner shall implement and comply with the Employment and Training Plan as approved by the Council
- 6.3 The Owner shall monitor the implementation of the Employment and Training Plan and will provide sufficient monitoring information to the reasonable satisfaction of the Council

- (i) at three monthly intervals from the date of first implementation of the Employment and Training Plan during the pre-construction phase of the Development and
- (ii) thereafter at 6 monthly intervals for a period of two (2) years

7. Local Goods and Services Commitment Strategy

- 7.1 Prior to Commencement of Development submit a Local Goods and Services Commitment Strategy for the Council's approval in writing (such approval not to be unreasonably withheld or delayed) PROVIDED ALWAYS THAT in the event that a submission has been made to the Council pursuant to paragraph 7.1 of this First Schedule and the Council has not provided a substantive response within ten Working Days then the Council shall be deemed to have approved such submission..
- 7.2 To implement and comply with the approved Local Goods and Services Commitment Strategy unless otherwise agreed in writing by the Council (such approval not to be unreasonably withheld or delayed) provided that if the Council have not responded in writing to submissions made under paragraphs 7.1 and 7.2 within ten (10) Working Days of submission they shall be deemed accepted.
- 7.3 The Owner covenants to commit to work with the Council's Economic Development Team to maximise so far as is reasonable local goods and service opportunities for business in the borough and the surrounding area which arise from the Development. This can be achieved as follows:
 - 7.3.1 Providing the Economic Development Team with advance notice of the quantum and range of local goods opportunities to enable officers to alert local business to the forthcoming opportunities;
 - 7.3.2 Providing a named officer to liaise with the Economic Development Team; and
 - 7.3.3 Organising "meet the buyer" events in partnership with the Economic Development Team
- 7.4 The Owner covenants to keep the Council informed from time to time about the number of contractors being used on the Development and details of their bases in the borough.
- 7.5 The Owner covenants to update the Local Goods and Services Commitment Strategy throughout the construction phase of the Development and this shall be reviewed by the Council's Economic Development Team

8. Sustainable Travel Statement

- 8.1 Not to cause permit or suffer First Occupation of the Development until a draft Sustainable Travel Statement has been submitted by the Owner to the Council and has been formally approved by the Council in writing (such approval not to be unreasonably withheld or delayed) PROVIDED ALWAYS THAT in the event that a submission has been made to the Council pursuant to paragraph 8 of this First Schedule and the Council has not provided a substantive response within ten Working Days then the Council shall be deemed to have approved such submission.
- 8.2 To implement the Sustainable Travel Statement approved by the Council and to continue to comply with the Sustainable Travel Statement (as may be revised from time to time with the Council's approval) throughout the lifetime of the Development unless otherwise agreed in writing with the Council
- 8.3 To monitor and review the Sustainable Travel Statement three years from the date of implementation of the Travel Plan and thereafter every 5 (five) years and to provide the Council with a written report of the review within ten (10) Working Days of the review taking place

9. Additional Trees

- 9.1 The Owner shall not Commence Development until the services of an Additional Trees Co-ordinator have been engaged
- 9.2 Prior to Commencement of Development, the Owner shall submit an Additional Trees Planting Plan and Management and Maintenance Programme for the Council's formal written approval (such approval not to be unreasonably withheld or delayed) PROVIDED ALWAYS THAT in the event that a submission has been made to the Council pursuant to paragraph 9.2 of this First Schedule and the Council has not provided a substantive response within ten Working Days then the Council shall be deemed to have approved such submission.
- 9.3 The Additional Trees Planting Plan and Management and Maintenance Programme shall include:
 - 9.3.1 Quantity, species, location and size at time of planting of the Additional Trees;

- 9.3.2 A copy of the Additional Trees Plan showing the site of the Additional Trees;
 - 9.3.3 The planting season for the Additional Trees, prior to Commencement of Development;
 - 9.3.4 The role and duties of the Additional Trees Co-ordinator, including their name and contact details;
 - 9.3.5 A mechanism to record complaints or any changes about the state and location of the Additional Trees; and
 - 9.3.6 A reporting system to the Council about the maintenance of the Additional Trees;
- 9.4 The Owner covenants that any existing Additional Trees which, within a period of 5 years, 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 otherwise agreed by the Council in writing.
- 9.5 The Owner covenants with the Council that unless otherwise agreed in writing by the Council all the Additional Trees shall be planted within the Additional Trees Land prior to First Occupation of the Development

THE SECOND SCHEDULE

Council's Covenants

The Council hereby covenants with the Owner as follows:

1. Use and repayment of Employment Contribution

- 1.1 To spend (or commit for expenditure) the Employment Contribution solely for the purposes specified in this Deed for which this contribution has been paid by the Owner or for such

other purposes for the benefit of the Development as the Council and the Owner shall agree.

- 1.2 If any part of the Employment Contribution has not been expended (or committed for expenditure) within a period of five years from the date of payment to the Council, to refund the unexpended part of the Employment Contribution (together with any interest accrued thereon) to the Owner within a period of two (2) months from the date a written notice requesting a refund is received from the Owner.

THE THIRD SCHEDULE
Community Use Agreement

THE FOURTH SCHEDULE

Draft Decision Notice

THE FIFTH SCHEDULE

- 1. Site Plan P.05.12**
- 2. Additional Trees Land Plan**
- 3, New Sports Building Plan**

THE SIXTH SCHEDULE

Sustainable Travel Statement (draft form)

EXECUTED AS A DEED but not delivered until the day and year first before written: -

THE COMMON SEAL OF THE LONDON)
BOROUGH OF HARROW was hereunto)
affixed in the presence of:-)

Authorised Officer: -

EXECUTED AS A DEED by)
THE KEEPERS AND GOVERNORS OF)
THE POSSESSIONS REVENUES AND)
GOODS OF THE FREE GRAMMAR)
SCHOOL OF JOHN LYON WITHIN THE)
TOWN OF HARROW-ON-THE HILL)
IN THE COUNTY OF MIDDLESEX)
acting by its authorised signatories: -)

Authorised Signatory:

Authorised Signatory:

Regeneration and Planning

Divisional Director

Mr [REDACTED]
Greater London Authority
4th Floor
City Hall
The Queen's Walk
London
SE1 2AA

Our Ref: P/1940/16
Your Ref: D&P/3820/TT02

Date: 16th January 2018

Dear Mr [REDACTED]

**The Town and Country Planning Act 1990 (as amended)
The Town and Country Planning (Mayor of London) Order 2008
GLA Stage 2 Referral**

Determination of PSI application: Harrow School Sports and Science Buildings, Off Football Lane, Harrow HA1 3EA

Planning permission is being sought for: *Demolition Of Existing Buildings: Existing Sports Building, Peel House, Museum Cottage, Gardeners Compound, Boyer Webb Pavilion, Pavilion Next To The Athletics Track; Construction Of New Sports Building Over 3 Levels (7307 Sqm); New Science Building Over 3 Levels (3675 Sqm); New Landscaping Core From Existing Chapel Terrace To The Athletics Track At The Base Of Hill; New Visitors Car Parking On Football Lane Adjacent To Maths And Physics School Buildings; Re-Routing And Re-Grading Of Private Access Road; Alterations To Landscaping And Servicing For Dining Hall; Relocation Of Multi Use Games Area For Moretons Boarding House To South West Of Dining Hall*

Thank you for your Stage 1 referral letter of 27th June 2016 and accompanying report in connection with planning application P/1940/16 for the redevelopment of the above site.

The application was initially reported to Harrow Council's Planning Committee at its meeting on 16th November 2016 with a recommendation to grant. The Committee resolved to defer the application at that meeting having had some initial concerns about the proposed scheme. The application was deferred for the following reasons:

- *To allow the applicant and the Council additional time to flesh out the details of the Community Use Agreement;*
- *To allow the applicant to improve the appearance of the buildings in terms of scale, design, architecture and materiality to ensure that the proposed buildings were of a high quality and compliant with NPPF (National Planning Policy Framework) paragraph 126 and DM1 (Development Management);*
- *To allow the applicant to reconsider the re-siting of the proposed building outside of MOL, and pay particular attention to the siting of the sports building at the existing site.*

The application was subsequently brought back before the Committee on 21st June 2017 where Members resolved to grant planning permission subject to GLA referral, the completion of an s.106 Planning Obligation and a number of conditions. However, Members also requested that the Community Uses Agreement, which formed a part of the s.106 Planning Obligation, was brought back before the Committee for final approval. The application was brought back to Committee on 6th September 2017 where Members approved the Community Uses Agreement.

Pursuant to Article 5(a) of the Town and Country Planning (Mayor of London) Order 2008, please find enclosed:

- (i) Copies of the representations received in respect of the application;
- (ii) Copies of the officers' reports to the various Planning Committees and related addendums (dated 16th November 2016, 21st June 2017 and 6th September 2017;
- (iii) The draft Decision Notice; and
- (iv) A statement of the agreed Planning Obligation heads of terms and a list of the agreed planning conditions (set out in the Officers Committee Report of 21st June 2017).

You will have all the up to date drawings and documents which were provided previously by the architect, Rivington Street Studio.

In accordance with Article 5(b) of the aforementioned Order, I look forward to hearing from you within 14 days of the date of this letter.

Yours sincerely,

Principal Planning Officer
 Tel: 020 8736
 Email: harrow.gov.uk

TOWN & COUNTRY PLANNING ACT 1990

GRANT/APPROVE SUBJECT TO LEGAL AGREEMENT

Ref: P/1940/16

With reference to the application received on 20 April 2016 accompanied by Drawing(s) : Please refer to Condition 2

For: DEMOLITION OF EXISTING BUILDINGS: EXISTING SPORTS BUILDING, PEEL HOUSE, MUSEUM COTTAGE, GARDENERS COMPOUND, BOYER WEBB PAVILION, PAVILION NEXT TO THE ATHLETICS TRACK; CONSTRUCTION OF NEW SPORTS BUILDING OVER 3 LEVELS (7269 SQM); NEW SCIENCE BUILDING OVER 3 LEVELS (3675 SQM); NEW LANDSCAPING CORE FROM EXISTING CHAPEL TERRACE TO THE ATHLETICS TRACK AT THE BASE OF HILL; NEW VISITORS CAR PARKING ON FOOTBALL LANE ADJACENT TO MATHS AND PHYSICS SCHOOL BUILDINGS; RE-ROUTING AND RE-GRADING OF PRIVATE ACCESS ROAD; ALTERATIONS TO LANDSCAPING AND SERVICING FOR DINING HALL; RELOCATION OF MULTI USE GAMES AREA FOR MORETONS BOARDING HOUSE TO SOUTH WEST OF DINING HALL (Updated Metropolitan Open Land Approach Statement and Revised Community Uses Agreement submitted)

At: Harrow School Sports and Science Buildings, Off Football Lane, Harrow, HA1 3EA

HARROW COUNCIL, the Local Planning Authority,
GRANTS/APPROVE Subject to legal agreement and the following Condition(s):

1	<p>The development hereby approved shall be begun before the expiration of three years from the date of this planning permission.</p> <p>REASON : To comply with the provisions of section 91 of the Town and Country Planning Act 1990.</p>
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2	<p>Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the approved drawings:</p> <p>P.05.01 ; P.05.02; P.10.02; P.10.11; P.10.14; P.10.17; P.10.25; P.11.01; P.12.01 B; P.12.02 B; P.12.10 B; P.12.11 B; P.12.12 B; P.12.13 B; P.12.14 B; P.12.20 B; P.12.21 B; P.12.22 B; P.12.23 B; P.12.24 B; P.12.25 B; P.12.26 B; P.12.27 B; P.12.30 A; P.12.31 A; P.12.32 A; P.12.33 A; P.13.01A; P.13.04 A; P.13.20 A; P.13.21 A; P.13.22 A; P.13.23 A; P.13.24 A; P.13.25 A; P.13.30 A; P.13.31 A; P.13.32 A; P.13.33 A; P.13.35 A; P.13.50A; P.13.51 A; P.13.52 A; P.13.53 A; P.13.54 A; P.14.01 B; P.14.10 B ; P.14.15 B; P.14.16 B; P.14.17B; P.14.18 A; P.14.25 B; P.14.26 B; P.14.31 A; P.14.32 A; P.14.33 A; P.14.34 B; P.14.35 B; P.14.40 B; P.14.41 B; P.14.42 B; P.14.43 B; P.14.44 B; P.14.45 B; P.14.46 A; P.14.47 B; P.14.48 A; P.14.49 B; P.14.50 A; P.14.51 A; P.14.52 A; P.14.53 A; P.14.54 A; P.14.55 A; P.14.60 A; P.14.65 A; P.14.70 A; P.28.10 A; P.28.11 A; P.28.12 B; P.28.13 B; P.28.14 B; P.28.15 A; P.28.16 B; P.28.17 A; P.28.22 A; P.28.30 A; P.28.31 A; P.28.32 A; P.28.33 A; P.28.35 A; P.28.36 A; P.90.10; P.90.11; P.90.12; P.90.20; P.90.21; P.90.22; P.90.25; P.90.26; P.90.27; P.90.28; P.90.30; P.90.32; P.110.01 A; P.110.02 A; P.110.03 B; P.110.04 B; P.110.05 B; P.110.06 B; P.110.07 A; P.110.08 B; P.110.09 B; P.110.10 A; P.110.11 A; P.110.12 B; P.110.13 A; P.110.14 B; P.110.15; P.110.22; P.110.23 A; P.110.24 A; P.110.25 A; P.110.26 A; P.110.28 A; P.110.30; P.110.31; P.110.32 A; P.110.41; P.110.42; P.110.43; P.110.44; P.110.45; P.110.46; P.110.47; 90.20 A; 90.21 A; 90.30 A; 90.31 A; 90.40 A; 90.41 A; 90.50 A; 90.51 A; P.05.12; Planning Statement by Paterson Planning (April 2016), Design & Access Statement by Rivington Street Studio (April 2016), Landscape Report by Rivington Street Studio & Tyrens UK (Updated Jan 2017 – See below), Visual Impact Assessment Rev A by Rivington Street Studio (September 2016), Arboricultural Report by Arbol Euroconsulting (4 March 2016), Transport and Servicing Assessment; Transport Assessment by David Tucker Associates (4 April 2016), Energy Statement by Buro Happold Engineering (22 March 2016), Sustainability Statement by Buro Happold Engineering (24 March 2016), Heritage Statement by Rivington Street Studio (April 2016), Archaeological Impact Assessment by Wessex Archaeology (March 2016), Archaeological Evaluation Report by Wessex Archaeology (July 2016), Flood Risk Assessment and Drainage Report (including surface water strategy) by JBA Consulting, (March 2016), Statement of Community Involvement; Included within Planning Statement, Paterson Planning (April 2016), Draft Construction Logistics Plan by Buro 4, (March 2016), BREEAM Pre-assessment Report by Ingleton Wood (March 2016), Sustainable Travel Statement by David Tucker Associates (25 October 2016), Planning Application – Update by Rivington Street Studio (September 2016), Harrow School Civil & Structural Engineering Documentation (March 2016),</p>
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	Geotechnical & Geoenvironmental Investigation Report (March 2016), Planning Application Updates by Rivington Street Studio (January 2017); Landscape Report Update by Rivington Street Studio (January 2017); Visual Impact Assessment - Revision B by Rivington Street Studio (January 2017), Revised Draft Community Uses Agreement – April 2017, Harrow School Sports Centre – S106 Draft Terms Concerning Metropolitan Open Land (MOL) and Revised Community Uses Agreement.
3	<p>No development shall take place, including any works of demolition, until a dust, noise and vibration management plan has been submitted to, and agreed in writing by, the Local Planning Authority. The plan shall detail measures for the control and reduction of dust emissions, noise and vibration impacts associated with demolition, earthworks, construction and track out, and arrangements for monitoring air quality during construction. The development shall be carried out in accordance with the plan so agreed.</p> <p>REASON : To ensure that measures are put in place to manage and reduce dust emissions, noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, in accordance with Policies 7.14 & 7.15 of the London Plan (2016) and Policy DM 1 of the Development Management Policies Local Plan (2013). To ensure that measures are agreed and in place to manage and reduce dust during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.</p>
4	<p>No development shall take place, including any works of demolition, until a demolition and construction waste management plan, setting out arrangements for the handling of excavation, demolition and construction waste arising from the development, and to make provision for the recovery and re-use of salvaged materials wherever possible, has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed plan or any amendment or variation to it as may be agreed in writing by the local planning authority.</p> <p>REASON : To ensure that waste management on the site is addressed from construction stage and to promote waste as a resource, in accordance with Policy CS1 X of the Core Strategy (2012). To ensure that measures are agreed and in place to manage and re-use waste arising during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.</p>

5	<p>No development shall take place, including any works of demolition, until a revised construction and logistics plan, to include details on temporary access from Watford Road, detailed construction drawings and a traffic management plan, has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed plan or any amendment or variation to it as may be agreed in writing by the local planning authority.</p> <p>REASON: To ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy 6.3 of the London Plan (2016). To ensure that measures are agreed and in place to manage and access and egress during the construction phases of the development, this condition is a PRE-COMMENCEMENT condition.</p>
6	<p>The development hereby approved shall not be commence until details of the means of protection of the trees, hedgerows and other existing planting to be retained within the site, and adjacent trees within adjoining sites, have been submitted to, and agreed in writing by, the local planning authority. The details shall include:</p> <ul style="list-style-type: none"> a) arrangements for audited arboricultural monitoring of the site during the construction works; b) identification of root protection areas; c) the method of any excavation proposed within the root protection areas; d) the type, height and location of protective fencing; and e) measures for the prevention of soil compaction within the root protection areas. <p>The tree protection measures shall be put in place prior to the commencement of the development, including demolition/site clearance, and remain in place throughout the development. The construction of the development shall be carried out in accordance with the details so agreed or any amendment or variation to them as may be agreed in writing by the local planning authority.</p> <p>REASON: To ensure that the retention and survival of trees, hedgerows and other planting of significant amenity value within the site that are to be retained, and trees within adjoining sites, are safeguarded during construction, in accordance with Policy DM 22 of the Development Management Policies Local Plan (2013). To ensure that measures are</p>

	agreed for the protection of trees and tree roots during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.
7	<p>Notwithstanding the approved plans, prior to the commencement of the development hereby permitted, details for a scheme for works for the disposal of sewage, surface water and surface water attenuation and storage works on site as a result of the approved development shall be submitted to the local planning authority to be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.</p> <p>REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance the recommendations of Core Strategy (2012) policy CS1, the NPPF and policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013). Details are required prior to commencement of development to ensure a satisfactory form of development.</p>
8	<p>The development hereby permitted shall not commence beyond damp proof course level, a plan for the on-going maintenance of the sustainable drainage measures to be implemented across the development shall be submitted to, and agreed in writing by, the local planning authority. The plan shall thereafter be implemented for the lifetime of the development, or any amendment or variation to the plan as may be agreed in writing by the Local Planning Authority.</p> <p>REASON : To ensure that adequate measures for the control and disposal of surface water from the development are maintained on the site, in accordance with Policy 5.13 of the London Plan (2016) and Policies DM 10 of the Development Management Policies Local Plan (2013).</p>
9	Any telecommunications apparatus, extraction plant, air conditioning units and other plant or equipment that is required to be installed on the exterior of the buildings hereby approved shall be carried out in accordance with details that shall first have been submitted to, and agreed in writing by, the local planning authority, and shall be permanently retained as such thereafter. The details shall include siting, appearance, any arrangements for minimising the visual and (if relevant) odour impacts and any arrangements for mitigating potential noise or vibration.

