

Harrow View East, Plots D1, D2, D4, D5 & D6

in the London Borough of Harrow

planning application no. : P/3944/19

<p>Strategic planning application stage II referral</p> <p>Town and Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town and Country Planning (Mayor of London) Order 2008.</p>
<p>The proposal</p> <p>The development of Plots D1, D2, D4, D5 and D6 at Harrow View East (former Kodak Factory) for 1,226 residential dwellings (including a 60 unit Extra Care Facility), 362 sq.m. of café/restaurant space, 728 sq.m. of flexible commercial/community uses in buildings ranging in height from two to eighteen storeys; together with new roads, access and circulation, car and cycle parking, open space, landscaping and infrastructure works.</p>
<p>The applicant</p> <p>The applicant is Harrow View LLP. The architects are Makower Architects (Plot D1 and two buildings in Plot D2); Piercy and Company (one building in Plot D2 and one building in Plot D5), East (Extra Care building in Plot D2); and Pollard Thomas Edwards (Plot D4 and Plot D6).</p>
<p>Key dates</p> <p>Stage I report: 11 November 2019</p> <p>Committee meeting: 22 January 2020.</p>
<p>Strategic issues</p> <p>Principle of development: As stated at consultation stage, the optimisation of land and contribution towards increased housing delivery and social infrastructure is strongly supported in line with the London Plan, draft London Plan and Harrow and Wealdstone Area Action Plan.</p> <p>Affordable housing: The provision of 40 per cent affordable housing (with grant, by habitable room) is strongly supported. An early stage viability review and the affordability of the proposed affordable housing products has been secured within the draft Section 106 agreement.</p> <p>Urban design: As stated at consultation stage, the broad layout and massing provides positive enhancements to the permeability of the site. The new public square and a series of well-defined street and building typologies add to the rich character of the development. The Council has secured inclusive design requirements by condition.</p> <p>Transport: All transportation issues have been resolved, with appropriate conditions and planning obligations have been secured. A contribution of £475,000.00 to be used towards bus services improvements and additional services in the vicinity of the site have been secured.</p> <p>Issues relating to Agent of Change, playspace, energy, water efficiency, urban greening are resolved, and relevant conditions and Section 106 obligations secured.</p>
<p>The Council's decision</p> <p>Harrow Council has resolved to grant permission, subject to conditions, a section 106 agreement, and Stage II referral to the Mayor of London.</p>
<p>Recommendation</p> <p>That Harrow Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take and does not therefore wish to direct refusal or direct that he is to be the local planning authority.</p>

Context

1 On 18 September 2019, the Mayor of London received documents from Harrow Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Categories 1A, AB and 1C of the Schedule to the Order 2008:

- 1A(1) - Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.
- 1B(1c) - Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.
- 1C(1c) - Development which comprises the erection of a building that is more than 30 metres high and is outside the City of London.

2 On 11 November 2019, the Mayor considered planning report GLA/4995/01, and subsequently advised Harrow Council that the application did not yet comply with the London Plan and the draft London Plan; however, the possible remedies set out in paragraph 78 of the above-mentioned report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. On 22 January 2020, Harrow Council decided that it was minded to grant permission, subject to conditions, agreement of a section 106 agreement and Stage II referral to the Mayor of London. Under the provisions of Article 5 of the Town and Country Planning (Mayor of London) Order 2008, the Mayor may allow the draft decision to proceed unchanged or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application. The Mayor has until 10 July 2020 to notify the Council of his decision and to issue any direction.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations has been taken into account in the consideration of this case.

5 The Mayor's decision on this case, and the reasons, will be made available on the GLA's website www.london.gov.uk.

Consultation stage issues summary

6 At consultation stage, Harrow Council was advised that the application did not yet comply with the London Plan and the draft London Plan as set out below;

- **Principle of development:** The optimisation of land and contribution towards increased housing delivery and social infrastructure is strongly supported in line with the London Plan, draft London Plan and Harrow and Wealdstone Area Action Plan.
- **Affordable housing:** The provision of 40 per cent affordable housing (with grant, by habitable room) is strongly supported. An early stage viability review must be secured as part of the Section 106 agreement in accordance with Policy H6 of the draft London Plan and the Affordable Housing and Viability SPG, and affordability must be confirmed.