	<p>REASON : To ensure that the development achieves a high standard of design and amenity; and to ensure that neighbouring occupiers are not exposed to unreasonable noise, disturbance and odour; in accordance with Policies 7.6 and 7.15 of the London Plan (2016) and Policy DM 1 of the Development Management Policies Local Plan (2013).</p>
10	<p>Notwithstanding the approved plans, prior to the commencement of development hereby permitted the following specifications shall be submitted to, and agreed in writing by, the local planning authority:</p> <ul style="list-style-type: none"> a) the detailed design of all ramps, steps and pathways within the external areas of the development; b) the thresholds, door opening widths and landing areas at all entrances between the external areas of the development and the approved buildings; and c) the levels and layout of pedestrian route(s) between the parking areas within the site and the entrances of the approved buildings. <p>The development shall be carried out in accordance with the specifications so agreed, or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.</p> <p>REASON : To ensure that the development contributes to the creation of a Lifetime Neighbourhood and an inclusive environment, in accordance with Policies 7.1 & 7.2 of the London Plan (2016) and Policy DM 2 of the Development Management Policies Local Plan (2013). To ensure that measures are agreed and in place in regard to the detailed design of internal and external areas prior to the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.</p>
11	<p>Notwithstanding the plans and supporting documents hereby approved, prior to the commencement of the development beyond damp proof course level, details of the palette of materials and/or colours for all of the external surfaces have been submitted to, and approved in writing by, the Local Planning Authority. Details to be provided shall include two sample panels of approximately 2 metres by 2 metres to be provided on site, of typical parts of the building, showing the material finishes of all external surfaces including a sample window/s and door/s. The development shall be built in accordance with the approved details and shall thereafter be retained.</p> <p>REASON: In order to mitigate the harm to character and setting of the</p>

	heritage assets affected and to ensure that the development achieves a high standard of design in accordance with Policies 7.6 and 7.8 of the London Plan (2016) and Policies DM 1 and DM7 of the Development Management Policies Local Plan (2013).
12	<p>Notwithstanding the approved plans the development shall not commence beyond damp proof course level, until details to show additional secure cycle parking facilities on site shall be submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed or any amendment or variation to them as may be agreed in writing by the local planning authority.</p> <p>REASON : To ensure that the development achieves a high standard of design, and is safe & secure, in accordance with Policy 7.6 of the London Plan (2016) and Policies DM 1 and DM 2 of the Development Management Policies Local Plan (2013).</p>
13	<p>Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.</p> <p>REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding in accordance with policy DM22 of The Development Management Policies Local Plan 2013.</p>
14	<p>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, 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.</p> <p>REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013.</p>
15	Before any landscaping is carried out within the site, including any works

	<p>preparatory to such landscaping, a scheme for the hard and soft landscaping of the whole site shall be submitted to, and agreed in writing by, the local planning authority. Details shall include:</p> <ul style="list-style-type: none"> a) planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme; b) existing and proposed site levels, clearly identifying changes to landform; c) details of hard surface materials; d) details of all boundary treatment, including fences, means of enclosure and gates; e) detailed drawings and specifications of all levels, both existing and proposed; and f) detailed drawings and specifications of the proposed external lighting and flood lighting associated with the proposed MUGA. <p>The development shall be carried out in accordance with the scheme so agreed, and shall thereafter be retained.</p> <p>REASON: To ensure that the development secures satisfactory hard and soft landscaping details for all parts of the site, in accordance with Policies DM 1 and DM 22 of the Development Management Policies Local Plan (2013).</p>
16	<p>A landscape management plan, including species numbers/locations, long term design objectives, management responsibilities and maintenance schedules for all communal landscape areas shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The landscape management plan shall be carried out as approved. Details are required prior to occupation to ensure a satisfactory form of development.</p> <p>REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013.</p>
17	<p>No impact piling shall take place until a piling method statement has been submitted to, and agreed in writing by, the local planning authority. The statement shall detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure and the programme for works. All piling activities on the site</p>

	<p>shall be undertaken in accordance with the statement so agreed.</p> <p>REASON To ensure that measures are agreed and in place to manage and re-use waste arising during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition. : To ensure that sewerage infrastructure is safeguarded from potential damage in the interests of flood risk management and reduction, in accordance with Policy DM 9 of the Development Management Policies Local Plan (2013).</p>
18	<p>Notwithstanding the approved plans the development shall not commence beyond damp proof course level, details of the provision of appropriate bird nesting boxes, bat roosting boxes/tubes and invertebrate habitat for the enhancement of biodiversity within the design of the buildings hereby permitted and the wider development area shall be submitted to, and agreed in writing by, the local planning authority. The details shall comprise:</p> <ul style="list-style-type: none"> a) species catered for, number, location, orientation and type of bird boxes incorporated into or affixed to new buildings; b) number, location, orientation and type of bat boxes/tubes incorporated into or affixed to new buildings; c) number, location, orientation and type of bird and bat boxes affixed to appropriate trees; and d) location and form of invertebrate habitat i.e. log piles and stag beetle logeries. <p>The development shall not be first used until the details so agreed have been implemented, and shall thereafter be retained.</p> <p>REASON : To ensure that the development appropriately protects and enhances the biodiversity value of the site in accordance with Policy 7.19 of the London Plan (2016) and Policies DM 20 and DM 21 of the Development Management Policies Local Plan (2013).</p>
19	<p>Notwithstanding the details within the submitted Geotechnical and Geoenvironmental Investigation Report (March 2016), in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.</p> <p>Following completion of measures identified in the approved remediation</p>

	<p>scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority</p> <p>REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 5.21 of the London Plan 2016 and Policy DM 15 of the Harrow Development.</p>
20	<p>Prior to the occupation of the development hereby permitted, a full Delivery and Service Plan demonstrating safe vehicular access to and from the school dining hall, shall be submitted to and approved in writing by the Local Planning Authority. The Delivery and Service Plan thereby approved shall be adhered to thereafter.</p> <p>REASON: To ensure that the development does not harm the safety and free flow of the routes within the development site, and safeguard the pupils from internal traffic movements, thereby according with policies DM1, DM42, DM43 and DM44 of the Harrow Development Management Policies Local Plan 2013. Details are required prior to occupation to ensure a satisfactory form of development.</p>
21	<p>The site wide heating system boiler(s) shall be installed and thereafter retained in accordance with a specification that shall first have been submitted to, and agreed in writing by, the local planning authority.</p> <p>REASON : To ensure that the emissions from the combined heat and power system comply with the standards published at Appendix 7 of the Mayor of London's Sustainable Design & Construction supplementary planning document (2014) (or such appropriate standards as may supersede them) and that the development is consistent with the provisions of Policy 7.14 of the London Plan (2016).</p>
22	<p>The refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.</p> <p>REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2016 and policy DM1 of The Development</p>

	Management Policies Local Plan 2013.
23	<p>Prior to the use of the sports building and MUGA being brought into use, a management and maintenance scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the local planning authority. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the sports building and MUGA.</p> <p>REASON : To ensure that a new facility is capable of being managed and maintained to deliver facilities which are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport.</p>
24	<p>The development hereby approved shall not be used until details of the measures to make efficient use of mains water within the school building and sports hall have been submitted to, and agreed in writing by, the local planning authority. The measures shall be implemented in accordance with the details so agreed or any amendment or variation to them as may be agreed in writing by the local planning authority.</p> <p>REASON: To ensure that the development makes efficient use of mains water in accordance with Policy 5.15 of the London Plan (2016) and Policy DM 10 of the Development Management Policies Local Plan (2013).</p>
25	<p>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 Energy Strategy and Sustainability Strategy (including the Sustainability Development - Energy: Response to the GLA, September 2016) which thereafter shall be submitted to the Local Planning Authority for written approval.</p> <p>REASON: To ensure the delivery of a sustainable development in accordance with National Planning Policy Framework, policies 5.2.B/C/D/E of The London Plan 2016, policy D12 of the Harrow Development Management Policies Local Plan 2015.</p>
26	<p>The development hereby permitted shall not be first used until photo voltaic panels have been installed in accordance with a drawing showing the location, orientation and pitch of the photo voltaic panels that shall first have been submitted to, and agreed in writing by, the local planning authority.</p>

	<p>The panels shall thereafter be retained.</p> <p>REASON : To ensure that the development makes appropriate provision for the minimisation of carbon dioxide emissions in accordance with Policy 5.2 of the London Plan (2016).</p>
27	<p>Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in accordance with the proposals for emissions savings that are documented in the approved Planning Energy Statement - 033761 - Revision 01 (March 2016) and the Sustainability Development - Energy: Response to the GLA (September 2016).</p> <p>REASON : To ensure that the development makes appropriate provision for the minimisation of carbon dioxide emissions in accordance with Policy 5.2 of the London Plan (2016).</p>
28	<p>No external lighting shall be installed anywhere on the site until details of such lighting has been submitted and, and agreed in writing by, the local planning authority. Such details shall include:</p> <ul style="list-style-type: none"> a) the siting, height and appearance of the proposed lighting and any associated mounting structures; b) the type and strength of luminance of the luminaires; c) isoline (lux) diagrams; d) times and controls of illumination; e) the measures proposed to reduce light pollution; and f) the measures proposed to ensure minimal UV light emittance of luminaires. <p>The external lighting shall be installed and thereafter retained in accordance with the details so agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the development achieves a high standard of amenity in accordance with Policy 7.6 of the London Plan (2016) and Policy DM 1 of the Development Management Policies Local Plan (2013); to ensure that the development appropriately protects and enhances the biodiversity value of the site in accordance with London Plan Policy 7.19 and Local Plan Policies DM 20 and DM 21.</p>
29	<p>The development hereby permitted shall not be occupied until a full overheating analysis has been to, and agreed in writing by, the Local</p>

	<p>Planning Authority and the development shall only be completed and operated in accordance with any approval.</p> <p>REASON: To ensure that the development makes appropriate provision for the reduction in unwanted solar gains in accordance with Policy 5.9 of the London Plan (2016).</p>
30	<p>Prior to the commencement of development, a strategy shall be submitted to and approved by the Local Planning Authority demonstrating that it would be technically feasible to connect the proposed heating network to any future district heating network in the vicinity of the development, should one become available. The strategy shall include details that ensure the provision of sufficient space within the energy centre for future plant, heat exchanges, connection points to generate, export and take heat, cooling and/or electricity, and details of how the development would connect to a future district heat network (including an agreed safeguarded route for infrastructure).</p> <p>The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.</p> <p>REASON : To ensure that the development is able to provide an on-site energy centre which is capable of connecting to a site wide combined heat and power network and any future district-wide decentralised energy network, in accordance with Policies 5.5 and 5.6 of The London Plan (2015), Policy CS1.T of the Harrow Core Strategy (2012), and Policy DM13 of the Development Management Policies Local Plan (2013).</p>
31	<p>The development hereby approved shall be used for education and sports use only, and shall not be used for any other purpose, including any other use that would fall within Classes D1 or D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to those classes in any statutory instrument revoking and re-enacting that order with or without modification).</p> <p>REASON: To ensure that the transport impacts of the development are satisfactorily mitigated, in accordance with Policy 6.3 A of the London Plan (2016) and Policies DM 42 C and DM 44 C of the Harrow Development Management Policies Local Plan (2013), and in the interests of the amenities of the neighbouring occupiers in accordance with Policy DM 1 C & D of the Harrow Development Management Policies Local Plan (2013).</p>

1	<p>INFORMATIVE:</p> <p>The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and-or the Harrow Local Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:</p> <p>London Plan 2016: Policies 3.18, 3.19, 5.2, 5.3, 5.4, 5.9, 5.12, 5.13, 5.15, 5.18, 5.21, 6.3, 6.9, 6.10, 6.13, 7.2, 7.4, 7.5, 7.6, 7.8, 7.14, 7.17, 7.19, 7.21, 8.2.</p> <p>Harrow Core Strategy: CS1 A, B, C, F, G, R, U, X;CS3 A, C, D</p> <p>Harrow Development Management Policies Local Plan (2013): DM 1; DM 3; DM 7; DM 9; DM 10; DM 12; DM 15; DM16; DM 20; DM 21; DM 22; DM 42; DM 43; DM 44; DM 45; DM 46; DM 47; DM 48; DM 49, DM 50.</p> <p>Supplementary Planning Documents: Planning Obligations 2013 Harrow School 2015</p>
2	<p>INFORMATIVE:</p> <p>IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences</p> <ul style="list-style-type: none"> - 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.
3	<p>INFORMATIVE:</p> <p>In aiming to satisfy the Community Safety condition(s) the applicant should seek the advice of the Borough Crime Prevention Design Advisors (CPDA). They can be contacted through the Crime Reduction Unit, Harrow Police Station, 74 Northolt Road, Harrow, Middlesex, HA2 ODN, tel. 020 8733 3465. It is the policy of the local planning authority to consult with the</p>

	Borough CPDA in the discharging of this / these condition(s).
4	<p>INFORMATIVE:</p> <p>A Groundwater Risk Management Permit from Thames water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquires should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by e-mailing wwriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.</p>
5	<p>INFORMATIVE:</p> <p>Thames Water recommends that petro/oil interceptors be fitted in all car parking facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil polluted discharges entering local watercourses.</p>
6	<p>INFORMATIVE:</p> <p>Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. It is further recommended, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.</p>
7	<p>INFORMATIVE:</p> <p>The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:</p> <p>0800-1800 hours Monday - Friday (not including Bank Holidays)</p> <p>0800-1300 hours Saturday</p>
8	<p>INFORMATIVE:</p> <p>In June 2006 Harrow Council adopted two Supplementary Planning Documents: "Access for All" and "Accessible Homes", containing design guidelines for the provision of safe and convenient access for all disabled groups. Both documents can be viewed on the Planning pages of Harrow</p>

	Council's website.
9	<p>INFORMATIVE:</p> <p>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:</p> <ol style="list-style-type: none"> 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, <p>and that work falls within the scope of the Act.</p> <p>Procedures under this Act are quite separate from the need for planning permission or building regulations approval.</p> <p>"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:</p> <p>Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB</p> <p>Please quote Product code: 02 BR 00862 when ordering.</p> <p>Also available for download from the Portal website:</p> <p>https://www.gov.uk/party-wall-etc-act-1996-guidance</p>
10	<p>INFORMATIVE:</p> <p>The London Borough of Harrow seeks to encourage Secured by Design accreditation where appropriate. This is a national police initiative that is supported by the Home Office Crime Reduction & Community Safety Unit and the Planning Section of the DCLG. It is designed to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is recommended that the applicant apply for this award. For additional information, please contact the Borough Crime Prevention Design Advisor through the Crime Reduction Unit, Harrow Police Station, 74 Northolt Road, Harrow, Middlesex, HA2 0DN, tel. 020 8733 3465.</p>
11	<p>Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015</p> <p>This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.</p>

Date of decision : DRAFT

Yours faithfully

DRAFT


Head of Development Management and Building Control

THIS IS NOT A BUILDING REGULATION APPROVAL. YOUR ATTENTION IS PARTICULARLY DRAWN TO THE ENCLOSED NOTES WHICH SET OUT THE RIGHTS OF APPLICANTS WHO ARE AGGRIEVED BY THE DECISION BY THE LOCAL AUTHORITY.

Enquiries about the need for Building Regulations approval should be made to:

Building Control

PO Box 37, Civic Centre,

Harrow HA1 2UY

You may find the answer to your query at:

<http://www.harrow.gov.uk/buildingcontrol>

Telephone 020 8901 2650 (general enquiries)

DECISION NOTICE

P/1940/16

DN-S106_DRAFT

PLMVM182

From: [REDACTED]
Sent: 16 January 2018 17:10
To: [REDACTED]@harrow.gov.uk
Cc: [REDACTED]@patersonplanning.com; [REDACTED]@rssa.co.uk; [REDACTED]@rssa.co.uk; butcheral@harrowschool.org.uk; [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk
Subject: RE: P/1940/16 - Harrow School Sports and Science: GLA Stage 2 Referral

Many thanks [REDACTED]

I will review the documentation and get in touch if there is anything further I need.

Kind regards

[REDACTED] | Senior Strategic Planner | Development & Projects | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED]@london.gov.uk

From: [REDACTED]@harrow.gov.uk [mailto:[REDACTED]@harrow.gov.uk]
Sent: 16 January 2018 16:38
To: [REDACTED]
Cc: [REDACTED]@patersonplanning.com; [REDACTED]@rssa.co.uk; [REDACTED]@rssa.co.uk; butcheral@harrowschool.org.uk; [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk
Subject: P/1940/16 - Harrow School Sports and Science: GLA Stage 2 Referral

Dear [REDACTED]

Please find attached our formal Stage 2 Referral letter in relation to the above planning application. I also attach the draft decision notice, the draft s.106 Agreement and the Draft Community Uses Agreement.

You will have now received a copy of the external consultation responses and all submitted representations. Furthermore, you will also have received a copy of all the associated planning committee reports and associated addendums. The applicant's architect will have also provided you with a copy of all the up to date submission drawings and documents.

As such, you would have now received all the documents you require to assess the application proposals. We look forward to receiving your formal stage 2 response within 14 days.

I trust all the details are in order however should you have any queries, please do not hesitate to respond to me or my colleague, [REDACTED]

Many thanks.

Kind regards,

[REDACTED] | Principal Planning Officer
Development Management | West Team
Planning & Regeneration
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2XY

Tel: 020 8736 [REDACTED]
Email: [REDACTED]@harrow.gov.uk

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 12 February 2018 16:57
To: [REDACTED] harrow.gov.uk
Cc: [REDACTED] rssa.co.uk
Subject: RE: D&P/3820 Harrow School - Mayor's stage 2 decision

Dear [REDACTED]

We are obviously disappointed that the applicant has decided not to progress revisions to this application. However, we remain keen to discuss a revised scheme, as part of a new application, that would address the Mayor's concerns.

I have confirmed to [REDACTED] that the Mayor's decision letter of 29 Jan provides the Council with the direction it needs to issue the refusal. Nothing further is required from the Mayor/GLA in order to proceed with this.

Kind regards

[REDACTED]
[REDACTED] | Principal Strategic Planner | Development & Projects | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED] london.gov.uk

From: [REDACTED] [mailto:[REDACTED]@patersonplanning.com]
Sent: 09 February 2018 12:18
To: [REDACTED] harrow.gov.uk; [REDACTED] <[REDACTED]@london.gov.uk>
Cc: [REDACTED] rssa.co.uk
Subject: Re: D&P/3820 Harrow School - Mayor's stage 2 decision

Dear [REDACTED]

I write to request, in respect of Harrow School's application, that the Mayor formally issue his directive and that Harrow Council determine the planning application and issue the decision notice.

Kind regards

Sent from my iPhone

On 31 Jan 2018, at 09:56, "[REDACTED] harrow.gov.uk" <[REDACTED]@harrow.gov.uk> wrote:

Morning [REDACTED]

Following the GLA's Stage 2 decision and noting what they say re: withdrawing the objection, can you please confirm that you are happy for Harrow Council to proceed with a refusal.

Many Thanks

From: [REDACTED] [mailto:[REDACTED]@london.gov.uk]
Sent: 29 January 2018 17:03
To: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Cc: [REDACTED] ([REDACTED] patersonplanning.com); [REDACTED] rssa.co.uk
Subject: D&P/3820 Harrow School - Mayor's stage 2 decision

Dear all Attachment at https://www.london.gov.uk/sites/default/files/PAWS/media_id_385651/harrow_school_final_decision.pdf

Please find attached a scanned copy of the Mayor's stage 2 decision on this case.

Having carefully considered the case the Mayor has decided to direct that Harrow Council refuse the application due to impact on MOL. Notwithstanding this, the Mayor has stated (on page 2 of his decision letter) that he would be minded to withdraw this direction if the applicant were to submit revisions to the application that would propose a new sports building (of a significantly reduced footprint to that currently proposed) on the site of the existing sports hall.

We would be very keen to discuss the potential for this with the Council and the application team, before a decision notice is issued.

Kind regards

[REDACTED]

[REDACTED] [REDACTED] | Principal Strategic Planner | Development & Projects | Development,
Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED] [london.gov.uk](mailto:[REDACTED]@london.gov.uk)

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 21 February 2018 10:15
To: [REDACTED] harrow.gov.uk
Subject: RE: D&P/3820 Harrow School - Mayor's stage 2 decision

Hi [REDACTED]

Can you advise as to whether the decision notice has been issued yet?

Many thanks

[REDACTED]

[REDACTED] | Principal Strategic Planner | Development Management | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED] london.gov.uk

From: [REDACTED]
Sent: 12 February 2018 16:43
To: [REDACTED] harrow.gov.uk' <[REDACTED] harrow.gov.uk>
Subject: RE: D&P/3820 Harrow School - Mayor's stage 2 decision

Hi [REDACTED]

Yes, absolutely. The applicant has confirmed that it does not intend to submit revised plans. The Mayor's decision of 29 Jan provides the Council with the direction to issue the refusal.

There is nothing further you need from the Mayor/GLA in order to do this.

I would, nevertheless, be grateful if you could provide me with a copy of the decision notice as soon as it has been issued.

Many thanks

[REDACTED]

[REDACTED] | Principal Strategic Planner | Development & Projects | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED] london.gov.uk

From: [REDACTED] harrow.gov.uk [mailto:[REDACTED] harrow.gov.uk]
Sent: 12 February 2018 14:49
To: [REDACTED] <[REDACTED] london.gov.uk>
Subject: RE: D&P/3820 Harrow School - Mayor's stage 2 decision

Hi [REDACTED]

In response to the email below I'm preparing the decision notice for the refusal as requested by the applicant.

I'm presuming that I can issue this on the back of the Mayor's decision of 29th Jan and that we need nothing further from the GLA in order to proceed with the refusal.

Kind Regards

[REDACTED]

From: [REDACTED] [mailto:[REDACTED]@patersonplanning.com]
Sent: 09 February 2018 12:18
To: [REDACTED]
Cc: [REDACTED]@rssa.co.uk
Subject: Re: D&P/3820 Harrow School - Mayor's stage 2 decision

Dear [REDACTED] and [REDACTED],

I write to request, in respect of Harrow School's application, that the Mayor formally issue his directive and that Harrow Council determine the planning application and issue the decision notice.

Kind regards

[REDACTED]

Sent from my iPhone

On 31 Jan 2018, at 09:56, "[REDACTED]@harrow.gov.uk" <[REDACTED]@harrow.gov.uk> wrote:

Morning [REDACTED]

Following the GLA's Stage 2 decision and noting what they say re: withdrawing the objection, can you please confirm that you are happy for Harrow Council to proceed with a refusal.

Many Thanks

[REDACTED]

From: [REDACTED] [mailto:[REDACTED]@london.gov.uk]

Sent: 29 January 2018 17:03

To: [REDACTED]
Cc: [REDACTED] ([REDACTED]@patersonplanning.com); [REDACTED]@rssa.co.uk

Subject: D&P/3820 Harrow School - Mayor's stage 2 decision

Attachment at https://www.london.gov.uk/sites/default/files/PAWS/media_id_385651/harrow_school_final_decision.pdf

Dear all

Please find attached a scanned copy of the Mayor's stage 2 decision on this case.

Having carefully considered the case the Mayor has decided to direct that Harrow Council refuse the application due to impact on MOL. Notwithstanding this, the Mayor has stated (on page 2 of his decision letter) that he would be minded to withdraw this direction if the applicant were to submit revisions to the application that would propose a new sports building (of a significantly reduced footprint to that currently proposed) on the site of the existing sports hall.

We would be very keen to discuss the potential for this with the Council and the application team, before a decision notice is issued.

Kind regards

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/M5450/W/18/3208434

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr [REDACTED]
Company/Group Name	The Keepers and Governors of the Free Grammar School of John Lyon (Harrow School)
Address	The Keepers and Governors of the Free Grammar School of John Lyon Harrow School, The Bursary, 5 High Street HARROW HA1 3HP
Email	[REDACTED]@harrowschool.org.uk
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name	Mr [REDACTED]
Company/Group Name	Rivington Street Studio
Address	28 Navigation Road LONDON E3 3TG
Phone number	020 7739 [REDACTED]
Email	[REDACTED]rssa.co.uk
Your reference	P/1940/16
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	London Borough of Harrow
--------------------------------------	--------------------------

LPA reference number	P/1940/16
Date of the application	29/04/2016
Did the LPA validate and register your application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Did the LPA issue a decision?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Date of LPA's decision	13/02/2018

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does the appeal relate to an existing property?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Address	Harrow School Sports & Science Buildings Off Football Lane Harrow
Is the appeal site within a Green Belt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please enter details of the proposed development. This should normally be taken from the planning application form.	
DEMOLITION OF EXISTING BUILDINGS: EXISTING SPORTS BUILDING, PEEL HOUSE, MUSEUM COTTAGE, GARDENERS COMPOUND, BOYER WEBB PAVILION, PAVILION NEXT TO THE ATHLETICS TRACK; CONSTRUCTION OF NEW SPORTS BUILDING OVER 3 LEVELS (7269 SQM); NEW SCIENCE BUILDING OVER 3 LEVELS (3675 SQM); NEW LANDSCAPING CORE FROM EXISTING CHAPEL TERRACE TO THE ATHLETICS TRACK AT THE BASE OF HILL; NEW VISITORS CAR PARKING ON FOOTBALL LANE ADJACENT TO MATHS AND PHYSICS SCHOOL BUILDINGS; REROUTING AND RE-GRADING OF PRIVATE ACCESS ROAD; ALTERATIONS TO LANDSCAPING AND SERVICING FOR DINING HALL; RELOCATION OF MULTI USE GAMES AREA FOR MORETONS BOARDING HOUSE TO SOUTH WEST OF DINING HALL (Updated Metropolitan Open Land Approach Statement and Revised Community Uses Agreement submitted)	
Area (in hectares) of the whole appeal site [e.g. 1234.56]	4.7 hectare(s)
Area of floor space of proposed development (in square metres)	10944 sq metre(s)
Does the proposal include demolition of non-listed buildings within a conservation area?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:	
1. Refused planning permission for the development.	<input checked="" type="checkbox"/>

2. Refused permission to vary or remove a condition(s). ☐
3. Refused prior approval of permitted development rights. ☐
4. Granted planning permission for the development subject to conditions to which you object. ☐
5. Refused approval of the matters reserved under an outline planning permission. ☐
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object. ☐
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above). ☐
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation. ☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐
2. Hearing ☐
3. Inquiry ☒

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

☒ the box below

1. There is a clear need for the evidence to be tested through formal questioning by an advocate:
 - a). Harrow Council resolved to grant planning permission for the development; this was after the GLA/London Mayor Stage 1 decision supported the development and after Harrow Council had been in continual contact with GLA officers post stage1 concerning in particular the CUA (Community Use Agreement) which was regarded by the GLA/Mayor at Stage1 to constitute Very Special Circumstances (VSC);
 - b). the GLA /Mayor at stage 2 without good reason reversed his Stage 1 decision on critical matters in particular what constituted VSC including the CUA and the MOL policy extension land and directed refusal on such grounds;
 - c)The decision made at stage 2 by the GLA/Mayor to require that the location of the proposed development be on the site of the existing sports centre was unjustified and unsupported by the evidence.
2. The appeal has generated substantial local interest more than sufficient to warrant an inquiry as opposed to dealing with the appeal by a hearing, including 1503 objections received by the Council at the planning application stage in 2017. The appellant will demonstrate through calling expert evidence that such objections are unfounded or able to be sufficiently mitigated or avoided.

(a) How many witnesses do you intend to call?

5

(b) How long do they need to give their evidence?

4 days including cross-examination

(c) How long do you estimate the inquiry will last?

8 day(s)

H. FULL STATEMENT OF CASE

☒ [see 'Appeal Documents' section](#)

Do you have a separate list of appendices to accompany your full statement of case? Yes ☒ No ☐

☒ [see 'Appeal Documents' section](#)

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes ☒ No ☐

☒ [see 'Appeal Documents' section](#)

(b) Have you made a costs application with this appeal? Yes ☐ No ☒

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates; ☒

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below: ☐

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below. ☐

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding. ☒

(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant. ☐

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below. ☐

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA. ☒

02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form). ☐

03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. ☒

04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. ☒

05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The ☒

plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA. ☒

05.(c) A list of all plans, drawings and documents upon which the LPA made their decision. ☒

06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application. ☐

06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application. ☐

07. A copy of the design and access statement sent to the LPA (if required). ☒

08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. ☒

09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion. ☒

09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA. ☒

10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. ☒

11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:

(a) the relevant outline application; ☐

(b) all plans sent at outline application stage; ☐

(c) the original outline planning permission. ☐

12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐

13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☒

14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application. ☐

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes

☐ No



L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Mr [REDACTED]

Date

01/08/2018 17:15:26

Name

Mr [REDACTED]

On behalf of

Mr [REDACTED]

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under Privacy Statement.

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	APP-H-0001 STATEMENT OF CASE @A4.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A separate list of appendices to accompany your full statement of case
File name:	APP-H-0001 SoC APPENDIX 2 - APP-H-0004 ARCHITECTURAL DESIGN STATEMENT - pt3of4 - Appendix B @A3.pdf
File name:	APP-H-0001 SoC APPENDIX 2 - APP-H-0004 ARCHITECTURAL DESIGN STATEMENT - pt1of4 @A4.pdf
File name:	APP-H-0001 SoC APPENDIX 4 - APP-H-0025 CONSERVATION IMPACTS - pt2of4 - Appendix A @A4.pdf
File name:	APP-H-0001 SoC APPENDIX 3 - APP-H-0005 LANDSCAPE DESIGN STATEMENT @A4.pdf
File name:	APP-H-0001 SoC APPENDIX 2 - APP-H-0004 ARCHITECTURAL DESIGN STATEMENT - pt4of4 - Appendix C @A3.pdf
File name:	APP-H-0001 SoC APPENDIX 2 - APP-H-0004 ARCHITECTURAL DESIGN STATEMENT - pt2of4 - Appendix A @A3.pdf
File name:	APP-H-0001 SoC APPENDIX 4 - APP-H-0025 CONSERVATION IMPACTS - pt1of4 - @A4.pdf
File name:	APP-H-0001 SoC APPENDIX 4 - APP-H-0025 CONSERVATION IMPACTS - pt3of4 - Appendix B @A3.pdf
File name:	APP-H-0001 SoC APPENDIX 4 - APP-H-0025 CONSERVATION IMPACTS - pt4of4 - Appendix B @A3.pdf
File name:	APP-H-0001 SoC APPENDIX 1 - SITE LOCATION PLAN @A4.pdf
File name:	APP-H-0001 SoC APPENDIX 6 - LIST OF APPEAL LIBRARY DOCUMENTS.pdf
File name:	APP-H-0001 SoC APPENDIX 5 - APP-H-0101 VISUAL IMPACT ASSESSMENT UPDATE - pt2of2 @A3.pdf
File name:	APP-H-0001 SoC APPENDIX 5 - APP-H-0101 VISUAL IMPACT ASSESSMENT UPDATE - pt1of2 @A3.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A planning obligation (a section 106 agreement or a unilateral undertaking).
File name:	APP-H-0002 SoCG APPENDIX 2 - APP-H-0003 DRAFT S106 UU INC DRAFT CUA @A4.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	APP-E-0001 PLANNING APPLICATION - FORM @A4.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	APP-G-0006 GLA STAGE 2 LETTER AND REPORT @A4.pdf
File name:	APP-G-0007 REFUSAL OF PLANNING PERMISSION REF P-1940-16 @A4.pdf
Relates to Section:	SUPPORTING DOCUMENTS

Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	P_05_01 OWNERSHIP SITE BOUNDARY PLAN 1-5000@A3.pdf
File name:	P_05_02 SITE LOCATION PLAN 1-2500@A3.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	APP-E-0121 BREEAM PRE-ASSESSMENT REPORT @A4.pdf
File name:	APP-E-0111 DRAFT CONSTRUCTION LOGISTICS PLAN @A4.pdf
File name:	APP-E-0114 SUSTAINABLE TRAVEL STATEMENT @A4.pdf
File name:	APP-E-0119 ARBORICULTURE PHASE 2 IMPACT ASSESSMENT @A4.pdf
File name:	APP-E-0122 GEOTECHNICAL AND GEOENVIRONMENTAL INVESTIGATION REPORT @A4 - pt1of5.pdf
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 05.zip
File name:	APP-E-0122 GEOTECHNICAL AND GEOENVIRONMENTAL INVESTIGATION REPORT @A4 - pt5of5.pdf
File name:	APP-E-0112 CIVIL AND STRUCTURAL ENGINEERING PLANNING DOCS @A3.pdf
File name:	APP-E-0116 ARCHAEOLOGICAL EVALUATION REPORT @A4.pdf
File name:	APP-E-0122 GEOTECHNICAL AND GEOENVIRONMENTAL INVESTIGATION REPORT @A4 - pt3of5.pdf
File name:	APP-E-0113 TRANSPORT ASSESSMENT @A4.pdf
File name:	APP-E-0105 PLANNING STATEMENT @A4.pdf
File name:	APP-E-0115 ARCHAEOLOGICAL IMPACT ASSESSMENT @A4.pdf
File name:	APP-E-0101 DRAWINGS_28-90.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 28 - pt1of2.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 13 - pt2of2.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - Landscape - pt2of2.zip
File name:	APP-E-0120 BIODIVERSITY ECOLOGY REPORTS @A4.pdf
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 28 - pt2of2.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 13 - pt1of2.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 14 - pt4of4.zip
File name:	APP-E-0101 DRAWINGS_14_pt1of2.zip
File name:	APP-E-0207 VISUAL IMPACT ASSESSMENT revA Superseded @A3 - pt2of2.pdf
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 110 - pt6of6.zip
File name:	APP-E-0205 DAS LANDSCAPE REPORT Superseded @A3.pdf
File name:	APP-E-0122 GEOTECHNICAL AND GEOENVIRONMENTAL INVESTIGATION REPORT @A4 - pt2of5.pdf
File name:	APP-E-0101 DRAWINGS_14_pt2of2.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 110 - pt1of6.zip
File name:	APP-E-0109 HERITAGE STATEMENT @A3.pdf
File name:	APP-E-0201 SUPERSEDED DRAWINGS - Landscape - pt1of2.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 110 - pt5of6.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 12 - pt1of2.zip
File name:	APP-E-0122 GEOTECHNICAL AND GEOENVIRONMENTAL INVESTIGATION REPORT @A4 - pt4of5.pdf
File name:	APP-E-0207 VISUAL IMPACT ASSESSMENT revA Superseded @A3 - pt1of2.pdf
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 14 - pt1of4.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 12 - pt2of2.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 14 - pt2of4.zip

File name:	APP-E-0201 SUPERSEDED DRAWINGS - 110 - pt3of6.zip
File name:	APP-E-0101 DRAWINGS_05-13.zip
File name:	APP-E-0206 VISUAL IMPACT ASSESSMENT Superseded @A3.pdf
File name:	APP-E-0108 VISUAL IMPACT ASSESSMENT revB @A3 - pt2of2.pdf
File name:	APP-E-0101 LANDSCAPE DRAWINGS pt1of2.zip
File name:	APP-E-0108 VISUAL IMPACT ASSESSMENT revB @A3 - pt1of2.pdf
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 110 - pt2of6.zip
File name:	APP-E-0101 LANDSCAPE DRAWINGS pt2of2.zip
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 14 - pt3of4.zip
File name:	APP-E-0101 DRAWINGS_110_pt1of3.zip
File name:	APP-E-0110 FLOOD RISK ASSESSMENT @A4.pdf
File name:	APP-E-0201 SUPERSEDED DRAWINGS - 110 - pt4of6.zip
File name:	APP-E-0101 DRAWINGS_110_pt2of3.zip
File name:	APP-E-0101 DRAWINGS_110_pt3of3.zip
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	APP-E-0101 PLANNING APPLICATION - DOCUMENT & DRAWING REGISTER @A4.pdf
File name:	APP-E-0102 PLANNING APPLICATION - DOCUMENT & DRAWING REGISTER - April 2016 @A4.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
File name:	APP-E-0101 PLANNING APPLICATION - DOCUMENT & DRAWING REGISTER @A4.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	APP-E-0107 DAS LANDSCAPE REPORT @A3.pdf
File name:	APP-E-0104 PLANNING APPLICATION UPDATE REPORT SEPT 2016 @A3.pdf
File name:	APP-E-0106 DESIGN AND ACCESS STATEMENT @A3 - pt4of4.pdf
File name:	APP-E-0106 DESIGN AND ACCESS STATEMENT @A3 - pt2of4.pdf
File name:	APP-E-0106 DESIGN AND ACCESS STATEMENT @A3 - pt3of4.pdf
File name:	APP-E-0106 DESIGN AND ACCESS STATEMENT @A3 - pt1of4.pdf
File name:	APP-E-0103 PLANNING APPLICATION UPDATE REPORT JAN 2017 - pt1of2 @A3.pdf
File name:	APP-E-0103 PLANNING APPLICATION UPDATE REPORT JAN 2017 - pt2of2 @A3.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	08. A copy of a draft statement of common ground.
File name:	APP-H-0002 SoCG APPENDIX 1 - SITE LOCATION PLAN @A4.pdf
File name:	APP-H-0002 SoCG APPENDIX 2 - APP-H-0003 DRAFT S106 UU INC DRAFT CUA @A4.pdf
File name:	APP-H-0002 STATEMENT OF COMMON GROUND @A4.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	09.a. Copies of additional plans, drawings or documents relating to the application not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
File name:	APP-H-0012 SCIENCE CURRICULUM NEED ASSESSMENT @A4.pdf
File name:	APP-H-0013 SCIENCE COMMUNITY USE SCOPING EXERCISE @A4.pdf
File name:	APP-H-0014 FLOOR SPACE DEMAND @A3.pdf
File name:	APP-H-0024 TEMPORARY SPORTS FACILITIES @A4.pdf
File name:	APP-H-0026 PUBLIC RIGHTS OF WAY - pt1of3 @A4.pdf
File name:	APP-H-0026 PUBLIC RIGHTS OF WAY - pt2of3 - Appendix A @A3.pdf

File name:	APP-H-0026 PUBLIC RIGHTS OF WAY - pt3of3 - Appendix B @AA.pdf
File name:	APP-H-0027 SURFACE WATER DRAINAGE STRATEGY @A4.pdf
File name:	APP-H-0028 BUILDING LEVELS @A4.pdf
File name:	APP-H-0029 CONSULTATION SUMMARY - pt1of2 @4.pdf
File name:	APP-H-0029 CONSULTATION SUMMARY - pt2of2 - Appendix A @A4.pdf
File name:	APP-H-0104 CONSTRUCTION LOGISTICS PLAN @A4.pdf
File name:	APP-H-0201 ECOLOGICAL ASSESSMENT @A4.pdf
File name:	APP-H-0203 BAT EMERGENCE SURVEY - MORETONS @A4.pdf
File name:	APP-H-0208 REPTILE SURVEY @A4.pdf
File name:	APP-H-0205 BAT TREE CLIMBING ASSESSMENT @A4.pdf
File name:	APP-H-0202 BAT EMERGENCE SURVEY - SPORTS & SCIENCE @A4.pdf
File name:	APP-H-0207 GREAT CRESTED NEWT SURVEY @A4.pdf
File name:	APP-H-0206 BREEDING BIRDS SURVEY @A4.pdf
File name:	APP-H-0204 BAT ASSESSMENT OF TREES @A4.pdf
File name:	APP-J-0101 RELEVANT GLA REPORT - BOLDER ACADEMY @A4.pdf
File name:	APP-H-0023 SITE OPTIONS SUMMARY @A3.pdf
File name:	APP-H-0021 EXTG SPORTS BDG SUITABILITY & CONDITION REPORT - pt3of5 - Appendix B @A4.pdf
File name:	APP-H-0022 EXTG SCIENCE BDG SUITABILITY & CONDITION REPORT - pt2of4 - Appendix A @A4.pdf
File name:	APP-H-0022 EXTG SCIENCE BDG SUITABILITY & CONDITION REPORT - pt3of4 - Appendix B @A3.pdf
File name:	APP-H-0021 EXTG SPORTS BDG SUITABILITY & CONDITION REPORT - pt5of5 - Appendix D @A4.pdf
File name:	APP-H-0021 EXTG SPORTS BDG SUITABILITY & CONDITION REPORT - pt2of5 - Appendix A @A4.pdf
File name:	APP-H-0022 EXTG SCIENCE BDG SUITABILITY & CONDITION REPORT - pt4of4 - Appendix C @A4.pdf
File name:	APP-H-0022 EXTG SCIENCE BDG SUITABILITY & CONDITION REPORT - pt1of4 @A3.pdf
File name:	APP-H-0021 EXTG SPORTS BDG SUITABILITY & CONDITION REPORT - pt4of5 - Appendix C @A3.pdf
File name:	APP-H-0211 PHASE 2 ARBORICULTURAL IMPACT ASSESSMENT @A4.pdf
File name:	APP-J-0102 RELEVANT GLA REPORT - DUKES MEADOW @A4.pdf
File name:	APP-H-0021 EXTG SPORTS BDG SUITABILITY & CONDITION REPORT - pt1of5 @A3.pdf
File name:	APP-H-0011 SPORTS FACILITIES NEEDS ASSESSMENT @A4.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	09.b. A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
File name:	20180801 Appeal Document Register - Appeal Docs only.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	10. Any relevant correspondence with the LPA, including any supporting information submitted with your application in accordance with the list of local requirements.
File name:	APP-F-0104 CORRESPONDENCE WITH HIGHWAYS @A4.pdf
File name:	APP-F-0103 CORRESPONDENCE WITH HISTORIC ENGLAND @A4.pdf
File name:	APP-F-0102 CORRESPONDENCE WITH GLA @A4.pdf
File name:	APP-F-0301 GLA STAGE 2 PACKAGE @A4.pdf
File name:	APP-F-0101 CORRESPONDENCE WITH HARROW COUNCIL @A4.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	13. A copy of any Environmental Statement plus certificate and notices relating to publicity (if one was sent with the application, or required by the LPA).
File name:	APP-E-0117 PLANNING ENERGY STATEMENT @A4.pdf
File name:	APP-E-0118 SUSTAINABILITY STATEMENT @A4.pdf

Completed by

MR [REDACTED] [REDACTED]

Date

01/08/2018 17:15:26

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY Harrow School

**SITE AT Harrow School Sports and Science Buildings, off Football Lane,
Harrow, HA1 3HP**

Inspector: TBC

ACTION	TIMETABLE
Start date	20 August 2018
Submission of questionnaire	3 September 2018
Deadline for comments from interested parties	1 October 2018
Submission of statement of case (Local Planning Authority)	1 October 2018
Submission of statement of common ground	No later than 8 weeks before Inquiry
Submission of proofs of evidence	4 weeks before Inquiry
Witness names and anticipated duration for: <ul style="list-style-type: none"> • opening and closing statements • evidence in chief • cross examination of other parties' witnesses Copy of LPA event notification letter	3 weeks before Inquiry
Inquiry (time, date and venue)	
Estimated number of sitting days	
Decision issued on or before (Inspector decided cases)	TBA ¹

¹ The target date for issue of the decision will be confirmed within 4 working days of the close of the inquiry.



The Planning Inspectorate

3/J Kite Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 [REDACTED]

Customer Services:
0303 444 5000

Email: [REDACTED]@pins.gsi.gov.uk

www.gov.uk/planning-inspectorate

Appeals Administrator
London Borough of Harrow
Dept Of Development Services
P O Box 37
Civic Centre
Harrow
Middx
HA1 2UY

Your Ref: P/1940/16

Our Ref: APP/M5450/W/18/3208434

20 August 2018

Dear Sir/Madam,

Town and Country Planning Act 1990

Appeal by The Keepers and Governors of the Free Grammar School of John Lyon (Harrow School)

Site Address: Harrow School Sports & Science Buildings, Off Football Lane, Harrow, HA1 3HP

I have received appeal form(s) and documents for this site. I am the case officer.

I have checked the papers and confirm that the appeal(s) is valid. If I find out later that this is not the case, I will write to you again.

The date of this letter is the starting date for the appeal(s).

We have decided that the appeal(s) should follow the inquiry procedure. As the inquiry is likely to have a duration of 3 days or more, the appeal(s) will follow our bespoke inquiry procedures. Guidance about bespoke programming of appeals can be found at the following link https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/463405/procedural_guide_planning_appeals.pdf. Attached is the format for the bespoke programme. Please suggest dates for those actions which have not been greyed out. It would be helpful if 2 agreed inquiry dates could be provided. **Please avoid w/c 4, 11 & 18 March 2019.**

NB: As an agreed bespoke programme has not been submitted with the appeal(s) provisional dates for the LPA's Questionnaire and Statement of Case and the final Statement of Common Ground are enclosed. Any changes to these dates should be agreed between all parties.

With regard to the anticipated inquiry duration the parties are requested to provide a well informed estimate (ie including Counsel's input) of time required for their own case and to liaise with one another to see how many witnesses each confidently proposes to field and how long they expect cross examination of one another's witnesses will require. The parties should also factor in a reasonable assessment of 3rd party interest, that the Statement of Common Ground will minimise the areas that need to be covered at the

inquiry and that the duration should include the time that will be needed for the Inspector to carry out any accompanied site visit. The reason for this level of detail at this stage is to enable accurate forward programming of the Inspector's time, and to seek to ensure, as far as possible, that the risk of adjournment caused by underestimation of the inquiry duration is minimised.

You have 2 weeks from the date of this letter in which you can submit a programme agreed with the appellant(s).

If you do not wish to agree a programme please let me know within the 2 week period. If that is the case, or a programme is submitted which we find unacceptable, we may impose our own programme for this appeal(s).

Within 2 weeks of the date of this letter you must notify any statutory parties and any other interested persons who made representations to you about the application(s), that the appeal(s) has been made. You should tell them that: -

- i) any comments they made at application stage will be submitted to the Planning Inspectorate and if they want to make any additional comments, they must submit 3 copies of them to me within 6 weeks of the date of this letter i.e. **by 1 October 2018**. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;
- ii) when and where the appeal documents will be available for inspection;
- iii) that the Planning Inspectorate will not acknowledge representations. We will however ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal(s);
- iv) that they can get a copy of our booklet 'Guide to taking part in planning appeals proceeding by an inquiry' either free of charge from you or on your website, or on GOV.UK - <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>; and
- v) that the decision will be published on GOV.UK.

Please send a copy of the notification letter to me.

Where a new local policy has been adopted at any point following the LPA decision but before the appeal(s) decision is issued you must inform PINS and outline its effect on this appeal(s).

Costs

Costs can be awarded in this type of appeal. Details of this can be found on GOV.UK - <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>. You are advised to read this guidance very carefully as it contains important information about how one party to an appeal might have to pay another party's costs.

You should be aware that withdrawal at any stage in the proceedings, without good reason, may result in a successful application for costs. A successful application is also possible

should an event be adjourned because of the submission of late evidence.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

If you have any questions, please contact me.

Yours sincerely,

A black rectangular redaction box covering the signature of the sender.