- **Agent of Change:** Further information is required to demonstrate that consideration has been had to the Agent of Change principle due to the proximity of the proposed development to strategic industrial land.
- **Playspace:** Further information is required to justify the deficiency in playspace. A financial contribution should be agreed between the Council and the developer to improve any offsite location.
- **Urban design:** The broad layout and massing provides positive enhancements permeability of the site. The new public square and a series of well-defined street and building typologies add to the rich character of the development. No strategic design concerns are raised.
- **Energy:** Clarification is required in respect of the Be Lean carbon emissions savings and a low carbon heating method should be investigated. On-site savings from renewable energy technologies are required to be maximised. The detailed technical comments have been sent to the Borough to be addressed in their entirety.
- **Sustainable drainage and water efficiency:** Water harvesting and reuse to reduce consumption of wholesome water across the entire development site should be considered. A London Sustainable Drainage Proforma should be submitted.
- **Urban greening:** The proposed connections to local green space, via the green link, are strongly supported. The proposed development's urban greening factor score should be increased, and details should be provided of any trees proposed for removal.
- **Transport:** The transport assessment should clarify the secured mitigation measures and measures required to mitigate impacts of the proposal. The impact of additional trips on station capacity and train line loadings should be assessed. Further detail is required to confirm cycle parking standards are achieved. Improvements to the routes to the nearby stations should be secured.

Update

7 Since consultation stage, GLA officers have engaged in discussions with the applicant, the Council and TfL officers with a view to addressing the above matters. Furthermore, as part of Harrow Council's draft decision on the case, various planning conditions and obligations have been proposed to address the above concerns and ensure that the development is acceptable in planning terms.

Principle of development

8 As set out at consultation stage, the optimisation of land and contribution towards increased housing delivery and social infrastructure is strongly supported in line with the London Plan, the Mayor's Intend to Publish London Plan and Harrow and Wealdstone Area Action Plan.

9 In respect of the extra care facility (C3 use class), at Stage 1, further information was requested regarding the level of care and staffing of the proposed accommodation, in addition to evidence for the local demand for this type of accommodation and detail how/if the proposal meets local requirements of the

Borough. While no further information was provided by the applicant regarding this it is noted that the Harrow Housing Enabling Manager welcomed the provision of these units within the site in response to local need. While the proposed extra care homes have been designed to be as independent as possible for future residents, the care home final operator has not been determined as yet. As stated at Stage 1, the provision of this facility is supported and the provision of affordable housing within this facility accords with Policy H13 of the Mayor's Intend to Publish London Plan.

10 The provision of 362 sq.m. of café / restaurant uses and 728 sq.m. of flexible commercial / community uses was accepted by GLA Officers at Stage noting that the proposed non-residential units are relatively small scale in the context of the wider development and would serve the future residential community through the provision of services, facilities and jobs, in addition to assist in animating the public square and providing activation to key routes.

11 While suitable conditions were requested to be imposed at Stage 1 to ensure that the commercial floorspaces are not delivered entirely as retail spaces, it is identified that the small units would be dispersed across the site and located at key strategic routes within the masterplan site. As such, it is considered that the proposed commercial floorspaces within an out-of-centre location would not result in a concentration of retail uses, and specific conditions are therefore not required.

12 Due to the scale of residential development proposed, at Stage 1, GLA Officers requested the applicant work with Harrow Council to secure a portion of the commercial floorspace as a genuine community (D1) land use. Harrow Council Officers have confirmed that a quantum of D1 community floor space has been secured through the section 106 obligation on the wider masterplan site (P/2165/15), and the applicant has already secured detailed reserved matter permission (P/3892/18) for the community floor space and has begun discussions with LPA on how this will be delivered and transferred to an appropriate community group. On this basis, GLA Officers are satisfied it is not considered necessary to secure further community floor space under this application either through condition or legal agreement.