Enclosures: bespoke programme

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>

Rivington Street Studio
23 Curtain Road
Shoreditch
London
EC2A 3LT

TOWN & COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Ref: P/1940/16

With reference to the application received on 20 April 2016 accompanied by Drawing(s)
Refer to Informative No.2

For: DEMOLITION OF EXISTING BUILDINGS: EXISTING SPORTS BUILDING, PEEL HOUSE, MUSEUM COTTAGE, GARDENERS COMPOUND, BOYER WEBB PAVILION, PAVILION NEXT TO THE ATHLETICS TRACK; CONSTRUCTION OF NEW SPORTS BUILDING OVER 3 LEVELS (7269 SQM); NEW SCIENCE BUILDING OVER 3 LEVELS (3675 SQM); NEW LANDSCAPING CORE FROM EXISTING CHAPEL TERRACE TO THE ATHLETICS TRACK AT THE BASE OF HILL; NEW VISITORS CAR PARKING ON FOOTBALL LANE ADJACENT TO MATHS AND PHYSICS SCHOOL BUILDINGS; RE-ROUTING AND RE-GRADING OF PRIVATE ACCESS ROAD; ALTERATIONS TO LANDSCAPING AND SERVICING FOR DINING HALL; RELOCATION OF MULTI USE GAMES AREA FOR MORETONS BOARDING HOUSE TO SOUTH WEST OF DINING HALL (Updated Metropolitan Open Land Approach Statement and Revised Community Uses Agreement submitted)

At: Harrow School Sports and Science Buildings, Off Football Lane, Harrow, HA1 3EA

HARROW COUNCIL, the Local Planning Authority,

REFUSES permission in accordance with the development described in the application and submitted plans for the following reason(s):

- | | |
|---|---|
| 1 | <p>The proposed sports building is inappropriate development within Metropolitan Open Land and causes substantial harm to the openness of the Metropolitan Open Land - by reason of its excessive footprint and its location.</p> <p>The harm to the Metropolitan Open Land by reason of the proposed inappropriate development, and the harm to openness, to which substantial weight is attached, is not clearly outweighed by other considerations. Very special circumstances do not exist. The proposed sports building is contrary to London Plan Policy 7.17, Policy G3 of the draft London Plan, Core Policy 1 of the Harrow Core Strategy, Policy DM16 of the Harrow Development Management Policies DPD and the National Planning Policy Framework.</p> |
|---|---|

1	<p>The following policies are relevant to this decision:</p> <p>National Planning Policy Framework (2012)</p> <p>The Draft London Plan (2017)</p> <p>Draft Policies: G3</p> <p>The London Plan (2016):</p> <p>Policy 7.17</p> <p>The Harrow Core Strategy (2012)</p> <p>Core Policies CS1</p>
2	<p>P.05.01 ; P.05.02; P.10.02; P.10.11; P.10.14; P.10.17; P.10.25; P.11.01; P.12.01 B; P.12.02 B; P.12.10 B; P.12.11 B; P.12.12 B; P.12.13 B; P.12.14 B; P.12.20 B; P.12.21 B; P.12.22 B; P.12.23 B; P.12.24 B; P.12.25 B; P.12.26 B; P.12.27 B; P.12.30 A; P.12.31 A; P.12.32 A; P.12.33 A; P.13.01A; P.13.04 A; P.13.20 A; P.13.21 A; P.13.22 A; P.13.23 A; P.13.24 A; P.13.25 A; P.13.30 A; P.13.31 A; P.13.32 A; P.13.33 A; P.13.35 A; P.13.50A; P.13.51 A; P.13.52 A; P.13.53 A; P.13.54 A; P.14.01 B; P.14.10 B ; P.14.15 B; P.14.16 B; P.14.17B; P.14.18 A; P.14.25 B; P.14.26 B; P.14.31 A; P.14.32 A; P.14.33 A; P.14.34 B; P.14.35 B; P.14.40 B; P.14.41 B; P.14.42 B; P.14.43 B; P.14.44 B; P.14.45 B; P.14.46 A; P.14.47 B; P.14.48 A; P.14.49 B; P.14.50 A; P.14.51 A; P.14.52 A; P.14.53 A; P.14.54 A; P.14.55 A; P.14.60 A; P.14.65 A; P.14.70 A; P.28.10 A; P.28.11 A; P.28.12 B; P.28.13 B; P.28.14 B; P.28.15 A; P.28.16 B; P.28.17 A; P.28.22 A; P.28.30 A; P.28.31 A; P.28.32 A; P.28.33 A; P.28.35 A; P.28.36 A; P.90.10; P.90.11; P.90.12; P.90.20; P.90.21; P.90.22; P.90.25; P.90.26; P.90.27; P.90.28; P.90.30; P.90.32; P.110.01 A; P.110.02 A; P.110.03 B; P.110.04 B; P.110.05 B; P.110.06 B; P.110.07 A; P.110.08 B; P.110.09 B; P.110.10 A; P.110.11 A; P.110.12 B; P.110.13 A; P.110.14 B; P.110.15; P.110.22; P.110.23 A; P.110.24 A; P.110.25 A; P.110.26 A; P.110.28 A; P.110.30; P.110.31; P.110.32 A; P.110.41; P.110.42; P.110.43; P.110.44; P.110.45; P.110.46; P.110.47; 90.20 A; 90.21 A; 90.30 A; 90.31 A; 90.40 A; 90.41 A; 90.50 A; 90.51 A; P.05.12; Planning Statement by Paterson Planning (April 2016), Design & Access Statement by Rivington Street Studio (April 2016), Landscape Report by Rivington Street Studio & Tyrens UK (March 2016), Visual Impact Assessment Rev A by Rivington Street Studio (September 2016), Arboricultural Report by Arbol Euroconsulting (4 March 2016), Transport and Servicing Assessment; Transport Assessment by David Tucker Associates (4 April 2016), Energy</p>

	Statement by Buro Happold En
3	Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015 This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. The application was not in accordance with the advice given at the pre-application stage.

Date of decision: 13 February 2018

Yours faithfully



Head of Development Management and Building Control

Decision Notice Notes are available at
www.Harrow.gov.uk in the Planning section, Planning Documents Decision Notice Notes

Your attention is particularly drawn to the above notes that set out the rights of applicants who are aggrieved by the decision of the Local Planning Authority.

Enquiries about the need for Building Regulations approval should be made to:

Building Control
PO Box 37, Civic Centre,
Harrow
HA1 2UY

You may find the answer to your query at: <http://www.harrow.gov.uk/buildingcontrol>
Telephone 020 8901 2650 (general enquiries)

DN-DFU-REF
PLMVM314

MAYOR OF LONDON

■■■■■
Divisional Director, Regeneration and Planning
Harrow Council
PO Box 37
Civic Centre
Station Road
London HA1 2UY

Our ref: D&P/3820/GC/04
Your ref: P/1940/16
Date: 29 January 2018

For the attention of: ■■■■■ ■■■■■ (case officer)

Dear Mr ■■■■■

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008
Harrow School, Harrow on the Hill, London HA13EA
Local planning authority reference: P/1940/16

I refer to your letter of 16 January 2018 informing me that Harrow Council is minded to grant planning permission for the above application. I refer you also to the notice that was issued on 26 January 2018 under the provisions of article 5(1)(b)(i) of the above Order.

I have now considered a report on this case, reference D&P/3820/02 (copy enclosed). Whilst I recognise that the application responds to the curriculum requirements of the school and would deliver public benefits through the proposed community use agreement, in my view the proposed footprint and location of the sports building would result in the unacceptable sprawl of inappropriate development in Metropolitan Open Land. On balance, I consider that the potential harm to Metropolitan Open Land would not be outweighed.

I therefore direct you to refuse planning permission, under the powers conferred on me by Article 6 of the above Order. My reason is as follows:

i. Inappropriate development on Metropolitan Open Land

The proposed sports building is inappropriate development within Metropolitan Open Land and causes substantial harm to the openness of the Metropolitan Open Land - by reason of its excessive footprint and its location. The harm to Metropolitan Open Land by reason of the proposed inappropriate development, and the harm to openness, to which substantial

weight is attached, is not clearly outweighed by other considerations. Very special circumstances do not exist. The proposed sports building is contrary to London Plan Policy 7.77, Policy G3 of the draft London Plan, Core Policy 1 of the Harrow Core Strategy, Policy DM 16 of the Harrow Development Management Policies DPD and the National Planning Policy Framework.

[REDACTED]
[REDACTED]

From: [REDACTED] harrow.gov.uk
Sent: 09 August 2018 16:21
To: [REDACTED]
Cc: [REDACTED] harrow.gov.uk
Subject: RE: Harrow School Sports and Science

Hi [REDACTED]
If I don't manage to speak to you today, please give [REDACTED] [REDACTED] a call tomorrow on 020 8736 [REDACTED].
Many thanks
[REDACTED]

From: [REDACTED]
Sent: 09 August 2018 11:41
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Harrow School Sports and Science

Hi [REDACTED]
I just tried to give you a call there and left a message for you. Please give me a call back when you are free if possible today as I am not in the office tomorrow.
Many thanks
[REDACTED]
[REDACTED]

West Area Team Leader
Development Management
Regeneration, Enterprise & Planning
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2UY
Tel: 020 8736 [REDACTED]
email: [REDACTED] [harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

From: [REDACTED]
Sent: 09 August 2018 10:56
To: [REDACTED]
Subject: RE: Harrow School Sports and Science

Hi [REDACTED]
Thanks for coming back to me. Please see the DN attached. I will attempt to give you a call at around 11.15am
Regards
[REDACTED]
[REDACTED]

West Area Team Leader
Development Management
Regeneration, Enterprise & Planning
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2UY
Tel: 020 8736 [REDACTED]
email: [REDACTED] [harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

From: [REDACTED] [mailto:[REDACTED]@london.gov.uk]
Sent: 08 August 2018 18:54
To: [REDACTED]
Subject: RE: Harrow School Sports and Science

Hi [REDACTED]
Thanks for the update on this.
Sorry for the delay in coming back, I've been in meetings most of the day. Would be good to catch up on this.
Would Thursday 11/11:30 work for a call to discuss?
It would also be helpful if you could send over a copy of the final decision notice.
Many thanks

[REDACTED]
[REDACTED] | Principal Strategic Planner | Development Management | Development, Enterprise & Environment

GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED]@london.gov.uk

From: [REDACTED]@harrow.gov.uk <[REDACTED]@harrow.gov.uk>
Sent: 08 August 2018 11:03
To: [REDACTED] <[REDACTED]@london.gov.uk>
Subject: Harrow School Sports and Science

Hi [REDACTED]
I hope you are well.
Harrow School have submitted an appeal to PINs. We are unsure of the process for dealing with this seeing as the decision to refuse planning permission was the GLA's decision under stage 2 rather than a LPA one. None of us have been in this position before and a steer would be gratefully received.
I was wondering if you would be available to have a chat today or tomorrow please? I can give you a call if you send me through your number. If you aren't the right person then please point me in the right direction.
Kind regards

[REDACTED]
[REDACTED]
West Area Team Leader
Development Management
Regeneration, Enterprise & Planning
London Borough of Harrow
PO Box 37 | Civic Centre | Station Road
Harrow | Middlesex | HA1 2UY
Tel: 020 8736 [REDACTED]
email: [REDACTED]@harrow.gov.uk

From: [REDACTED] harrow.gov.uk
Sent: 24 August 2018 16:42
To: [REDACTED]
Subject: Accepted: Harrow School - GLA/LBH meeting

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Click [here](#) to report this email as spam.

[REDACTED]

From: [REDACTED]
Sent: 24 August 2018 16:18
To: [REDACTED] harrow.gov.uk
Cc: [REDACTED] harrow.gov.uk; [REDACTED] harrow.gov.uk; [REDACTED]
Subject: RE: Appeal at: Harrow School, Harrow on the Hill - Your ref: D&P/3820/01

Thanks [REDACTED] likewise.

Kind regards

[REDACTED]

From: [REDACTED] harrow.gov.uk <[REDACTED] harrow.gov.uk>
Sent: 24 August 2018 16:07
To: [REDACTED] <[REDACTED] london.gov.uk>
Cc: [REDACTED] harrow.gov.uk; [REDACTED] harrow.gov.uk; [REDACTED] <[REDACTED] london.gov.uk>; [REDACTED] <[REDACTED] tfl.gov.uk>; [REDACTED] <[REDACTED] tfl.gov.uk>
Subject: RE: Appeal at: Harrow School, Harrow on the Hill - Your ref: D&P/3820/01

Hi [REDACTED]

Yes that would be fine. Look forward to meeting you then.

Regards

[REDACTED]

From: [REDACTED] [mailto:[REDACTED] london.gov.uk]
Sent: 24 August 2018 15:53
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Appeal at: Harrow School, Harrow on the Hill - Your ref: D&P/3820/01

Hi [REDACTED]

Unfortunately I will be on leave w/c 10 sept. Would 9:00 on 6th work?

Kind regards

[REDACTED]

[REDACTED] | Principal Strategic Planner | Development Management | Development, Enterprise & Environment
GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED] london.gov.uk

From: [REDACTED] harrow.gov.uk <[REDACTED] harrow.gov.uk>
Sent: 24 August 2018 14:58
To: [REDACTED] <[REDACTED] london.gov.uk>
Cc: [REDACTED] harrow.gov.uk; [REDACTED] harrow.gov.uk; [REDACTED] <[REDACTED] london.gov.uk>;

[redacted] <[redacted]@tfl.gov.uk>; [redacted] <[redacted]@tfl.gov.uk>

Subject: RE: Appeal at: Harrow School, Harrow on the Hill - Your ref: D&P/3820/01

Hi [redacted]

[redacted] is away on 7th September. We are both available on 10th and 11th September and would be happy to meet at City Hall. Please let me know if you are available on these dates.

Thanks

**Senior Planning Officer
(West Team)**

Planning, Regeneration & Enterprise
London Borough of Harrow

Civic 1 | 4th Floor | North Wing | Harrow | HA1 2XF

ext: [redacted] | tel: 020 8736 [redacted] email: [redacted]@harrow.gov.uk

web: <http://harrow.gov.uk>

DISCLAIMER:

Any planning advice provided by officers of the Local Planning Authority to members of the public, either orally or in writing, in the course of their duties is offered in good faith, based on the available information and evidence.

Such views are the personal opinion of that Officer and not a formal decision of, nor binding upon, the Local Planning Authority. The Local Planning Authority will only be bound where a formal application is submitted and a formal decision is issued in writing.

From: [redacted] [redacted] [[mailto:\[redacted\]@london.gov.uk](mailto:[redacted]@london.gov.uk)]

Sent: 24 August 2018 12:29

To: [redacted]

Cc: [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted]

Subject: FW: Appeal at: Harrow School, Harrow on the Hill - Your ref: D&P/3820/01

Hi [redacted]

Many thanks, [redacted] and I would very much welcome the opportunity to meet with you both in order to discuss this.

It would be helpful if we could meet at City Hall, if at all possible [redacted] [redacted]

[redacted] and there are some general parallels which should help us with approaching this.

Next week is fairly challenging in terms of pre-existing commitments, but w/c 3 Sept is a bit better. [redacted] and I both have good availability on Friday 7th, could we programme a meeting for then? Happy to do am/pm as convenient for you both.

Thanks

[redacted content out of scope of request]

[redacted] | Principal Strategic Planner | Development Management | Development, Enterprise & Environment

From: [REDACTED]@harrow.gov.uk <[REDACTED]@harrow.gov.uk>
Sent: 24 August 2018 11:19
To: [REDACTED] <[REDACTED]@london.gov.uk>
Cc: [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk
Subject: Appeal at: Harrow School, Harrow on the Hill - Your ref: D&P/3820/01

Dear [REDACTED]

I am acting on the Council's behalf for the above appeal and attach for your information the appeal documents.

The appellants have confirmed that they will call 5 witnesses and estimate that the Inquiry will sit for 8 days and have suggested 12-22nd February 2019 or 19th February -1st March for the Inquiry.

It would be beneficial for [REDACTED] [REDACTED] and myself to meet with you to discuss how to facilitate the appeal, please would you provide me with your availability over the next two weeks.

Regards

[REDACTED]
**Senior Planning Officer
(West Team)**
Planning, Regeneration & Enterprise
London Borough of Harrow
Civic 1 | 4th Floor | North Wing | Harrow | HA1 2XF
ext: [REDACTED] | tel: 020 8736 [REDACTED] email: [REDACTED]@harrow.gov.uk
web: <http://harrow.gov.uk>

From: [REDACTED] harrow.gov.uk
Sent: 28 August 2018 08:35
To: [REDACTED]
Subject: Accepted: Harrow School - GLA/LBH meeting

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 01 February 2019 16:20
To: [REDACTED] ([REDACTED]@harrow.gov.uk)
Subject: Harrow School

Hi [REDACTED]

I hope you are well?

In relation to the above, I understand that the scheme went before a design review panel. I can't seem to find the DRP comments on our case file, would you be able to ask your lead to send them over to me please?

Many thanks

[REDACTED]

[REDACTED] | Team Leader – Development Management | Development Management | Development,
Enterprise & Environment

GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA

Tel: 020 7983 [REDACTED] | Fax: 020 7983 4706 | Email: [REDACTED]@london.gov.uk

[REDACTED] [REDACTED]

From: [REDACTED] harrow.gov.uk
Sent: 28 March 2019 16:15
To: [REDACTED] planninginspectorate.gov.uk
Cc: [REDACTED] patersonplanning.com; [REDACTED] rssa.co.uk; [REDACTED]
[REDACTED] vact.co.uk
Subject: Planning Inspectorate APP/M5450/W/18/3208434: Harrow School Sports & Science Buildings,
HA1 3HP
Attachments: Harrow School 28 march 19.pdf

Dear [REDACTED]

Please see attached letter.

Regards

[REDACTED] [REDACTED]
**Senior Planning Officer
(West Team)**

Planning, Regeneration & Enterprise

London Borough of Harrow

Civic 1 | 4th Floor | North Wing | Harrow | HA1 2XF

ext: [REDACTED] | tel: 020 8736 [REDACTED] email: [REDACTED] [harrow.gov.uk](mailto:[REDACTED]@harrow.gov.uk)

web: <http://harrow.gov.uk>

[REDACTED]
[REDACTED]

From: [REDACTED]@harrow.gov.uk
Sent: 04 March 2019 09:44
To: [REDACTED]
Subject: Harrow School SoCG

Good Morning [REDACTED]

The Council wish to add another item to "Matters in Dispute" as follow:

"6.2 The following matter is in dispute between the Council and the appellant:
6.2.1 Final details of the Community Use Agreement."

Are you happy for this to be added?

Regards

[REDACTED]
[REDACTED]
**Senior Planning Officer
(West Team)**

Planning, Regeneration & Enterprise
London Borough of Harrow

Civic 1 | 4th Floor | North Wing | Harrow | HA1 2XF

ext: [REDACTED] | tel: 020 8736 [REDACTED] email: [REDACTED]@harrow.gov.uk

web: <http://harrow.gov.uk>

From: [REDACTED] <[REDACTED]>
Sent: 17 April 2019 17:06
To: [REDACTED]
Cc: [REDACTED] PlanningAppeals@harrow.gov.uk; [REDACTED] harrow.gov.uk; [REDACTED] harrow.gov.uk; [REDACTED] tfl.gov.uk;
Subject: Estimate of timings APP/M5450/W/18/3208434: Harrow School Sports & Science Buildings
Attachments: Inquiry timings.pdf

Dear Mr [REDACTED]

Please find attached the estimate of timings as requested. I can confirm availability for the 15th May but the 16th would be very difficult and as of today remains unconfirmed.

Kind regards
Yours sincerely

[REDACTED]
[REDACTED]
Treasurer & Trustee

www.harrowhilltrust.org.uk and hello@harrowhilltrust.org.uk

Charity registration number 266709

Tel [REDACTED] Mobile [REDACTED] Unless stated otherwise this email is private and confidential and is for the addressee only. If mis-directed, please contact us and confirm that it has been destroyed. We can not warrant that this is virus free and so you must take your own virus protection measures and we can not accept any liability for any viral or other contamination.

From: [REDACTED]
Sent: Wednesday, April 17, 2019 9:24 AM
To: [REDACTED]
Cc: [REDACTED] ; PlanningAppeals@harrow.gov.uk ; [REDACTED] ; [REDACTED] harrow.gov.uk ; <mailto:harrow.gov.uk> ; [REDACTED] london.gov.uk ; [REDACTED] tfl.gov.uk ; [REDACTED] tfl.gov.uk ; [REDACTED]
Subject: RE: Rebuttal - APP/M5450/W/18/3208434: Harrow School Sports & Science Buildings, HA1 3HP

Please note that, as is the Inspectors prerogative, he has decided he will NOT accept the rebuttal evidence from [REDACTED] He feels it is for the witnesses to have their evidence tested by advocates through cross-examination rather than by written submissions.

Kind Regards

[REDACTED]
Room 3J
Kite Wing
Temple Quay House
2 The Square

Temple Quay
Bristol
BS1 6PN

Tel 0303 444 [REDACTED]

E-Mail [REDACTED] planninginspectorate.gov.uk

From: [REDACTED] <[REDACTED]@rssa.co.uk>
Sent: 16 April 2019 17:32
To: [REDACTED] <[REDACTED]@planninginspectorate.gov.uk>
Cc: [REDACTED] <[REDACTED]@tfl.gov.uk>; PlanningAppeals@harrow.gov.uk; [REDACTED]
<[REDACTED]@harrow.gov.uk>; [REDACTED]@harrow.gov.uk
<[REDACTED]@harrow.gov.uk>; [REDACTED]@london.gov.uk; [REDACTED]@tfl.gov.uk;
[REDACTED]@tfl.gov.uk; [REDACTED] <[REDACTED]@planninginspectorate.gov.uk>
Subject: Rebuttal - APP/M5450/W/18/3208434: Harrow School Sports & Science Buildings, HA1 3HP

Dear [REDACTED]

Please find attached a rebuttal to the evidence of [REDACTED] (MoL) from the Appellant's architectural witness [REDACTED]

As I understand you are on leave I have copied in [REDACTED] (who responded to previous emails) and also the other parties involved in this appeal.

To assist all parties, we have also produced a compendium of all the CGI's produced during the planning application and appeal process. This means that all images can be easily found in one place which should help at the Inquiry – this is Appendix A of this rebuttal but is too large to email, the file can be downloaded from the following link, although I can post a memory stick/CD if requested.

https://www.dropbox.com/sh/dirza7650mac032/AAB7WyVhDKJ_Te48pT33NWKga?dl=0

Can you, and others, please confirm safe receipt of this email.

Kind regards

[REDACTED]

[REDACTED]

Associate

rivingtonstreetstudio

28 Navigation Road
London
E3 3TG

Telephone: 020 7739 [REDACTED]
Direct dial: 020 [REDACTED]
www.rivingtonstreetstudio.co.uk

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THE HARROW HILL TRUST

Caring for the heritage of the Hill and its future

██████████
The Planning Inspectorate
3/J Kite Wing
Temple Quay House
2 The Square
Bristol BS1 6PN

██████████
██████████
██████████
██████████
██████████

17 April 2019

Attn: ██████████ ██████████ Re: APP/M5450/W/18/3208434

Dear Ms ██████████

Harrow School Sports & Science Buildings, Harrow, HA1 3HP

Please find below estimated times for the Inquiry.

Opening Statement		0.25 hr
Examination in chief	██████████	2.0 hrs
Cross examination	██████████ – Harrow School	1.0 hr
	██████████ – Rivington Street Studio	1.0 hr
	██████████ – ME Landscape Studio	0.5 hr
	██████████ – Conservation Planning	1.0 hr
	██████████ – Ploszajski Lynch Consulting	1.0 hr
	██████████ – Paterson Planning	2.5 hrs
	LPA representative?	2.0 hrs
Cross examination GLA	██████████	0.25 hr
	██████████	0.25 hr
	██████████	0.25 hr
	██████████	0.25 hr
Cross examination	Third Party Witnesses	0.5 hr
Closing Statement		0.5 hr

Extension to 15th is confirmed if required, however the 16th remains unconfirmed as of today.

Yours sincerely

██████████

██████████

Trustee, Hon Treasurer, Planning Committee Member

[REDACTED]

From: [REDACTED] <[REDACTED]>
Sent: 26 September 2017 15:28
To: [REDACTED]
Cc: [REDACTED] Navin Shah; [REDACTED] [REDACTED] [REDACTED] Tony Devenish
Subject: Harrow School Planning P/1940/16
Attachments: September 25 comment to GLA PC Final.pdf

Dear [REDACTED]

After our recent meeting I attach a follow up letter which updates you on the very latest for the Neighbourhood Plan, confirms the verbal points made at the meeting, provides a detailed legal assessment, touches on issues about the current design and placement, and for the first time provides a detailed analysis concerning Community Use.

I would be grateful if you could confirm safe delivery as we have not communicated directly before, and I hope you find it useful and persuasive.

Many thanks

yours sincerely

[REDACTED]

[REDACTED]

Tel [REDACTED] Mobile [REDACTED]

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HARROW SCHOOL SPORTS CENTRE APPLICATION LBH P/1940/16



A BROWNFIELD DEVELOPMENT TO PROVIDE ENHANCED FACILITIES IS SUPPORTED IN PLACE OF PROPOSAL SHOWN ABOVE.

THE FOLLOWING HAVE OBJECTED TO THE PROPOSED DEVELOPMENT

LAMAS – HISTORIC BUILDING & CONSERVATION

CPRE LONDON

HISTORIC ENGLAND

HARROW CONSERVATION AREAS ADVISORY COMMITTEE (CAAC)

HARROW ARCHITECT'S FORUM

THE HARROW HILL TRUST

1715 PETITIONERS AND OVER 1,500 OBJECTIONS

[REDACTED]
Greater London Authority
Development, Enterprise and Environment

By email 25th September 2017

[REDACTED] Tony Devenish, [REDACTED] Navin Shah, Shirley Rodrigues, [REDACTED]

Dear [REDACTED]

Ref Planning application P/1940/16

I write to update you on the Neighbourhood plan for the area, which is being run independently of the Harrow Hill Trust (HHT) and to provide more details on the problems concerning Harrow School development P/1940/16 than were accommodated in the letter to the Mayor from the HHT.

Neighbourhood Plan discussion were held with Harrow Council on 13 September and a clear rationale for the Area to be designated was acknowledged. The Area remains that which I provided at our recent meeting and does include the site proposed for planning P/1940/16 and hence the mention of it here. The Forum designation application has been expanded and resubmitted on 21st September to include more on the activities and involvement which was gone through to communicate and invite people, and to include areas with reference to planning matters which were raised by locals. It is currently scheduled for consultation starting next month.

Planning P/1940/16

Please support the direction of the Council to refuse the issue of planning permission for this form of the development opposed by residents, ourselves, CPRE, Harrow Conservation Area Advisory Committee, Harrow Architects Forum, LAMAS and Historic England.

For reasons detailed below, the proposed treatment of the MOL is open to a clear legal challenge. No strategic reasons have been proposed for the change in MOL boundary and no debate or written expression of any Exceptional Circumstances presented at any stage as required by the NPPF, London Plan and the Local Plan. Objections are from by 1,715 signatures backed by over 1,500 objections. Most importantly, I stress the superior brownfield option (which is not the one represented by the applicant) would provide enhanced facilities but at the same time address virtually all of the objections made by residents and, very possibly, the several National bodies listed at the front of this letter.

The costs imposed by Harrow School on local schools for community school use is not practical and the proposed usage times depart from the template provided by Sport England and favour the economics of the School by commercialising times when the boys are not present. Passing on their costs to local schools does nothing to uphold the School's charitable status. As there is no community benefit from any CIL contribution, the community use is the key source of benefit for the harm created.

The Planning Inspectorate's comments recorded on 20 April 2017 in the case of Footpaths 57 and 58 Diversion Order in the location are useful additions for the GLA and mentioned 'spectacular' and 'exceptional' views of the Eastern slope of the Hill the impact on which can be clearly seen by the picture on the front of this letter. It also shows the extreme difficulty for the public to see the 'finger' of newly proposed MOL. Please note that those spectacular and exceptional views exists with the sports facilities in their current location, which would be the case for a brownfield option.

Metropolitan Open Land – Important legal process and consequences

The applicant switched from proposing a 'swap' to building on MOL and offering a finger of private

garden inaccessible and hidden from the public for it to have 'MOL like policies' applied in the hope that MOL can be created in the future.

They did this no doubt to try to improve their legal argument as it is clear that 'swapping MOL out' to create a building plot decreases MOL and new MOL 'swapped in' cannot be created other than by changing the Local Plan, which is subject to an examination in public by an appointed Inspector. Therefore an immediate net loss in MOL occurs. Hence by now building on MOL by way of seeking to justify Very Special Circumstances, there is not an immediate loss of MOL just harmed MOL.

However, you will see that there is **unanimous agreement in writing** from the applicant, Harrow Council and the GLA that the harm to the MOL requires Very Special Circumstances **to include more MOL to be created**. So again this cannot be delivered with any certainty. This uncertainty increases with the prospect of the Neighbourhood Plan being well advanced at the time, as the Inspector has to take this into account even if it has not gone through a referendum.

The argument for changing the MOL boundaries will require the demonstration of **Exceptional Circumstances**, (London Plan 7.17 and following Green Belt policy in NPPF Para 82). **At no stage** have the applicants, Harrow Planners or the Councillors presented this demonstration of Exceptional Circumstances. There has been no presentation of any new MOL meeting the Exceptional Circumstances, it is not in the planning documents nor officers report nor discussed by Councillors at the Planning Committee.

The SPD of course cannot create MOL, the SPD was instructed to be prepared in accordance with the Local Plan. It merely alludes to the possibility of a MOL swap could at some time in the future be something proposed. Of course that future date would need to be when the Local Plan or Neighbourhood Plan is completed with such boundary changes included and approved by the Inspector or approved by referendum respectively. Therefore it is a matter of fact that there is no material consideration for the MOL treatment in the SPD (which was incidentally to allude to a possible SWAP, not the current proposition).

However there is **no basis for Exceptional Circumstances**. The current MOL in question has been incorporated into Local Planning Policy for **Strategic reasons** and it is referred to as strategic (Local Development Management (DM) policies paragraphs see 5.11, 5.24 and 5.17 and Harrow Core strategy paragraph 6.5. Of particular note is DM paragraph 5.17 it states that the strategic significance of the character and visual amenity of the MOL is additionally reflected in the Harrow on the Hill Area of Special Character, reproduced below.

. Proposals for uses that are not sympathetic to the existing character of Harrow's Green Belt and Metropolitan Open Land are likely to adversely impact its character and visual amenity, the strategic significance of which to the Borough is reflected in the Harrow Weald Ridge, Pinner Hill and Harrow on the Hill Area of Special Character designation, to which Policy DM6: Areas of Special Character also applies.

Harrow's Core Strategy is stated as being "the most important component of the Harrow LDF" and sets out strategic MOL policy for 15 years. It identifies four strategic redevelopment opportunities of green belt/ MOL with none of them being the site of the current development.

The proposed land for new MOL would have already been assessed for its strategic value when the original boundaries were set. There is nothing to suggest that has changed other than the landowners own development plan. The land is already triple protected by being within a Conservation Area, and Area of Special Character and within the close vicinity of heritage assets. Where is the strategic case for calling it MOL?

Harrow Council has proposed to use a S106 agreement to allow the enormously bulky sports and conference centre to be built harming the MOL in the hope that more MOL can be delivered later. But no case for the strategic change in MOL boundary has been made. Unfortunately the Case officer for P/1940/16 at Harrow Council has described the S106 to Councillors at the 16th November 2016 planning meeting as being legally able to create new MOL. The minutes of that meeting state that the GLA had agreed that the SWAP could be done and therefore the decision was legally sound. At the meeting of June where the revised MOL treatment was approved, the same case officer explained to Councillor Greek that “they were seeking to secure it as MOL but **through a legal agreement**” Also in response to the proposed MOL changes not being adopted by the next Local Plan review, that the land would always be “**secured as MOL**”. The case officer on several occasions referred to the land subject to the S106 agreement in the following terms to attendees “**the extended area which is MOL**” and referred to it forming the “**net gain in MOL**” (recordings available).

Picking up on the reference to the Area of Special Character, DM para 5.17 above, that designation was originally defined in the Local Plan of 1986 it was then carried forward into the Harrow Unitary Development Plan 1994 and its replacement in 2004 and paragraph of the current Core Strategy states that in terms of its historical and environmental significance it remains valid and equally important. It is of great concern that the case officers report fails to describe the site as being an Area of Special Character and fails to discuss the local policy **DM 6** in his report and nor was it discussed at Planning committee. Such it has not been taken into account in the decision process by Harrow Council.

MOL HARM AND CHALLENGE TO VERY SPECIAL CIRCUMSTANCES.

We have established that the boundary change of the MOL cannot be delivered with any certainty; in fact it is thought by many that it is more likely to not be delivered when the missing evaluation of Exceptional Circumstances is undertaken and reviewed independently. **This means that the Very Special Circumstances test fails.** This is because it is a **consistent fact** supported by the applicant, the Council and the GLA that Very Special Circumstances **must include more MOL being created.**

However there are additional reasons that ability to build on the MOL fails Very Special Circumstances.

The pressing academic need is far less for the sports and conference facility than for the science block. The lack of alternative sites is mentioned. However the debate has been on there being no suitable sites 100% outside of MOL and that the brownfield option has been represented by the applicant as being 100% in MOL. This neatly side stepped the hybrid situation where the brownfield site in MOL is used in conjunction with adjacent **non-MOL** land, which was identified as a building plot in the SPD. This was the proposal supported by 1,715 petitioners and 996 written expressions of support.

It is a sad fact that the Harrow Hill Trust’s (HHT) and local resident’s hybrid proposal has never even been debated by Harrow School nor by the Council. Surely this is inconsistent with the proper implementation of the Localism Act 2011. Also paragraph 83 of the GLA’s letter of 27 June 2016 to Harrow Council mentioned that the GLA will consider whether the Council have addressed the concerns of the petitioners and the Harrow Hill Trust if the Council approve the permission. I am reliably informed that the offer to discuss matters by the HHT was not taken up and the concerns have not been addressed.

Much improved facilities can use a smaller footprint than proposed, as the Boyer Webb Pavilion would remain, and by better design (such as space above or below extensive fixed seating space is not used and the catering / hospitality / conference facility is not required or can be developed at the upper level of the Shepherd Churchill existing facility, and wasteful dojo space can be dual function). The facilities can be built on the brownfield location and extended into non-MOL land to the North and possibly also

be extended for permitted use of MOL such as for outside sport changing rooms to accommodate the away teams (as identified in the Planning Statement).

The 100% MOL brownfield option as has been criticised by the School on the grounds they say the presence of a Thames Water sewer means the building has to be split. This is manifestly not the case, and the consented plan proposes to build over the same sewer. Secondly they proposed to build the Science block over the sewer in that very brownfield location in one of their assessments.

The applicant has been criticised twice this year in Public Enquiries by Planning Inspectors appointed by the Secretary of State for the information provided by the applicant. My detailed analysis provides evidence for a belief that similar concerns apply to this application. Please see correspondence from the HHT for details and, In particular, the position on the contrasting presentations of School's and locally supported brownfield options, and the use of non-MOL, and of any fair reflection of the multiple benefits of the locally supported option, and the listing of inapplicable disadvantages.

The cost and lack of facilities during a brownfield construction have been objected to by the applicant. However the smaller footprint (Boyer Webb Pavilion remains) can completely offset the cost of temporary facilities (which can be readily created with a wealth of options from the sizeable industry in place for this very purpose). The last HHT letter to the GLA listed in the appendix twenty four advantages of that brownfield proposal compared to the harmful one proposed. This includes **truly minimising the impact on MOL and heritage assets** - a benefit claimed by the current proposal but which residents clearly know not to be the case – and which detailed objections by the HHT have demonstrated.

The superior brownfield option (which is not the one represented by the applicant) would provide enhanced facilities but at the same time address virtually all of the objections made by residents and, very possibly, the several National bodies listed at the front of this letter.

It is worthy of note that the views of the Eastern slope of the Hill will be decimated by the proposed development. These very views were picked out for special consideration by The Planning Inspectorate's comments recorded on 20 April 2017 in the case of Footpaths 57 and 58 Diversion Order in the location where she referred to '**spectacular**' and '**exceptional**' views of the Eastern slope of the Hill. The impact can be clearly seen by the picture on the front of this letter. It also shows the extreme difficulty for the public to see the 'finger' of newly proposed MOL extension which is a private garden inaccessible and almost entirely hidden from the public. This is what would be traded for loss of the spectacular and exceptional views from the Capital Ring and Footpaths 57 and 58 this is also contrary to DM17. The development as proposed would also block the public views of the Grade II listed Park set out by Capability Brown in 1768.

When assessing the openness of the MOL case officer [REDACTED] reminded Navin Shah AM in an email of 18th May 2016 that the SPD said that any MOL swap was "*subject to detailed demonstration of the openness of the proposed core landscape area, having regard to the cumulative impact of existing buildings and those proposed to be removed or constructed within or in the vicinity of the proposed MOL*". The proposed MOL, which cannot be delivered with any certainty, is a 'finger' of land completely enclosed by multi-story buildings especially the new ones being proposed. The argument that the space itself is open is not sufficient in this regard.

RESTRICTED COMMUNITY BENEFIT

The importance of the Community Use Agreement (CUA) was highlighted in your letter of 27 June 2016 to Harrow Council. This is critical because there is nothing else to mitigate the undeniable harm. By which I mean there is **no CIL, no housing gain and no increase in pupil numbers**, for the Borough.

A more detailed analysis of the CUA kindly provided by a colleague of mine is provided in the Appendix.

At the Harrow Planning Committee where the planning permission was conditionally granted, the procedure adopted by the Chair, whose casting vote swung the stalemate, in arriving at the planning decision is of considerable concern. The debate on the CUA was stopped by intervention by the Chair who then directed Councillors to vote first and to debate the CUA in private **after** voting. It is not disputed that the proposed development will harm the conservation area, the Area of Special Character, the MOL and Heritage assets and departs from planning policies (7.17, DM6, and DM7). Hence the community benefit needed to be considered against the harm **before** voting. This is also important given the comments to follow below and in the appendix.

The CUA is impractical for local schools and biased for Harrow School financially. The proposal is for local schools to increase their use of the facilities whilst paying Harrow School's costs. Where is the budget for them to do this? How is passing on Harrow School's costs on to local schools supporting the charitable status held?

The Schools core usage time is included as throughout the entire calendar year, and yet the boys are only present for 58% of the calendar year (2016/17). In the summer the facilities are used by Babssco and others paying Harrow School. This restricted community use outside of the academic time is inconsistent with the template provided by Sports England which we attach for you. In addition when applying for planning permission page 18 paragraph 3.52 of the Planning Statement says:-

3.52 Further, having a second sports hall that can be separated from the other hall use, will enable the school to host both Harrow boys and outside groups at the same time, improving access for both the wider community and the boys throughout the day and evening.

It says improving access **throughout the day and evening**, and not Harrow core usage times which is what the CUA now states are weekdays 6:30-8:30; 13:30-18:30; 20:45-22:00; weekends 13:00-19:00 when there is no guaranteed community use.

The CUA does not protect current uses of Harrow School Sports Club which include times within the Harrow School core usage times which would no longer be obliged despite assurances to Councillors at the Planning Committee.

Also the Sports England template mentions casual use (pay as you go access) which is not in the CUA offered by the School and yet a rationale for a second sports hall, which takes up a large area of MOL, was to be able to have concurrent use by the School and the community.

If the school ONLY gave access during the time when the boys were not allowed to be in school this would be around 150 days at 15.5 hours a day = over 2,300 hours compared with 1,300 offered and there be zero hours during academic hours!

Please can your report to the Mayor support that he directs the Council to refuse the issue of planning permission for this form of the development opposed by residents, the Harrow Hill Trust, CPRE, Harrow Conservation Area Advisory Committee, Harrow Architects Forum, LAMAS and Historic England .

Yours sincerely

[Redacted signature]

[Redacted name]

Appendix Notes on the CUA

1 Differences from the Sport England template CUA

<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/community-use-agreements/>

The Community Use agreement- **unlike the Sport England template CUA** – makes

A **no** differentiation between availability for community use during term time, and outside term time.

B no substantive incorporation of all affordability

C limited reference to creating frameworks for promoting either Borough or national access to sport agendas or strategies, no possibility of casual resident use, no programmes for promotion of equality of access and of local sports programmes.

The Programme of Use to be settled on by the Management Committee is **only** for the use of the facilities by the Permitted Users for the Permitted Uses.

The ongoing access to facilities (clause 4) is **only** for the Permitted Users for the Permitted Uses.

The Aims in sub-clauses 3.2 and 3.3 are **not** incorporated in any obligation.

D the Facilities' potential users are **tightly defined**.

2 Who will be able to use the Facilities?

A Schedule 3 is the source for definition of the Permitted Users. The groups are vague and, in the case of footnotes 1 – 5 are "*included as a point of reference only*" – so again no commitment, and no enforceable definition.

Those Permitted Users are certainly **not all local**, as the committee members evidently wanted (paragraph 1.3 officer's report, bullet point 4 "*ensuring the majority of users are Harrow-based*"). **232 of the 1300** hours specified in Schedule 3 are **reserved for users other than local**.

B the only people who the CUA **contractually** obliges the School to use the Facilities are those within the categories of Permitted User in schedule 3. But, as above, no enforceable definition

C there is no **obligation whatsoever** on the School to allow the "*existing users*" who have an Agreement with the School to continue with that use. This includes HSSC, about which the Committee was particularly concerned and received assurances from the officers at the June planning meeting.

3 Existing Users' use

A That remains completely in the School's discretion as it is **specifically not covered** by the CUA (clause 4.3 of the draft).

B HSSC's use – and indeed the use by other clubs, organisations etc having existing agreements with the School – is **only** to be "*taken into account and accommodated when the timetabling for Permitted Users is agreed by the Management Committee. The usage will be in addition to and outside the School's Core Usage times.*"

C So, not only are there **no guarantees** to HSSC – or the other "existing agreement" clubs - but the draft now says that the usage will be **outside the School's Core Usage Times**. I.e., **not** as existing.

This goes completely against the content of:

a) paragraph 1.4 of the Officer's report: "*the revised CUA seeks to ensure that the use of the Sports Building by existing users of the current facility **would not suffer** as a result of the CUA.*"

b) paragraph 1.9 of the Officer's report: "*The use of the facility for existing users **has been protected with** the CUA.*"

D My concern deepened when I read the rest of paragraph 1.4. The Officer says "*The Management Committee will **ensure** [my emphasis] that the usage of the facilities by Harrow School Enterprises and such other clubs, organisations and bodies and their successors [i.e., HSSC and other clubs, organisations etc having existing agreements with the School] shall be taken into account and accommodated when the timetabling for Permitted Users is agreed.*"

E The Officer then refers the Planning Committee to the content of Clauses 4.3 and 4.4 of the CUA.

F Clause 4.4 states that, where there is conflict between the (community) Permitted Users and the School, the School's needs prevail. Which in itself is important, considering the protected hours are for the entire calendar year.

G **Most importantly, however**, Clause 4.3 does NOT say the Management Committee shall **ensure anything**. The clause baldly says :"*The usage of the facilities by Harrow School Enterprises and such other clubs, organisations and bodies and their successors shall be taken into account and accommodated when the timetabling for Permitted Users is agreed.*"

But Clause 4.3 does not finish there; it adds "**The usage will be in addition to and outside the School's Core Usage times.**"

So not protecting existing users like HSSC who use during School Core Usage Times.

H Further ,Clause 4.3 could be interpreted as saying the existing users' use times are ONLY agreed **once** the remainder of the timetabling is agreed, i.e. subordinate to the School and other permitted Users. protection is intended, there should be no room for doubt

I The Officer never says in terms in the Report that the existing users' usage is to be in addition to and outside the School's Core Usage Times.

He does say, however, that "*the number of hours at appropriate and convenient times available to those organisation **shall remain protected and shall wherever possible, taking into account uses by Permitted Users and the School, remain the same as those currently available.***"

So is the use of the words "**wherever possible**" and "**taking into account uses by Permitted Users and the School,**" meant to be the flag to the Committee of this subordination and lack of protection to HSSC and other existing users with a current contract?

Am I being unfair in thinking that - if so - the subtlety may have passed the Committee by? Especially in context of the assurances elsewhere in paragraph 1.4, and in paragraph 1.9 above.

I certainly understand no-one raised any such points at Committee as a remaining issue, when it was certainly one of paramount importance at the June Committee.

4 What will users pay?

A that **depends** on which "category" of Permitted User the user falls into.

The CUA now contains a **new definition** of a "*Nominated Permitted User*"(NPU), as a specific category within the users referred to in Schedule 3 (Permitted Users).

These will either be (1) an educational body or (2) a community group with a "*registered base*" within the Borough and/or "*formally registered as a community group with the Council as evidenced by its inclusion on the list thereof on the Council website*" AND "***shall been proposed by the Council to the Management Committee for designation as a* NPU AND *shall have been accorded such status by formal decision of the Management Committee***"

The Officer's report (paragraph 1.8) makes it very clear that whether or not a club/school so nominated – even with a protected characteristic – is accepted as a NPU is up to the Management committee ultimately to decide.

B **ONLY NPUs will pay the Benchmark Value discount rate – not the rest of the Permitted Users. (Clause 6.3 – added in latest version). Who knows what other Permitted Users will pay? There is certainly no guidance.**

C **So, for those who manage to become Nominated Permitted Users , the Benchmark Value (discount rate) is either** 40% less than "*typical industry standard rate for similar leisure facilities used by local schools/community groups*" or "*value at cost price where the School will make no profit*".

The Benchmark Value is then "*whatever is **deemed** the lower value by the **Management Committee** and which will form the basis of the Charges*".

D whether either calculation will result in a charge "**affordable**" to schools or community groups is never tested. There is no **evidence** of examples being worked or what the benchmark criteria actually **mean**. For example:

Are the "*similar leisure facilities*" local or national or London comparable?

What does the school estimate the "*cost price*" will be?

What is "*cost price*"? Presumably running cost, rather than any contribution to capital but, even so, we are talking about a **huge new sports facility, and the overall grounds used by users set out in Schedule 3.**

The running costs alone must be horrendous but how will an **appropriate proportion for individual or group users be calculated?**

There is **no guidance** to the Management Committee which is charged with dealing with this calculation problem. This will severely prejudice work ability, let alone accountability to the local community, which is meant to receive the benefit, and enforceability.

The Committee will be further hampered by **new** drafting in the CUA (clause 11.6) where – entirely in its discretion – the school can **redact "commercially or otherwise considered sensitive" information**, on such important matters when considering charges as records of bookings and hours of use, number and nature of enquiries and monitoring of the data for the KPI's.

What has commerciality and sensitivity got to do with information on community use?

5 Selection /Composition all of the Management Committee and who has the power?

A the Management Committee essentially take over "democratic" control of the use by the community. As now proposed, it will "include" 9 members:

3 of those are from the Council, **exclusively** education linked;

3 from the School (on the assumption that the Shaftesbury Trust's school-based as seems likely from the fact that its representative is listed as one for the school); and

3 other members (1) a Ward Councillor; (2) a "*representative of local schools or a community group*" and one by "*annual appointment by the Management Committee for a term of one year... a resident of Harrow on the Hill Ward Borough who is not an elected councillor and who is a frequent user of the Facilities*".