Housing

13 It is noted that the quantum of homes proposed by the scheme has changed between Stage 1 and Stage 2. Specifically, the total number of units is now 1226, from 1238 as originally proposed, a reduction of 12 units. This has resulted following discussions between the Council and applicant in respect of provision of affordable rented units with revised layouts that ensure that majority of these units achieve maximum occupancy levels in order to meet local housing needs.

Affordable Housing

14 The application proposes 1,226 homes, of which, 35 per cent (by habitable room) are proposed as affordable housing without grant, and 40 per cent (by habitable room, or 39.3 per cent by unit) is proposed as affordable housing with grant. As set out at Stage 1, the provision of 35 per cent affordable housing by habitable room without grant (40 per cent, with grant) is strongly supported in accordance with the strategic target set by Policies 3.11, 3.12 of the London Plan and Policies H4 and H5 of the Mayor's Intend to Publish London Plan.

15 As noted at Stage 1, grant funding has successfully been sought to increase the level of affordable housing on this site which equates to an additional 5 per cent affordable housing, bring the total provision up from 35 per cent to 40 per cent.

16 The affordable housing proposals are detailed below:

Unit Size	Low-cost rent		Intermediate	
	London Affordable Rent	Extra Care - London Affordable Rent	Shared Ownership	Discount Market Sale
1 bed 1 person	0	0	0	91
1 bed 2 person	47	58	31	1
2 bed 3 person	13	2	56	31
2 bed 4 person	89	0	0	0
3 bed 5 person	53	0	0	0
Total	202	60	87	123

17 In terms of tenure split, 39.15 per cent of the affordable housing (equating to 507 habitable rooms) is proposed as Intermediate housing comprising shared ownership and discount market sale tenures, and 60.85 per cent of the affordable housing (equating to 788 habitable rooms) is proposed as low-cost rent (London Affordable Rent). At the local level, the proposal complies with the affordable housing tenure balance set out in the Harrow Local Plan of 60 per cent social / affordable rent and 40 per cent intermediate. As such, the proposed tenure split aligns with the Mayor’s preferred tenure mix and qualifies for the “Fast-Track Route” and is not required to be subject to a late stage viability review.

18 The 60 extra care units within the scheme will be provided at London Affordable Rent Levels and are subject to a nomination agreement to be agreed between the relevant Affordable Housing Provider and the Council. This is secured within the draft Section 106 Agreement.

19 The affordability of the intermediate affordable housing products has been secured within the draft S106 agreement. Specifically, the shared ownership housing is secured for incomes within upper limits of £53,750.00 for one-bedroom units and £65,000.00 for two-bedroom and the discount market sale housing is secured for incomes within an upper limit of £90,000.00. The discount market sale units will be sold at a price that is not more than 80 percent of Open Market Value to eligible purchasers. As requested at Stage 1, the discount market sale units have been secured in perpetuity within the draft Section 106 agreement.

20 An Early Stage review has been secured within the draft Section 106 agreement in line with Policy H5 of the Mayor’s Intend to Publish London Plan and the Mayor’s Affordable Housing and Viability SPG.

Housing Mix

21 At Stage 1, GLA Officers noted that while a varied mix is provided for affordable rent and private tenure with a range of 1-bed, 2-bed and 3-bed units proposed, some tenures are focused on a single housing typology with the housing mix for social rented tenure comprising 97 per cent one-bed units, and the mix provided for discount market sale tenure comprising 70 per cent studio units.

22 As noted above, the proposed layouts of the affordable rented tenure have been revised between Stage 1 and Stage 2. The proposed changes results in a slight decrease in the number of 1 Bed units and the number of 2 Bed-3 person units have been significantly reduced and replaced with 2 Bed-4 person units. In addition to this, the 3 Bed-4 person units have been replaced with 5-person occupancy units. Whilst the numbers of 1 Bed units still remain high, the overall changes to incorporate maximum occupancy levels of the larger units would help demand for family size homes.

23 As requested at Stage 1, the Council has confirmed that the proposed unit mix is acceptable and have noted that for a scheme of this scale and location which is likely to be attractive to small family or professional groups, it is considered that the units would be appropriate.