"Include", of course, means there may be more – from any source (including the school)

B the first point is that you have the **circular position** that the Management Committee has to be "*sought to be established by the Parties*" – i.e. the school and the Council within 3 months; yet, if it is to include the last of the community members mentioned above, the Committee has to be **in being** to appoint him or her.

C there is no mechanism whatsoever in relation to that "*appointment*", and no means by which that person can be representative of the community, or, indeed, of the users of the Facilities (which won't of course exist until built).

The Officer's Report (paragraph 1. 6) refers to a determination that it will be a "*paying member of the sports building who frequently uses the facilities.*" Such criterion is not referred to in the draft CUA .

Para 1.6 also says that the local and schools/community representatives will need to be changed on an annual basis; the draft does not, however, provide for this representative's annual change, or for methods of appointment/selection.

D there is no provision in the draft CUA as to how the Management Committee will reach agreement. The School submits a report to the committee "*concerning matters the subject of its terms of reference*".

These are set out in clause 11.2 & cover agreeing the Programme of Use, reviewing amending and setting the charges for use by "Permitted Users", reporting on monitoring and compliance, reviewing meeting the KPIs, considering representations received from local residents concerning use of the facilities considering other matters "*the subject of or relevant to the Property and its use and to this Agreement*" (whatever that means).

E however, by clause 11.5, "***no decision shall be binding on the School or the Council... unless it has been formally tabled and minuted and has the agreement of both the School's as well as the Council's representatives.***"

So will there be any meaningful input into decisions on the part of the local representatives?

6 General Role of the Management Committee

A There should be democratic accountability in relation to the real community use of the sports facilities.

B Instead, the Council divest itself of any monitoring function, and passes it to the Management Committee, in which it has no overall control in relation to such matters as are outlined, for example, in the Sports England template CUA.

C The Management Committee can be expanded beyond 9 members. **It even has discretion in relation to the admission of a NPU to the favourable charging base, in the case of a body nominated by the Council.**

[This document is intended to be a basic template for drawing up a formal community use agreement. It, therefore, should be amended accordingly to reflect the context that it is being used in]

Date:

[Amend as appropriate]

The ☐ School

☐ Local Authority

[County Council if a two tier authority]

[Landowner if different from the above]

[Local Education Partnership / Contractor]

[Leisure Trust/County Sports Partnership/Community Sports Network if applicable]

Draft Agreement in relation to arrangements for
community use of sports facilities at ☐ School

In connection with Planning Permission
[reference]

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DATE []

[Amend Parties as appropriate]

- (1) **THE [] SCHOOL** of [*insert address*] (“the **School**”)
- (2) [] **LOCAL AUTHORITY** of [*insert address*] (“the **Council**”)
- (3) [] **COUNTY COUNCIL** of [*insert address*] (“the **County Council**”)
- (4) **[LANDOWNER]** of [*insert address*] (“the **Landowner**”) [*If different from the above*]
- (5) **[LOCAL EDUCATION PARTNERSHIP/CONTRACTOR]** of [*insert address*] (“the **LEP/Contractor**”)
- (6) **[LEISURE TRUST/COUNTY SPORTS PARTNERSHIP/COMMUNITY SPORTS NETWORK]** of [*insert address*] (“the [*insert as appropriate*]”) [*If applicable*]
- (7) **[ANY OTHER RELEVANT PARTY, e.g. Town of Parish Council]** of [*insert address*] (“the [*insert as appropriate*]”) [*If applicable*]

Recitals

Planning Permission was granted by the [*Council/County Council*] for the Development subject to conditions. Condition [*insert number*] of the Planning Permission requires that an agreement shall be submitted to the local planning authority for approval to demonstrate how community access to the Sports Facilities within the Development and/or the wider school site will be managed.

The parties wish to enter into this Agreement in order to make the [*indoor and outdoor*] Sports Facilities at the Development and/or the wider school site, available (when their use is not required by the School) for use by the local community in compliance with the terms of this Agreement and Condition [*insert no.*].

The School is the owner of the School Premises and is responsible for their use.

The Council [*amend as appropriate*] has responsibility for the provision of sports facilities in the [*district*] area for use by and for the benefit of the community and is desirous of

entering into this Agreement in furtherance of that responsibility [*and as the local planning authority in respect of the Development.*] [*delete as appropriate if County Council is the planning authority*]

[*The County Council is the local education authority for the area [and the Landowner/applicant for Planning Permission/local planning authority]. [Delete as appropriate]*]

[*The Landowner is the owner of the [] School and agrees to provision of community access to the Sports Facilities.*] [*Delete as appropriate*]

[*The [LOCAL EDUCATION PARTNERSHIP/Contractor] has been appointed by the School to manage and operate the Facility.*] [*Delete as appropriate*]

[*The Leisure Trust/County Sports Partnership/Community Sports Network supports and promotes community participation in sports in the local area.*] [*Delete as appropriate*]

Definitions and Interpretation

In this Agreement the following words or phrases have the corresponding meanings ascribed to them unless the context otherwise requires:

Community Use	means use of the Sports Facilities by the local community including organised sports clubs, organisations and for casual use.
----------------------	---

Casual Use	means availability for any individual(s) or groups to book the Sports Facilities up to [insert number] days in advance for use on a pay-as-you-play basis, where space is available
-------------------	---

Development	means [insert description of the development] for which Planning Permission has been granted
--------------------	--

Sports Facilities	means the sports facilities identified in Schedule 1 to this Agreement forming part of the School Premises
--------------------------	--

Management Committee¹	means the management committee as defined in clause [6.1] of this Agreement
Parties	means the parties to this Agreement
Planning Permission	means planning permission (reference []) granted by the [<i>Council/County Council</i>] on []
Priority Groups	means those groups identified by the Parties as being under represented for the particular activity engaged in
Review Committee	means representatives of each of the Parties to this Agreement or their nominees
School Core Times	means [] to [] Mondays to Fridays during term time as defined in Schedule 2 to this Agreement
School Premises	means the land and buildings comprising [] School

Aims

The Parties agree to pursue the following aims: [*amend to reflect local aims as appropriate*]

- Providing opportunities for the local community and sports organisations to participate in sport and physical activity for health improvement and development of their skills, particularly amongst low participant groups;
- Operating in line with the national agenda for sport taking into account nationally adopted strategies;
- Generating positive attitudes in sport and physical activity by young people and reducing the drop out rate in sports participation with age;
- Increasing the number of people of all ages and abilities participating in sport and physical activity including people with disabilities;

¹ Delete definition if no Management Committee.

- Using the facilities to encourage the range, quality and number of school sports club links and to stimulate competition that is inclusive of young people and adults;
- To provide affordable access to the facilities and to be self financing in terms of community use;
- *[Insert further local aims as appropriate]*.

Arrangements for Community Use

The School agrees to make the Sports Facilities available for Community Use in accordance with the provisions of Schedule 2 to this Agreement and may also be offered during School Core Times. *[Amend as appropriate]*

Targets for Community Use

The School shall use reasonable endeavours to achieve community use targets *[where appropriate]* in line with appropriate sports development strategies, including making a contribution to *[County and]* local participation targets for sporting and physical activity. The School shall work with *[insert relevant partners e.g. Local Authority Sports Development/the Community Sports Network/the Leisure Trust/County Sports Partnership/National Governing Bodies etc]* to provide a range of opportunities and pathways for the community. These may include existing initiatives and will also include new and local activities.

Marketing and Promotion

The School will be responsible for marketing and promoting the Sports Facilities in accordance with the agreed aims and targets. A marketing strategy will be prepared and implemented and reviewed on an annual basis.

Management²

A Management Committee will be established within 3 months of the date of this Agreement to develop Community Use of the Sports Facilities in accordance with the terms of reference and constitution of Schedule 3 to this Agreement.

Membership shall include representative(s) (or their nominee) from each of the following:-

The School³

² Delete clauses 7.1-7.3 if a Management Committee is not required.

³ To be the most appropriate person(s), such as Governor, Head Teacher, Head of PE.

The Council

[The County Council if applicable]

[The Landowner if applicable]

[The Local Education Partnership/Contractor if applicable]

[The Leisure Trust/County Sports Partnership/Community Sports Network if applicable]

[representative from the community/[] user groups if applicable]

[any other organisation considered appropriate]

Under these terms of reference, the Management Committee will, in accordance with this Agreement, seek to establish a practical policy framework for the management and operation of the Sports Facilities during agreed periods of Community Use. This framework should seek to enable:

a policy of affordable pricing to assist in the achievement of the aims of this Agreement. The policy will ensure that prices shall be no greater than similar local authority run facilities in the area;

the promotion and forward planning of development activities, at times which best suit the target groups;

equal opportunities of access;

an easy and accessible booking arrangement for Casual Use and block booking, this system to be reviewed on an annual basis;

an appropriate marketing strategy for the marketing of the Sports Facilities for Community Use.

The School will be responsible for the Sports Facilities and shall:-

resource, control and routinely ensure the maintenance of the Sports Facilities in a manner that will allow achievement of the agreed aims, and

make the Sports Facilities available on the occasions and times specified in Schedule 2:

ensure provision of heat, light and water and such other amenities as required for the Sports Facilities and their intended use;

ensure that the Sports Facilities comply with all legislation and guidance in force at the time of this Agreement relating to access for disabled users;

cover the cost of gas, fuel, oil, electricity, water, rates and taxes that may be attributable to the use of the Sports Facilities.

Financial Matters

The School endeavours to ensure that the costs of operating Community Use at the Sports Facilities will be fully covered by income from such use and any surplus will be utilised to:

contribute to a contingency or sinking fund for major maintenance, repairs and ultimately renewal of fixed life elements of the Sports Facilities.

increase the use of the Sports Facilities by any Priority Groups by staging special promotions or by offering discounted rates of hire; [*where appropriate*]

improve and increase the stock of sports equipment for use in connection with the Sports Facilities.[*where required*]

Monitoring and Review

[] months prior to the date on which the Review Committee produces its annual report the School shall make available to the Review Committee details of all usage, bookings, maintenance and financial matters relating to the Community Use of the Sports Facilities to assist with the development and improvement of community access.

The Review Committee shall undertake an assessment of the adequacy of the implementation of this Agreement in relation to:

- hours of use of the Sports Facilities;
- pricing policy;
- compliance with targets and aims of this Agreement;
- marketing;
- financial performance of the Sports Facilities during the previous year; and

- maintenance.

The Review Committee shall prepare a report based on the above assessment and prepare recommendations as to how Community Use of the Sports Facilities can be further developed and improved.

The School shall implement all reasonable recommendations of the Review Committee as soon as reasonably practicable.

In the event any significant changes are required to this Agreement as a consequence of each or any annual review prior written approval of each of the Parties to this Agreement shall be required.

The School shall not materially reduce the level of community access to the Sports Facilities required by Condition [*insert number*] of the Planning Permission without the prior written approval of the local planning authority following consultation with Sport England.

Duration of Agreement

This Agreement shall operate for so long as the School Facilities are provided in accordance with the Planning Permission. In the event the School should cease the Parties agree to make every effort to secure the continued operation of the Sports Facilities for Community Use.

Authority

The School warrants that it has the full right and authority to enter into this Agreement.

No Variations

This Agreement may only be varied in writing by a document executed by all the Parties hereto.

No Agency

Nothing in this Agreement shall be construed as creating a partnership, a joint venture, a contract of employment or a relationship of principal and agent between the parties hereto.

Severability

If any term condition or provision contained in this Agreement shall be held to be invalid unlawful or unenforceable to any extent such term condition or provision shall (save where it goes to the root of this Agreement) not affect the validity legality or enforceability of the remaining parts of this Agreement.

Waiver

No term or provision of this Agreement shall be considered as waived by any party to this Agreement unless a waiver is given in writing by that party.

Non-Assignability

This Agreement is personal to the parties and none of them shall assign sub-contract or otherwise deal with their rights or obligations without the prior written consent of the others.

Governing Law and Jurisdiction

This Agreement shall be governed by the laws of England and Wales and the parties submit to the exclusive jurisdiction of the courts of England and Wales.

The outdoor sports areas and facilities to be made available for Community Use shall comprise the following (as shown edged red on the attached plan(s)):-

[Insert details]

The indoor sports areas and facilities (together with any ancillary facilities [*toilets, changing rooms etc*]) to be made available for Community Use shall comprise the following (as shown edged red on the attached plan(s)):-

[Insert details]

Arrangements for Community Use

Users

The Sports Facilities shall be made available for Community Use.

Hours of Access

TERM-TIME

Community Use	Mon - Fri :	[]
	Sat :	[]
	Sun :	[]

SCHOOL HOLIDAYS

Community Use	Mon - Fri :	[]
	Sat :	[]
	Sun :	[]

[Subject to the School providing appropriate justification to the management committee, the School may restrict the use of grassed sports areas to protect them to fit in with the school requirements⁴.]

Pricing

A policy of affordable pricing shall apply to maximise Community Use and in accordance with the aims of this Agreement. Prices shall be no greater than for similar local authority run facilities in *[specify the local authority area]*.

[Insert details of pricing or benchmark prices]

⁴ Delete if not applicable.

Booking arrangements

An easy and accessible advance booking arrangement for **Casual Use** and block bookings shall be established for hire of the Sports Facilities using a standard booking form.

The agreed booking arrangements shall operate as follows:-

[Describe intended booking arrangements for the Sports Facilities. Management Committee to finalise booking arrangements after the first management meeting]

Parking Arrangements (if applicable)

[] car parking spaces shall be available to park for community users.⁵]

⁵ Delete if not applicable.

Management Committee⁶

Terms of Reference and Constitution [*amend as required*]

Purpose

To monitor progress against agreed aims and targets: programming, usage and financial and to provide regular reports for the stakeholders of the school on those topics.

To decide on policy issues e.g. pricing, the framework of sports programmes and staffing.

To ensure effective partnership working between the organisations involved in school community use.

To determine strategies for future developments at the School and timetables for their implementation.

Officers

The Chair shall have the following roles;

- Role of Chair:
 - To direct and control the meetings of the committee.
 - To cast a further vote if necessary to resolve any tied decision(s).
 - To represent the committee at other meetings and functions as necessary.

A Secretary will be elected by the full committee at the first meeting of each financial year (April to March) and will serve for one full year.

- Role of Secretary:
 - To compile and maintain minutes of all meetings.

⁶ Delete Schedule 3 if a Management Committee is not required.

- To compile and issue agendas for meetings in timely fashion.
- To take care of all communications to and from the committee.

Operation

The full committee will convene at least [*insert number*] per annum. Additional meetings will be held as considered necessary by a simple majority of members.

The School will resolve day to day issues. Whilst the School has full authority for any decisions they must adhere to the policy framework established by the full committee.

Day to day operation will be the responsibility of the School.

Sub-groups/committees may be formed by the Management Committee if considered necessary or desirable.

Reporting

Minutes of committee meetings will be maintained.

A formal annual report, as set out in paragraph 9 of this agreement, will be issued to cover policy, financial and sports development matters.

Other specific reports requested by other committee members when possible.

IN WITNESS whereof the hands of the parties or their duly authorised representatives the day and year first above written.

[Amend as appropriate]

Signed by

Duly authorised by the School

Signed by

Duly authorised by the Council

[Signed by

Duly authorised by the County Council]

[Signed by

Duly authorised by the Landowner]

[Signed by

Duly authorised by the [Local Education Partnership/Contractor]]

[Signed by

Duly authorised by the [Leisure Trust/County Sports Partnership/Community Sports Network]]

[Signed by

Duly authorised by the [*Any other appropriate party*]]

[Insert execution clause for the School]

[Insert execution clause for the Council]

[Insert execution clause for the County Council]

[Insert execution clause for the Landowner]

[Insert execution clause for the LOCAL EDUCATION PARTNERSHIP/Contractor]

[Insert execution clause for the Leisure Trust/County Sports Partnership/Community Sports Network]

[Insert execution clause for the Other Relevant Party]

From: [REDACTED]
Sent: 24 May 2017 09:12
To: [REDACTED]
Subject: RE: Harrow School's Sports Hall

Thanks [REDACTED] for responding to [REDACTED] For the record would you please forward me the attachment.

Thanks,

From: [REDACTED]
Sent: 24 May 2017 06:51
To: 'hello@harrowhilltrust.org.uk'
Cc: [REDACTED] Navin Shah; Tony Devenish; [REDACTED]
Subject: RE: Harrow School's Sports Hall

Thanks for your email [REDACTED] for which I can confirm receipt.

As you are aware, once the Council has considered the application, and should it be mindful to approve, it is required to refer it back to the Mayor for his final determination. At that stage all representations received will be reported to him as part of his decision-making process, and I will ensure that the concerns that you have raised are included within this.

Kind regards

[REDACTED]
Senior Manager - Development & Projects

GREATER LONDON AUTHORITY | City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Mobile: 07887 [REDACTED] | Email: [REDACTED]@london.gov.uk |

From: hello@harrowhilltrust.org.uk [<mailto:hello@harrowhilltrust.org.uk>]
Sent: 23 May 2017 17:52
To: [REDACTED]
Cc: [REDACTED] Navin Shah; [REDACTED] Tony Devenish; [REDACTED]
Subject: Harrow School's Sports Hall

Dear Mr [REDACTED]

Please find the letter of objection to the proposed development in Metropolitan Open Land and the proposal for the brownfield option which is supported by 1,693 petitioners, the largest ever for our local Ward. There are 548 written comments of support for this constructive approach to bring enhanced facilities to the School and the Borough plus 430 endorsements of those comments. This constructive approach separate these mainly current and past residents from the traditional written objections on the local planning portal. Unfortunately I have to point out please do not consider the School's own representation of the brownfield option as representative, accurate, or fair. There has been no consultation by the School on the sensible win win brownfield option despite our efforts.

The written comments are also attached for you to scan to be able to judge the strength of local feeling on this. The top three most endorsed comments are highlighted in yellow.

Please do note the new information from two very recent Public Enquiries. We would be grateful if you would support the brownfield option for the development which we could work upon with the School to build in green walls and a more efficient design.

I would be grateful if you could confirm safe receipt of this email plus two attachments.

yours sincerely

■

■

Treasurer & Trustee

www.harrowhilltrust.org.uk and hello@harrowhilltrust.org.uk

Charity registration number 266709

Tel ■ Mobile ■ Unless stated otherwise this email is private and confidential and is for the addressee only. If mis-directed, please contact us and confirm that it has been destroyed. We can not warrant that this is virus free and so you must take your own virus protection measures and we can not accept any liability for any viral or other contamination.

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.....



A BROWNFIELD DEVELOPMENT TO PROVIDE ENHANCED FACILITIES IS SUPPORTED IN PLACE OF PROPOSAL SHOWN ABOVE.

THE FOLLOWING DO NOT SUPPORT THE PROPOSED DEVELOPMENT

LAMAS – HISTORIC BUILDING & CONSERVATION

CPRE LONDON (FURTHER PRESS RELEASE DUE 9AM 25/6/17)

HISTORIC ENGLAND

HARROW CONSERVATION AREAS ADVISORY COMMITTEE (CAAC)

HARROW ARCHITECT'S FORUM

THE HARROW HILL TRUST

██████████ MP

www.harrowhilltrust.org.uk and hhtinfo@aol.com

Charity registration number 266709



THE HARROW HILL TRUST

Caring for the heritage of the Hill and its future

22nd May 2017

Greater London Authority
Development, Enterprise and Environment

By email

Tony Devenish, Navin Shah, Shirley Rodrigues

Dear Mr

Ref Planning application P/1940/16 ,

We wish to bring to your attention our views on the fundamental change in the treatment of the Metropolitan Open Land (MOL), the strength of objections to the site choice for the sports hall and conference centre, and regrettably the poor information provided to local Councillors and to yourselves by the applicant on which to base your decision. Furthermore, we ask you to please take into account that there is support from 1,693 signatures backed by 548 written objections (in addition to those on the Harrow planning portal) endorsed by 430 others to provide 978 written expressions of support for our objections and, most importantly, we stress the superior brownfield option (grossly misrepresented by the applicant) which would provide enhanced facilities but which also address virtually all of the objections made by residents and several National bodies. The Planning Inspectorate's comments recorded on 20 April 2017 are useful additions for the GLA and support the views which we express and can be seen as uncomplimentary of the applicant's presentation of material and statements made. There is a consultation currently but few people know what they are actually now being consulted about, it is not clear to them.

Fundamental Change in MOL Treatment

The draft SPD, the adopted SPD, the public exhibitions for the application, the actual application from the applicant and indeed the GLA's letter of 27th June all show an MOL swap out of land and all state that new MOL must be designated.

The rationale presented to the public on every occasion is that by Swapping out land from MOL the sports and conference centre would not be being built on MOL. However this would mean a loss of MOL and so a fundamental requirement would be to provide more MOL.

"A proposed swap out of the Metropolitan Open Land at the base of the hillside means that the proposed buildings will not be located on MOL. New MOL is being provided to the top of the hillside linking to the....." page 52 Planning Statement section 5.0.

The new proposal is to build on MOL, and to apply 'MOL like policy' to an area of land which was the swapped in MOL.

Track record of the Founders of Harrow School regarding delivering any Section 106 agreement is known by residents to be poor. The failure of the Section 106 agreement for their other School, John Lyon, is currently subject to a Public Enquiry. Please note that the enquiry was suspended recently due

www.harrowhilltrust.org.uk and hhtinfo@aol.com

Charity registration number 266709

to the substantial errors in the evidence provided by the School. This is now two public enquiries plus our evaluation of this proposal which have put in writing the problems with the reliability of evidence provided by the School.

This newly proposed change in the MOL policy was presented to the public only by the case officer's report, not even by the applicant! This accentuates the disappointment which residents have with the Harrow Planning Department, for very good reason. It was residents objections which caused the MOL Swap conditions to be disclosed in the SPD, residents had to press Harrow Council to extend any community use agreement (CUA) from a single 10 year term to that of the life of the building. Residents know that the CUA should not have school core times defined as throughout the calendar year when the pupils are only resident for 58% of the year. Residents know that they won't be able to see or enjoy any of the new MOL. Residents know the massive buildings mean that the reality is that it is not more open. Residents know that the Visual Impact Assessment makes inaccurate claims and inaccurate views and the same is true of the Officer report where it adopts the errors. Residents know that the school's representation of the brownfield option is fundamentally flawed and an unreasonable piece of work.

The Planning Inspectorate appointed by the Secretary of State for Environment, Food and Rural Affairs for the recent Public Enquiry was scathing of the evidence provided by the School, saying problems stated by the School were not significant, benefits over-stated, and used phrased like 'I find it difficult to accept' and 'I do not accept that it is an inevitable, or even likely, consequence.'. Furthermore, of particular relevance is when the School claimed that alternatives were not practical or feasible the Inspector dismissed this view. Also despite the School claiming due process and taking account of all the objections and representations made, the Inspector decided in favour of the public (the objectors).

The Inspector's comments about the views which can be enjoyed from both footpaths 57 and 58 of the Eastern slope of the hill from the Boyer Webb Pavilion up the historic ridge to the skyline which includes a number of Listed buildings and of Harrow Park. Please note this is NOT just assessing just the ridge line.

Paragraph 116 *"..I give considerable weight to the enjoyment of those views, which, I agree with objectors, are **exceptional**."*

Paragraph 119 *"The impact on the public's enjoyment would however be significant and I attach considerable weight to the **"spectacular"** views currently enjoyed."*

NPPF section 80. Green Belt serves five purposes, one of which is "to preserve the setting and special character of historic towns". This is not just the ridge line. Which is the approach taken by the applicant in their presentational material. The current MOL serves this purpose and the new land to have MOL like policies applied to it is not needed/ justified as the resident's know that area of land is already protected by being in a conservation area, and by being within an Area of Special Character and harm would be caused to Listed buildings.

These views are going to be spoilt by the proposed sports and conference centre which is not 'in visual line' with any existing buildings from these vantage points enjoyed by the public nor can it be shielded as it is currently designed, unlike the Science block or the brownfield option supported by residents, which would retain existing mature trees.

The GLA now has this independent and expert opinion at its disposal.

Very Special Circumstances

- 1) The overwhelming documentation presented to the public (in the SPD, in the consultation, by the application, Council, and GLA) is that the MOL swap must be included to justify any kind of very special circumstances. [The GLA have made it clear that pressing academic need and increase community use do not amount to very special circumstances.]
- 2) Please note that the 'reasons for recommendation' in the agenda papers to Councillors when addressing very special circumstances does not even mention MOL.
- 3) Any swap must be subject to strict conditions. The case for being 'just as open' is not justified. It is a fact that from what the public see this cannot be so. Two massive buildings will loom tall and create a narrow corridor, instead of a completely open slope. They cannot see the land which is proposed to be subject to 'MOL type policy'. Furthermore, the impact on the public views to the Grade II listed Park are completely lost from the vantage point half way down Football Lane on the Capital Ring route (not assessed by the Council) and also at the bottom of Football Lane where all footpaths meet.
- 4) The claimed increase in quality is also not agreed with. Hard standing (paths, roads) as opposed to winding gravel paths and beautiful gardens is not an increase in quality. Judge for yourselves in appendix 2. Whether one person prefers one or the other is debateable, but what cannot be disputed is that the hard standing would change the character of the Area of Special Character for the entire Eastern slope. The development does not comply with Local Plan policy DM6 para 4.29 and 4.30 as well as DM3 paragraph 4.50. The brownfield option would allow a softer axial core to blend into the rest of the MOL and to the grade II Listed Park.
- 5) In addition a material consideration has been that there are no other locations which are not **100%** in MOL, which we will clearly show is just not the case. The development **Site 4** in the SPD is approximately half in and half out of the MOL and is an ideal location for the brownfield expanded sports offering. The school's attempt to show a brownfield option fails to use the non-MOL part of Site A. This is not minimising the impact on MOL, nor is it reflecting objectors comments but it does allow the 100% claim to be made.

BROWNFIELD OPTION

The School has presented a split site brownfield option on the basis that the building crosses a Thames Sewer. However they previously proposed to do exactly that when considering the brownfield option for the Science building. (page 17 of the original Design & Access statement) and shown below.

On further examination of the sewer system, it is exactly the same sewer as one of the two which needs diverting for the current proposal. At the brownfield location there is the added advantage that the sewer is one metre lower, allowing the height of the building to be lower for the same height building. [The School incorrectly claims the exact opposite saying the building would be higher with the lower level being constrained by the sewer. However it is clear that the waste water flows North West and measurements show the 'fall' to be 1 metre.]

"There is no justification on such grounds of inconvenience for the permanent blighting of MOL". CPRE London

Building 2/3 crosses the Thames Sewer



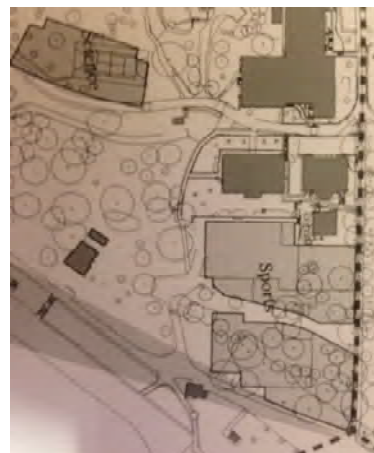
Advantages:

- Within Harrow School Core
- Sports has a good relationship with the playing fields and athletics track.
- Science (Biology & Chemistry) has a good relationship with Maths & Physics and the academic core of the School.
- Precedence of built form on existing sports site.
- Both buildings flank the proposed core landscape.
- Facilitates joint development with the core landscaping and re-routed access road.
- Comprehensive redevelopment of one area of the School.
- Use of a sloped site which is unsuited to sports pitches and courts.
- The hill is used to reduce the apparent mass of the sports halls.
- Sports close to existing visitor car parking for events and public use.

Disadvantages:

- Significant and costly dig into the hillside.
- Sports site located on MOL - land swap proposed.
- Science site located on MOL, unlikely to be allowable.
- Science could only be delivered after Sports completes - phasing issues with unacceptable delay to the delivery of the new science building.
- **Thames sewer requires diverting.**
- Construction will be disruptive to the core of the School.

The brownfield option supported by residents is shown below on the left it and it shows a 'cut out' of the current scheme so as to show scale, and on the right is the Schools version of a brownfield site. The Schools version avoids non-MOL, splits the building, enlarges the building and places it to boundaries destroying many trees. There has been no consultation, with the School not taking up the offer to meet. The brownfield option represented by the school is not of that supported by objectors.



The analysis presented by the School in the Planning Update document should be read remembering the Planning Inspectorate's comments. It presents statements which are not borne out by reality and additionally which just do not apply to the brownfield option which is supported by residents and which would bring enhanced facilities to the school and community.

Minimising the impact on MOL

The current proposal fails to do this in many ways. With a brownfield option the Boyer Webb Pavilion remains and hence the footprint of a new centre can be reduced, secondly by design – such as the proposed fixed seating for the entire length of a sports hall which fails to use the space above or below the seats (e.g. Northolt swimming pool where space below is used for storage, plant and showers) or retractable seating like at St Helen's school. Thirdly, the 15 m² dojo has no dual function for the school whereas it could be teaching space, music rehearsals/recording, or alternatively the dojo built into a section of one of the two sports hall. Subterranean use for storage can be used as this does not need gravity drainage. Even relocating the club/conference room (which we note has been recently removed from the CUA) and catering function to a brownfield expansion development of the top floor of the existing catering facility. In addition the visual impact by having green walls and a green roof would be ideal for the brownfield location. Finally, by using some non MOL land for the expanded footprint.

Decision makers have been told that the proposed plans minimise the impact on MOL and we submit that this is not the case. Also we re-iterate that the statement that all options are 100% in MOL is disputed. This claim has been used as a point of consideration for very special circumstances.

Please we urge you to look at appendix 1 which lists the advantages of the Petitioner's brownfield option. But also please disregard the analysis of the School's 100% MOL split site brownfield proposal presented to you. Please note that there is a whole industry which has serviced dozens of local authorities which puts temporary facilities in place. Our analysis of information obtained from a market leading company shows that it is entirely feasible to use such facilities in this case at reasonable cost paid for by many savings from a brownfield site which we have identified.

The applicant presents decision makers with the statement in the updated site appraisal document that there is only a single disadvantage for the current proposal, that of diverting sewers, not even mentioning the MOL, conservation area and Area of Special Character issues, and hence we submit is incomplete and unreasonable.

Paragraph 83 of the GLA's letter of 27th June 2016 mentions 1,300 petitioners and local organisations such as us and saying our concerns should be considered by the Council in its reporting of the scheme which will be further assessed by the GLA as to whether the Council has addressed them, for which we are grateful. Please note that despite our requests the School has not met with us. Secondly the representation of objectors views have not been addressed in the Planning Update, thirdly the response to the petition is full of inaccurate statements (see our letter of 27th February 2017), and fourthly the petitioners are now 1,693 with 548 individual written objections, many highly charged with emotion, with 430 endorsements of those written comments. The petition can be accessed via the front page of our website www.harrowhilltrust.org.uk we will attach comments in an Excel file for you to scan.

Finally we would like to remind you that the Planning Officer's report and the applicant's documentation contain multiple mistakes/inaccuracies which unfortunately render the reports unreliable. This is very disappointing and something that consultation could have assisted with. Our letters on the planning portal detail past errors. A single example is shown in the Appendix 3.

Yours sincerely

[Redacted Signature]

[Redacted Name], Hon Treasurer. Trustee & member of Professor Evan's planning committee

www.harrowhilltrust.org.uk and hhtinfo@aol.com

Charity registration number 266709

APPENDIX 1

Advantages of the Petitioner's Brownfield site

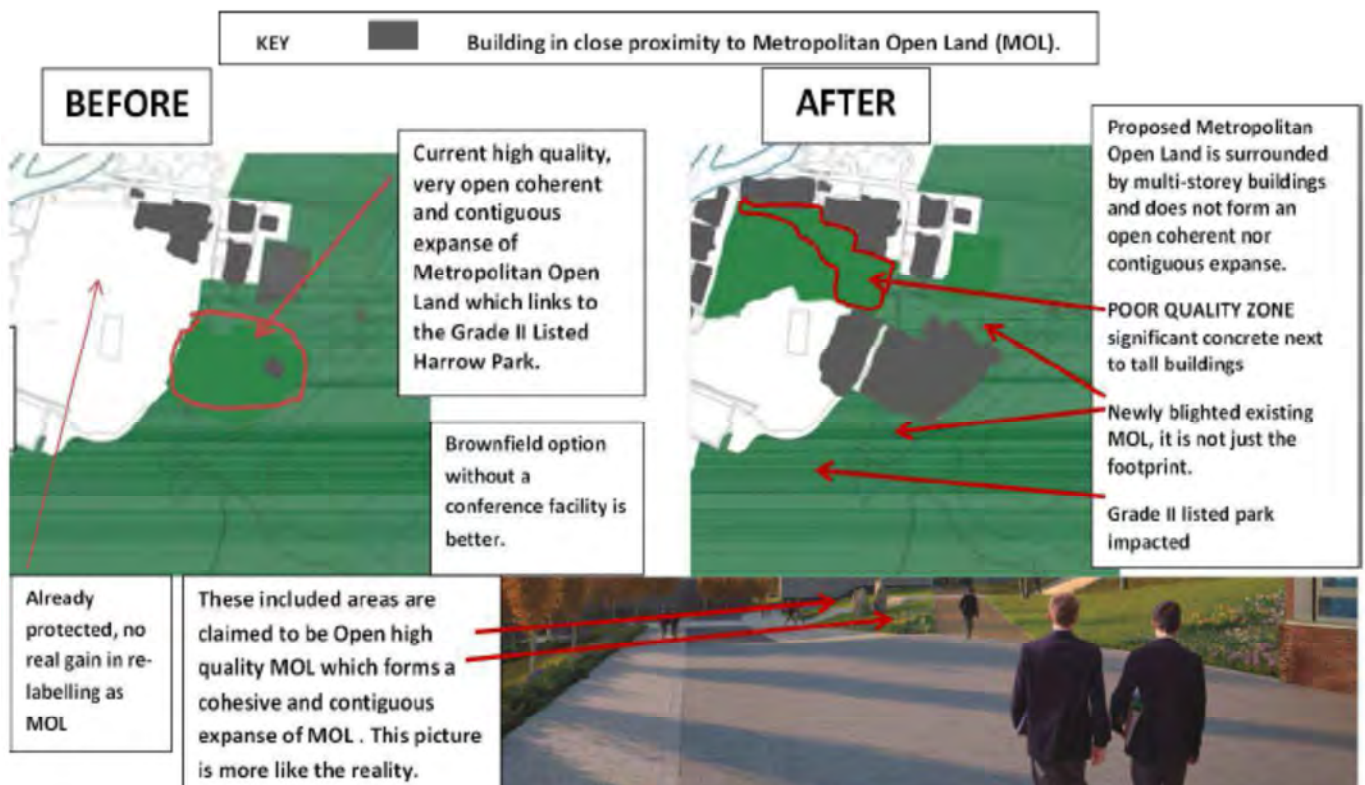
- 1) The proposal uses a significant section on non-MOL (policy 7.17) for a larger footprint
- 2) Using adjacent MOL for legitimate use which supports outdoor sport permits a further enlarged footprint.
- 3) It takes into account 1,693 petitioner's views, for which there is a statutory responsibility to do under the Localism Act 2011.
- 4) Depending on design layout an MOL swap may not be required
- 5) Uses the slope to reduce the apparent mass
- 6) Sloped land can be used which is not suitable for sports pitches and courts
- 7) The finished height of the sports building would be lower than the current proposal as the same sewer run is lower at this point.
- 8) The sports building is shielded by the modern languages and music building from views down the hill
- 9) Both the sports building and science block would be shielded by trees including existing mature trees
- 10) The Boyer Webb pavilion can remain, which saves costs and reduces the footprint requirement
- 11) The building can be shielded from views up the hill by a different front design as the pavilion grandstand/conference facility overlooking the track is at an angle (or temporary stands can be used for the 5 home athletic events, saving unnecessary development for the other 360 days)
- 12) Good relationship to the sports facilities at the base of the hill
- 13) Shielding can include use of green walls which is consistent with planning policy
- 14) Views of the Grade II Listed park from the Capital Ring approximately midway along Football Lane are preserved, the current proposal blocks them
- 15) Views of the Grade II listed park are preserved from the intersection of footpaths 57, 58, 59 and the Capital Ring.
- 16) There is an opportunity to redesign the Science building as there is no building in front of it blocking the light and its views, and green walls can be promoted
- 17) Cost savings from less sewer work, not having to raise the boundary road, a more efficient rectangular design, a smaller footprint by keeping the Boyer Webb, saved demolition of the Boyer Webb all combine to mitigate the cost of temporary facilities
- 18) The axial core is significantly opened up and can blend extremely well with the Grade II listed Park
- 19) Within Harrow School Core
- 20) It is closer to the parking.
- 21) Less impact on views by not having the long expanse of red buildings when viewed from the Capital Ring and from footpath 58.
- 22) Preserves the openness of MOL better than the current proposal
- 23) Better fits with the Area of Special Character for which openness around the hill is important.
- 24) Maintains the existing tree lined bat flight areas

APPENDIX 2

Proposed verses existing. We think the existing is attractive and of better quality. The gravel path could be widened to enhance functionality. Also the existing is consistent with the character of the open landscape of conservation area and Area of Special Character.



Midway down it is again defined by hard landscaping as can be seen below. This is not better quality. Also it is **surrounded by** tall buildings now **as opposed to being open**. Hence lower quality. The bird and bat surveys show much more wildlife in the MOL area to be built upon than the proposed land to be subject to 'MOL like policy'.



Appendix 3

Reproduced in the box below from the planning officer's report (see the box below) is the statement that **the views towards the Grade II listed park or from the Capital Ring are largely blocked by existing structures**, this is not the case as evidenced by photos of the tiny pump house, and the Boyer Webb Pavilion is a fraction of the size of the proposed sports and conference centre.

~~the~~ Furthermore, the existing views towards the Grade II listed park or from the Capital Ring are largely blocked by existing structures and/or trees and landscaping. The proposals maintain the views towards the park.



How can the statement that the proposals **maintain the views towards the park** be accurate? It also fails to even mention the loss of view of the park from half way down Football Lane on the Capital Ring which will be completely lost.



The new planting will completely block the views of the Grade II listed Park as shown.

From: [REDACTED]
Sent: 18 April 2019 12:45
To: [REDACTED] PlanningAppeals@harrow.gov.uk;
[REDACTED] harrow.gov.uk; [REDACTED] harrow.gov.uk; [REDACTED]
[REDACTED] tfl.gov.uk
Cc: [REDACTED]
Subject: Re: Rebuttal - APP/M5450/W/18/3208434: Harrow School Sports & Science Buildings, HA1 3HP

Dear [REDACTED]

Thank you for preparing the compendium. We have yet to see if there are any omissions. On the basis that if there are omissions they can still be accessed, we would be willing to accept the compendium document if all the new images on the page numbers you mention are removed.

Kind regards

[REDACTED]
[REDACTED]
Treasurer & Trustee

www.harrowhilltrust.org.uk and hello@harrowhilltrust.org.uk

Charity registration number 266709

Tel [REDACTED] Mobile [REDACTED] Unless stated otherwise this email is private and confidential and is for the addressee only. If mis-directed, please contact us and confirm that it has been destroyed. We can not warrant that this is virus free and so you must take your own virus protection measures and we can not accept any liability for any viral or other contamination.

From: [REDACTED]
Sent: Wednesday, April 17, 2019 12:40 PM
To: [REDACTED]; PlanningAppeals@harrow.gov.uk; [REDACTED]; [REDACTED] harrow.gov.uk ;
<mailto:harrow.gov.uk> ; [REDACTED] london.gov.uk ; [REDACTED] tfl.gov.uk ;
[REDACTED] tfl.gov.uk
Cc: [REDACTED]; [REDACTED]
Subject: RE: Rebuttal - APP/M5450/W/18/3208434: Harrow School Sports & Science Buildings, HA1 3HP

Dear all

Although the Inspector has confirmed he will not accept the rebuttal, he will consider accepting Appendix A if all parties agree.

This was produced so that all CGI's issued throughout the Planning Application and Appeal process can be found in one compendium document, rather than in separate documents issued at different times. There is no new information apart from the images of the BAM option 2 which we would could remove.

For clarity, this would result in updating the contents on page 2 and removing pages 11, 18, 25, 48, 57, 64, 71, 89.

Can you all confirm if you agree to this or not.

Kind regards

[Remainder of email chain duplicates]

From: [REDACTED]
Sent: 31 January 2018 08:31
To: [REDACTED]
Subject: FW: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL
Attachments: APPEAL DECISION 3160672.pdf

Please save on the file

From: [REDACTED] [mailto:[REDACTED@aol.com]]
Sent: 29 January 2018 18:12
To: [REDACTED] <[REDACTED@london.gov.uk]>
Subject: Re: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL

Thank you so much for getting it to me today [REDACTED]
It's very timely as there is a Harrow Hill Trust executive committee tonight.
I've not digested it yet, but obviously will in due course.
'Word on the streets' is that the School will appeal.
I'm sure the Trust would be happy to assist in any way it can.
(This autumn, I lead a team of three as a Rule 6 Party in opposing the John Lyon School's application to increase pupil numbers by nearly 20%, acting as 'counsel' and witness. We won that one too! The Inspector's report is attached, although I can't imagine you'll find the time to look at it.)
Thanks for the offer to discuss.
Best wishes
[REDACTED]

From: [REDACTED] <[REDACTED@london.gov.uk]>
Date: Monday, 29 January 2018 at 17:17
To: [REDACTED] <[REDACTED@aol.com]>
Subject: RE: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL

[REDACTED] – I attach a copy of the Mayor's stage II report and decision letter, which he considered this afternoon.

The Mayor has directed the Council to refuse planning permission.

Happy to discuss any questions
Best wishes
[REDACTED]

From: [REDACTED] [mailto:[REDACTED@aol.com]]
Sent: 25 January 2018 16:53
To: [REDACTED] <[REDACTED@london.gov.uk]>
Subject: Re: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL

Ok [REDACTED] thanks for letting me know that it's a private meeting with no prior report.

Please do let me know the outcome as soon as you possibly can – I'd rather Trust members hear of it from a good source, not via Chinese whispers.

Fingers crossed for Monday then!

■

From: ■ <■@london.gov.uk>

Date: Saturday, 20 January 2018 at 14:22

To: ■ <■@aol.com>

Subject: RE: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL

Thanks ■ – sounds like you have had a great time since we last spoke, I am very envious.

The Mayor's Planning Meetings are private, so it is not possible to attend; we also do not issue draft reports in advance. However, I will of course be happy to let you know the decision as soon as possible.

Best wishes

■

■

Senior Manager - Development & Projects

GREATER LONDON AUTHORITY | City Hall, The Queen's Walk, London SE1 2AA

Tel: 020 7983 ■ | Mobile: 07887 ■ | Email: ■@london.gov.uk |

From: ■ [mailto:■@aol.com]

Sent: 19 January 2018 10:40

To: ■ <■@london.gov.uk>

Subject: Re: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL

Thanks ■

■

Thank you for trying so hard to explore options on the existing site. It's a shame nothing positive was forthcoming.

As you say, you have the Trust's comments, and I wouldn't want to tempt your patience by adding to them!

Is the meeting on the 29th open to the public please, and if so where and when on the 29th? I'd just come (not 'mob-handed'!) to hear it for myself if that's appropriate?

Thanks again

■

From: [REDACTED] <[REDACTED]@london.gov.uk>
Date: Friday, 19 January 2018 at 08:27
To: [REDACTED] <[REDACTED]@aol.com>
Subject: RE: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL

Hi [REDACTED] and indeed, Happy New Year to you; I hope you had a lovely break.

My team has been working with Harrow Council and the applicant to explore alternative options for delivering a new sports facility at the existing sports hall site; however, unfortunately, no revised plans have been submitted.

Harrow Council has now formally referred the case to the Mayor, and the Mayor now has to decide whether he is content to allow the Council's decision to stand, or whether he wishes to direct refusal. The Mayor's meeting is on the 29 January.

I believe we have all of your comments in order to report your concerns to the Mayor, but if you did have anything extra that you wanted to raise, we will need this by close of play on Monday of next week (22nd), in order to include it in my officers report.

Many thanks

[REDACTED]

[REDACTED]

Senior Manager - Development & Projects

GREATER LONDON AUTHORITY | City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Mobile: 07887 [REDACTED] | Email: [REDACTED]@london.gov.uk |

From: [REDACTED] [mailto:[REDACTED]@aol.com]
Sent: 17 January 2018 15:58
To: [REDACTED] <[REDACTED]@london.gov.uk>
Subject: Re: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL

Good afternoon [REDACTED] and a happy new year to you.

It seems nothing has transpired in the months since we last communicated.

Is there anything you can share with us please?

Such as whether discussions are still ongoing, and whether smaller proposals and/or an alternative site are being considered?

I understand if you can't, but to the many residents interested in this, it just seems to have gone into a black-hole, so ANYTHING would be better than the total silence we have.

Best wishes

[REDACTED]

From: [REDACTED] <[REDACTED]@london.gov.uk>
Date: Monday, 16 October 2017 at 07:40
To: [REDACTED] <[REDACTED]@aol.com>

Subject: RE: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL

Good morning [REDACTED]

Thanks for your email, and sincere apologies for the slight delay in getting back to you – we have the Mayor's Representation Hearing for the stage 3 application at Homebase, Wandsworth tomorrow, so things are even more manic. It's well worth attending if you are free (and depending on how much of a planning geek you are). I've added a link below.