24 The housing mix for the affordable housing products has been secured within the draft Section 106 agreement.

25 On the basis of the above, the proposals accord with London Plan Policies 3.8 and 3.11, and Policy H10 of the Mayor's Intend to Publish London Plan.

Agent of Change

26 At Stage 1, GLA Officers stated that the applicant should demonstrate that consideration has been had to "Agent of Change" principles in respect of noise-generating uses and industrial vehicle movements in addition to pedestrian safety, dust, odour, light and vibration nuisances etc., due to the proximity of the blocks with Plots D6 to strategic industrial land located to the north-east of the site within Plot D3 of the masterplan, and the proximity of Plot D1 to the Waverly Industrial Estate.

27 In this regard GLA Officers consider that in respect of Plot D1, the positioning of the buildings, together with the podium level, the solid boundary treatment proposed along this shared boundary will help to mitigate any impact against direct noise. The layouts of the units have also been designed to ensure that main habitable rooms have oblique views of the neighbouring employment land and further mitigation would also be achieved through the changes on site levels, whereby the neighbouring industrial land is sited at a lower datum level than the proposed development.

28 In addition to the above, it is noted that the principle of these adjacent uses has been accepted under the two previous outline permissions.

29 With respect to Plot D6, this plot would maintain a separation distance of at least 20m from the Plot D3 which is designated SIL and is likely to be brought forward in line with the parameters set out under the consented outline permission P/2165/15. The layout to buildings D6.2 and D6.5 has been designed to provide gallery access to the upper levels of these buildings, with the main living areas and private balconies

orientated towards the podium courtyards to provide additional mitigation from both the busy thoroughfare of the Avenue North and the proposed SIL development to come forward on Plot D3. In addition, the ground floor units have been designed to have sufficient defensible depth of at least 3m.

30 Further to the above, the Environmental Statement provided with the application secures recommendations in respect to the building fabric design fronting the proposed and existing industrial land uses. It is considered that the proposed development would not give rise to any detrimental impact upon the future development or the viable use of these neighbouring employment land uses.

31 The proposals accord with Policy D13 of Mayor's Intend to Publish London Plan.

Play space

32 At Stage 1, GLA Officers stated that the play space provision should be increased, and that robust justification must be provided to address any shortfall, noting the uplift of approximately 900 residential units this application proposes within the context to the wider outline scheme, and a financial contribution should be secured by the Council toward the offsite delivery.

33 The quantum of play space has not been increased and Harrow Planning Officers consider that in that in the context of the wider masterplanned site and wider site context, as well as Harrow's local play space requirements of 4 sq.m. per child, that an offsite contribution to address the shortfall from this development is not required in this instance.

34 While it has not been demonstrated that the proposals comply with Policy 3.6 of the London Plan and Policy S4 of the Mayor's Intend to Publish London Plan in relation to the quantum of play space provided, reflecting on the robust justification provided in relation to the site context within the Officer's Committee report, on balance, GLA Officers consider the proposals acceptable in this instance.

35 As requested by GLA Officers, conditions have been imposed in relation to play equipment and layout to ensure that the play space delivered includes high-quality playable features.

36 In respect of Policy S4 of the Mayor's Intend to Publish London Plan which further requires that play space is not segregated by tenure, it is noted that the provision of semi-public access across all of the podium gardens would encourage social interaction between future residents and reinforce community cohesion. Specifically, the communal spaces have been designed to allow semi-public access from street level through the creation of steps up to the podium level meaning residents from different plots are enabled to interact with each other. In addition to this, residents would also have access to other pockets of green spaces created through the provision of the new neighbouring square and the community space located to the southern end of the site as well as the green square and green link to be delivered on the wider masterplan site. On the basis of the above assessment, GLA Officers consider the proposals are not segregated by tenure and accord with Policy S4 of the Mayor's Intend to Publish London Plan, in this regard.