On Harrow – we are still engaged with the applicant and the borough, so the referral is on hold. Nothing to update at this stage, but discussions are ongoing, and I will certainly update you once we have more certainty on timescales/next steps.

Best wishes

[REDACTED]

<https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/swandon-way>

[REDACTED]

Senior Manager - Development & Projects

GREATER LONDON AUTHORITY | City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Mobile: 07887 [REDACTED] | Email:
[REDACTED]@london.gov.uk |

From: [REDACTED] [mailto:[REDACTED]@aol.com]

Sent: 10 October 2017 23:10

To: [REDACTED] <[REDACTED]@london.gov.uk>

Subject: Re: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL

Good morning again [REDACTED] (I'm sincerely hoping you won't be looking at this tonight!).

We are preparing the Trust's twice yearly Newsletter and want to update members on the latest situation.

Can you tell us whether LB Harrow has yet formally referred the application to the Mayor please?

Or are there any other developments you can tell us about?

Many thanks

[REDACTED]

ps I haven't sent you the 'promised' critique of the CUA because I understand [REDACTED] had done so.

On 25 Sep 2017, at 15:45, [REDACTED] <[REDACTED]@aol.com> wrote:

Thanks [REDACTED]

Going through work emails on a Sunday afternoon isn't to be recommended of course, but it is appreciated!
Yes, the meeting with [REDACTED] was useful thanks.
We look forward to hearing how things develop.
Best wishes
[REDACTED]

[REDACTED]

On 24 Sep 2017, at 14:29, [REDACTED]
<[REDACTED]@london.gov.uk> wrote:

Thanks [REDACTED] we will of course ensure that this is reported to the Mayor as part of his decision-making process.

I do hope that you found the meeting with [REDACTED] helpful, and we will certainly ensure that you are kept up to date on progress our end.

Best wishes
[REDACTED]

[REDACTED]
Senior Manager - Development & Projects

GREATER LONDON AUTHORITY | City Hall, The
Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED] | Mobile: 07887 [REDACTED] |
Email: [REDACTED]@london.gov.uk |

From: [REDACTED] [mailto:[REDACTED]@aol.com]
Sent: 21 September 2017 17:42
To: [REDACTED]@london.gov.uk
Cc: [REDACTED]@london.gov.uk;
[REDACTED]@london.gov.uk;
[REDACTED]@london.gov.uk;
[REDACTED]@london.gov.uk;

Subject: Fwd: LB Harrow Planning Application
P/1940/16: HARROW SCHOOL SPORTS HALL AND
SWIMMING POOL

Dear [REDACTED]
I'm forwarding here a copy of a letter sent today to the Mayor.

From: [REDACTED] <[REDACTED]@aol.com>
Sent: 21 September 2017 17:42
To: [REDACTED]
Cc: [REDACTED]
Subject: Fwd: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL
Attachments: Hill Trust to Mayor Sept 2017.docx; TA letter to GLA re Harrow School Sports Centre May 17.pdf; Pages from LB Harrow Committee 6 Sept 17.pdf

Dear [REDACTED]

I'm forwarding here a copy of a letter sent today to the Mayor.

Hopefully you and your colleagues can take its contents into account in your report to him on this application.

We'd like to thank you for arranging the meeting with [REDACTED] and take this opportunity to reinforce and add to points made at that meeting.

Re the MOL

In neither the Officer's report nor the Committees' discussions have the 7.17 criteria for creation of new MOL been set out, assessed or debated. Also, we have previously set out for you why we do not believe this inappropriate development passes the 'exceptional circumstances' test.

The current boundaries are recorded as 'strategic' in the Local Plan, so we assume it requires a strategic argument to justify any change to them.

We understand that MOL cannot actually be created by S106 agreement, but only through revision of the Harrow Local Plan. As set out in the letter, we believe there is no certainty that the proposed MOL boundaries will be permitted at the next Examination in Public of the Local Plan because the new area is not open (other than it will have no buildings on it) but would be surrounded by School buildings. It might strictly speaking be 'contiguous', but it is not, it seems to us, 'coherent' with the existing MOL.

Also, as mentioned to [REDACTED] it is likely that a Neighbourhood Plan for this area will be sufficiently advanced that it will have to be taken into account in the Examination: this Plan will be driven by residents' opinions which may not support such changes to the MOL boundary.

The risk therefore is that this development could be allowed to go ahead on the basis of an MOL swap that is never delivered.

Re Alternative Brownfield site

We have described to you an alternative site using the site of the existing sports facilities and swimming pool, with adjacent land (previously identified by the School for development) that is not in the MOL should more land for expanded facilities be required.

We can understand the School's reluctance to adopt this alternative because it requires temporary facilities to be found while current facilities are demolished and the new ones built. They have declined our offers to discuss this with them, when we would have put forward realistic options for such temporary facilities, including use of the swimming pool at John Lyon (with which the School has close links) just a few minutes walk away.

Instead, the School identified, assessed and rejected a larger alternative site wholly in the MOL, as mentioned in the letter.

Our last letter to you listed in the appendix twenty four advantages of that brownfield proposal compared to the harmful one proposed.

Re the Community Use Agreement (CUA)

Your report of June 2016 attached to Colin Wilson's letter, addresses the CUA, presumably because it is the only potential benefit (there being no associated CIL) to balance the enormous harm done by the development. Indeed, the LB Harrow officers' Recommendation B to the September Committee (page 8 of the second enclosure to our letter) points out that without such a Planning Obligation, the development would be contrary to numerous national, London and Harrow policies without mitigation. Yet, as pointed out in our letter, somewhat puzzlingly the

Committee appears to have 'approved' the final CUA when only having a (messy) draft in front of them. Is this normal we wonder?

We have also expressed to you and in our letter, that we are very doubtful that the final CUA will achieve significant local use by schools in Harrow.

A Trust member (who was a commercial solicitor) has drafted a critique of the draft CUA presented to the Committee. For example, the School's core usage time is included as throughout the calendar year, and yet the boys are only present for 58% of the year (2016/17). This restricted community use is inconsistent with the template provided by Sports England which we can provide to you. In addition when applying for planning permission page 18 paragraph 3.52 of the Planning Statement says:-

Also the Sports England template mentions casual use (pay as you go access) which is not in the draft CUA offered by the School and yet a rationale for a second sports hall, which takes up a large area of MOL, was to be able to have concurrent use by the School and the community.

We will forward the full critique to you as soon as we can.

On a final general point, we can find no assessment of the impact of the proposed development on the Area of Special Character in the Harrow Planning Officers' report and it was not debated by Councillors. This is contrary to local policy DM6.

I hope this submission to you is timely. We would of course be happy to clarify or elaborate on any part of the letter, its enclosure or this email.

Kind regards

■■■■

Begin forwarded message:

From: ■■■■ <■■■■@aol.com>

Subject: LB Harrow Planning Application P/1940/16: HARROW SCHOOL SPORTS HALL AND SWIMMING POOL

Date: 21 September 2017 at 13:16:49 BST

To: "mayor@london.gov.uk" <mayor@london.gov.uk>

Cc: ■■■■ <■■■■@mp@parliament.uk>, Navin Shah <navin.shah@london.gov.uk>, ■■■■ <■■■■>

Please find attached a letter (plus two enclosures) from ■■■■ the Chair of the Harrow Hill Trust, regarding the above application. I am copying it separately to the GLA planners.

Kind regards

■■■■

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THE HARROW HILL TRUST

Caring for the heritage of the Hill and its future

Sadiq Khan
The Mayor of London
City Hall
The Queen's Walk
London SE1 2AA

By post and by e-mail

21st September 2017

Mr Mayor

London Borough of Harrow Planning Application P/1940/16

HARROW SCHOOL SPORTS HALL AND SWIMMING POOL, FOOTBALL LANE, HARROW

I write as Chair of the Harrow Hill Trust – a local amenity society of nearly 1000 members and 50 years standing – to request that you direct LB Harrow to refuse the above application for the following reasons:

- **The environmental harm that the proposed buildings will have on the Conservation Area and Area of Special Character, a listed heritage landscape, and exceptional views.**
- **The resultant loss of Metropolitan Open Land (MOL) with no certainty that replacement MOL can be delivered is contrary to the Harrow School supplementary planning document (SPD).**
- **An alternative brownfield site, namely redevelopment of the existing sports facilities, could be used.**
- **There is no educational need, and it produces no increase in school places or housing gain.**
- **Use of the facilities by local schools is unlikely to result from the Community Use Agreement (CUA).**

I expand on each of these reasons below and in attachments, but would like first to set out a little background.

In June this year, Harrow Council resolved to give permission for this development subject to a Community Use Agreement, which was then approved on 6th September. Because the site is on MOL, the decision must be referred to you for confirmation.

Historic England, LAMAS, CPRE and Harrow's CAAC have all written to the Council voicing their concerns, and more than 1700 residents have opposed the application and supported the development on the brownfield site.

The environmental harm would be permanent. The proposed site is of a beautiful parkland nature in MOL, containing an old listed wooden sports pavilion (see the 'before' picture below. The new building will have a major impact on "exceptional" and "spectacular" views of the east side of the Hill (see 'after' picture). These are words used by the Inspector in her report and by our MP, [REDACTED] on a recent footpaths diversion inquiry. The south flank wall of the building would be on the boundary of a Capability Brown landscape.

Loss of Metropolitan Open Land - contrary to Policy. The Harrow School SPD originally envisaged a "swap" of replacement MOL for that taken by the development. The current proposal is that the School offers restrictions akin to MOL policies on part of its landscaped area, and offers it as a potential future extension to the MOL. However, the MOL boundary can only be amended through review of the local plan and there is no certainty that it will be changed: in fact, we believe an Inspector would agree with us that the enclosed landscaped area offered is not 'open' and so not suitable for MOL. Without such a swap, the Application is contrary to the Harrow School SPD, and overall there would then be a net loss of MOL (see copy of [REDACTED] memo to [REDACTED] dated 25th May 2017 attached).

A brownfield site proposed by the Trust (see 'before' picture below) has not been properly assessed. It uses the site of the existing sports facilities and some adjacent non-MOL land. We offered to discuss this with the



THE HARROW HILL TRUST

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School. It declined and instead chose to assess and reject another site wholly within MOL, on the basis that it is crossed by a sewer – which also crosses their proposed site.

No educational need. The School acknowledges that no additional pupil places will result from the new facilities, but argues that they are essential to deliver the curriculum. However, most if not all state schools manage to deliver the curriculum with nothing like the School's current facilities. They may be needed to compete with similar private schools, in which case it is a commercial need, not an educational one.

Community use. The only reason given by Harrow for accepting the harm done by this Application, is the use that residents and local schools might make of the new sports facilities. We believe this is at best optimistic: very few if any nearby schools currently make use of the School's facilities, and we doubt any LEA schools in Harrow would be able to afford the costs given the cutbacks in school budgets. There is no certainty as to what details the final CUA might contain: a draft printed in the September Committee papers made it difficult to tell what it might finally say, and yet a recommendation to approve the Final CUA at that meeting was seemingly approved! (We attach relevant pages from that Committee Report.)

If the final CUA does not result in more use, particularly by LEA schools, the main reason for accepting the harm done falls, and application should therefore be refused.

I trust we have given sufficient reasons for you to support our request to direct Refusal of this application, but would be happy to provide any further information you require.

Yours truly

[Redacted signature]

[Redacted name]

[Redacted name]

cc [Redacted] MP, Navin Shah and GLA Planners ([Redacted] [Redacted] & [Redacted])

Encs:

1. Memo from Trust member [Redacted] [Redacted] to [Redacted] May 2017
2. Pages from the 6th September Committee report including a map of the area and the draft CUA



THE HARROW HILL TRUST

Caring for the heritage of the Hill and its future



www.harrowhilltrust.org.uk and hhtinfo@aol.com

Charity registration number 266709

Harrow School Sports Centre (LB Harrow P/1940/16)

Reasons for Refusal re MOL

To [REDACTED] (GLA) by email.

25 May 2017

Dear [REDACTED]

Thank you again for our meeting on 25th April.

In that meeting, we discussed the excessive bulk of the proposed Sports Centre for Harrow School, which has not been designed to minimise its footprint on the Metropolitan Open Land (for example by incorporating dedicated rather than multi-purpose sports areas and facilities for conferences that could be provided elsewhere in the School). This results in an excessively large impact on the historical views of the east side of the Hill, described in the Inspector's decision on a recent footpath diversion inquiry as 'spectacular' and 'exceptional'. The impact has prompted the many objections to this development, including from Heritage England, Harrow's CAAC and the CPRE.

The original proposal of course, was for a swap of MOL, as described in the School's supplementary planning document (SPD). Then in a withdrawn officers' report to LBH's April Committee meeting, the arrangement was described as offering the School's central landscaped area as an extension to the MOL.

The current proposal, on which I understand you have now been consulted by LBH Planners, appears to be that this landscaped area will not be MOL but that MOL policies will apply to it. The implication seems to be that the land on which the Sports Centre is proposed to be developed will remain MOL despite having on it what all parties acknowledge would be inappropriate development. To all intents and purposes of course, it will not be Open land at all, and represents a net loss of MOL.

This removal of the 'swap' is in conflict with the SPD, which also makes clear that there must be 'no net loss of MOL or in the quality of openness'. On these counts alone, the application surely cannot meet the necessary test of very special circumstances?

The GLA's report of June last year (paragraph 43) concluded that three other factors, when combined, constituted very special circumstances:

- First was the lack of alternative suitable land due to topographical and planning constraints. Having declined my offers to discuss alternative sites, the School has chosen to put forward sites that are suboptimal and then reject them on criteria such as sewer diversions, that could also be used to reject the proposed site. We postulated at our meeting, that an alternative brownfield site based on the existing sports centre and not entirely within MOL would, if independently assessed, provide a suitable alternative.
- Then there was the School's claim that there is a pressing academic curriculum need for the new facilities. However, clearly the vast majority of schools throughout the country appear to be able to meet the curriculum's requirements without anything like the sports

facilities that currently exist at Harrow School. The new Sports Centre would provide facilities that any school would desire, but they surely cannot be described as academically necessary?

- The third factor invoked by the GLA was enhanced community use. Further features of the proposed community use agreement are now available. A marginal increase in hours across the whole year is offered, but seemingly with charges not capped at 40% of the commercial rate normally expected (paragraph 48 of GLA's June report). In any case, with ever tighter budgets, it is doubtful that local state schools would be able to avail themselves of the facilities. (At a recent meeting with LBH Planners, they could not confirm whether any local schools use the School's facilities under current arrangements, and undertook to check.)

From that same meeting with LBH Planners, I understand that the new approach reflects the fact that the boundary of the MOL, including the creation of 'new MOL', cannot be delivered through a Section 106 agreement, but must be through a future review of the Local Plan and an Examination in Public.

In our meeting with you, I set out arguments why the landscaped area is not suitable to become 'new MOL'. Whilst technically contiguous with the remaining MOL, it is a protruding finger of land that is almost wholly enclosed by School buildings, and is inaccessible both visually and physically to the public (see plan in Appendix 1 of the GLA's June 2016 report.)

I likened it to a private landowner proposing to develop a mansion on that part of his estate within MOL, in exchange for its enclosed, invisible garden becoming replacement MOL, exactly what the policy of presumption against MOL swaps is intended to prevent.

When these arguments and supporting analysis are put to the Inspector at a future Examination in Public, there must be a reasonable probability that they will agree that the landscaped area cannot reasonably be considered either Open in any meaningful sense or coherent with the remaining MOL. Thus the 'new MOL' would not be delivered, and the new Sports Centre, if permission is granted, would be built on a flawed premise. Even if the GLA only accepts this scenario as a possibility, it surely should not be allowing permission to be granted?

In conclusion, it seems clear that the application now fails to constitute very special circumstances, and there is no reason why the community should be expected to accept the permanent harm caused to the historic views

Yours sincerely

A redacted signature consisting of two solid black rectangular boxes.

From: [REDACTED] <[REDACTED]@aol.com>
Sent: 12 June 2017 10:32
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Meeting with GLA to discuss Harrow School Sports Centre
Attachments: TA letter to GLA re Harrow School Sports Centre May 17.pdf; Mail Attachment.eml

Hi [REDACTED]
Are you able to tell us please, whether you've yet responded to LB Harrow, and if so whether you can share your response with us?
Thanks
[REDACTED]

On 25 May 2017, at 23:28, [REDACTED] <[REDACTED]@aol.com> wrote:

My turn to apologise for the delay in thanking you for sending us Harrow's consultation email [REDACTED]

Please find attached a letter following up on our meeting, and commenting on the latest approach to MOL being adopted by the applicant.

An MOL swap is not now proposed, so the application is not in line with the Harrow School SPD. It assumes that the landscaped area will eventually be made MOL through the Local Plan Review and Examination in Public. However, as explained in the letter, there can be no guarantee of that, and in my view it is more than a possibility that an Inspector will accept arguments that the landscaped area is NOT suitable for MOL, in which case any permission granted would be on a false premise. For this reason and in view of the new approach to MOL being adopted, I ask that the GLA reconsiders it's previous acceptance of siting a new Sports Centre on virgin MOL. The application is now not in accordance with the SPD and the provision of 'replacement MOL' cannot be guaranteed.

Many thanks for providing this opportunity to offer these thoughts to you and your colleagues.
Best wishes
[REDACTED]

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On 21 May 2017, at 14:00, [REDACTED] <[REDACTED]@london.gov.uk> wrote:

Hi [REDACTED]

Sincere apologies for the delay in getting back to you on this. I have attached the Council's consultation email for you.

In terms of our response, we do not issue formal responses to these consultations – they are commonplace within planning, and do not trigger a requirement to report to the Mayor. We will provide officer-level feedback in due course, and I would be happy to ensure that you are sent a copy of whatever we send over to the Council.

Best wishes

Senior Manager - Development & Projects

GREATER LONDON AUTHORITY | City Hall, The Queen's Walk, London SE1 2AA

Tel: 020 7983 [REDACTED] | Mobile: 07887 [REDACTED] |

Email: [REDACTED] [london.gov.uk](mailto:[REDACTED]@london.gov.uk) |

From: [REDACTED] [[mailto:\[REDACTED\]@aol.com](mailto:[REDACTED]@aol.com)]

Sent: 18 May 2017 16:32

To: [REDACTED]

Subject: Re: Meeting with GLA to discuss Harrow School Sports Centre

Good afternoon [REDACTED]

I wonder please, if you're allowed to send me a copy of LBH's referral to the GLA on the Sports Centre?

It would maybe help understand better, what exactly they are consulting on and how it is different to before?

Also, does the GLA have a deadline for sending its reply please?

Many thanks

On 11 May 2017, at 10:47, [REDACTED] <[\[REDACTED\]@aol.com](mailto:[REDACTED]@aol.com)> wrote:

Goodness me - no need to apologise for keeping us informed

The attached document appeared on LBH's web site on 2 May, adding to eight others also simply described as '[PL Application Incoming Correspondence - Redacted](#)'.

It seems to represent a change of approach by the applicant on MOL, which is different to that alluded to in the SPD so will take a bit of digesting.

I'll send you any further comments the Trust or I have on it if I may, hopefully in time to input to the GLA's feedback to LBH.

I'm sure that means you'd like it asap, but could you give us an idea of how much time we might have to make such an input please?

Thanks

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On 11 May 2017, at 07:25, [REDACTED]
<[REDACTED][london.gov.uk](mailto:[REDACTED]@london.gov.uk)> wrote:

Morning [REDACTED]

Apologies for yet another email, but I thought a further update on this would be helpful.

I can now confirm that we received the consultation from the Council via email yesterday. We will be reviewing in due course, and I will ensure that you are kept up to date on any feedback we provide to the Council.

Many thanks
[REDACTED]

[REDACTED]
Strategic Planning Manager - Development & Projects

GREATER LONDON AUTHORITY | 4th Floor, City Hall, The Queen's Walk, London SE1 2AA
Tel: 020 7983 [REDACTED]
| Email: [REDACTED][london.gov.uk](mailto:[REDACTED]@london.gov.uk) | Web: www.london.gov.uk

From: [REDACTED]
Sent: 09 May 2017 12:45
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Meeting with GLA to discuss Harrow School Sports Centre

Hi [REDACTED]

Further to my email this morning. I can confirm, we have not received the consultation from the Council.

Thanks
[REDACTED]

From: [REDACTED]
Sent: 09 May 2017 08:05

To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Meeting with GLA to discuss Harrow School Sports Centre

Morning [REDACTED] - thanks for your email.

Just to let you know, I am looking into whether we have received this consultation, so I will hopefully update you later today.

Thanks
[REDACTED]

[REDACTED]
Strategic Planning Manager - Development & Projects

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Web: www.london.gov.uk

From: [REDACTED] [[mailto:\[REDACTED\]@aol.com](mailto:[REDACTED]@aol.com)]
Sent: 08 May 2017 11:19
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Meeting with GLA to discuss Harrow School Sports Centre

Good morning [REDACTED]
Thanks again for listening to our concerns when we met.

The precise reasons why the item was withdrawn from the Committee agenda that week are still not clear, but a new consultation advert has gone on LBH's web site (attached). As you can see, it says the reasons for advertising include 'Departure from Development Plan and **see GOL Referral**', but we can't find any documentation on the web site on a referral to yourselves.

Are you able to tell us please, whether LBH has made any referral to you recently, or indeed in this year? And if so, are you able to give us a copy of any exchanges between you please? The application has been rescheduled for committee on 24 May so an early response one way or the other, would be much appreciated.
Many thanks
[REDACTED]

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ps. I think we mentioned the public inquiry into some footpath diversions across the fields opposite the proposed site of the new sports centre? Here are some of the Inspector's words in deciding against the School and LBH's decision to divert the footpaths:

- 'I give considerable weight to the enjoyment of those views, which, I agree with objectors, are exceptional.'
- 'The impact on the public's enjoyment would however be significant and I attach considerable weight to the "spectacular" views currently enjoyed.'

These are the views that would be massively impacted by the proposed sports centre.

On 25 Apr 2017, at 12:19, [REDACTED]
<[REDACTED][london.gov.uk](mailto:[REDACTED]@london.gov.uk)> wrote:

Thanks [REDACTED] that's very helpful.

If I meet you down in our café, that way you can get comfortable if you are early – though look out for me when I pop down at 3 (I am wearing a red cardigan)

Thanks
[REDACTED]

From: [REDACTED]
[mailto:[REDACTED][aol.com](mailto:[REDACTED]@aol.com)]

Sent: 25 April 2017 12:06

To: [REDACTED]

Cc: [REDACTED]

Subject: Meeting with GLA to discuss Harrow School Sports Centre

Dear [REDACTED]
I bit late I'm afraid, but I thought it would help our discussions this afternoon if I provided an a list of points we'd like to cover.
The Harrow Hill Trust has also asked if [REDACTED] who I think has communicated with the GLA before on this subject, can join us. I trust that is ok.
See you at 3pm. Shall we go to the cafe, or will you meet us at reception?
Kind regards
[REDACTED]

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