Heritage

37 As stated at consultation stage, GLA officers are satisfied the proposal would not cause any harm to the setting of heritage assets. The proposal therefore accords with Policy 7.8 of the London plan and Policy HC1 of the Mayor's Intend to Publish London Plan.

Urban design

38 The broad layout and massing provide positive enhancements to the permeability of the site. The new public square and a series of well-defined street and building typologies add to the rich character of the development. No strategic design concerns were raised. The materiality of the scheme is secured by condition.

39 At Stage 1, it was requested that a Fire Statement produced by a third party suitably qualified assessor is secured to ensure the development proposals achieve the highest standards of fire safety. While a Fire Safety Strategy has not been submitted at this stage, the applicant's DAS sets out that fire strategy has been considered during design development. The strategy would include cores that are designed to be fire righting cores with the provision of firefighting lifts and provision of dry risers, minimum stair width of 1100mm, main entrances lobbies ventilated and sprinkler system for residential units. A condition has been secured requiring the submission of the fire strategy statement which is, in this instance, accepted by GLA Officers. On balance, the proposal accords with Policy D12 of the Mayor's Intend to Publish London Plan.

Inclusive design

40 As requested by GLA Officers at Stage 1, the provision of 90 per cent of new homes to be designed to comply with Building Regulations Approved Document Part M 2015 Category 2 (Accessible and Adaptable Dwellings) and 10 per cent have been designed to comply with Category 3 (Wheelchair User Dwellings) has been secured by condition.

41 At Stage 1, GLA Officers noted a variety of stepped areas for each podium, dropped kerbs and trees pits along the street, and a variety of material types proposed for the paving around the development. As requested at Stage 1, the Council has appropriately secured materials in relation to ground surfacing in addition to full details, including full elevations and cross-sections, of public areas.

Environment

Energy Strategy

42 At Stage 1, the applicant was requested to review their proposals to ensure compliance with the London Plan and draft London Plan policies.

43 The proposed energy strategy indicates that the residential element of the development will achieve a 57.03 per cent on-site reduction in carbon emission and the non-residential element will achieve a 40 per cent reduction, with a combined reduction of 56.4 per cent. These reductions are in excess of the 35 per cent beyond

Building Regulations required by Policy SI2 of the Mayor's Intend to Publish London Plan. After on-site reductions, residential carbon emissions will be 535.8 tonnes per annum resulting in a zero-carbon offset contribution of £964,436.

44 The energy centre under construction for the wider development is proposed to connect the proposed development and includes a Combined Heat and Power (CHP) engine, which produces both heat and electricity locally. The use of CHP was raised a concern by the GLA Energy Team, noting the use of new carbon factors due to be incorporated into Building Regulations. While the use of CHP has not been revised since Stage 1, GLA Officers consider that taking a pragmatic approach, in this instance, on balance, the proposals are acceptable given the history of the site and its ongoing development. Specifically, this is because if a new strategy / heat network was required for the subject site, the CHP proposed to serve the heat network, which is already under construction, would need to be replaced with a lower carbon technology (i.e. air source heat pumps) to achieve the required carbon reductions using the 'new' carbon factors, and this would operate separately to the network under construction for the wider site.

45 There are no available existing or proposed low-carbon district heating networks in the vicinity of the area. Nonetheless, the draft Section 106 Agreement future proofs the allowance for connection should a low-carbon district heat network become available.

46 The development includes the provision of PV arrays, providing on-site carbon-reduction savings from renewable energy technologies.

47 A total financial contribution of £964,436.00, payable upon commencement of each phase, has been secured through the draft Section 106 agreement, which is required to achieve zero carbon through implementation of carbon reduction measures elsewhere in the borough.

48 A condition in respect of overheating has been secured.

49 The proposals are therefore acceptable and on balance, accord with Policy 5.2, 5.9 of the London Plan and Policy SI2 of the Mayor's Intend to Publish London Plan.

Water efficiency

50 At Stage 1, GLA Officers stated that water harvesting and reuse to reduce consumption of wholesome water across the entire development site should be considered and that this can be integrated with the surface water drainage system to provide a dual benefit. While it is noted that this has not been addressed by the applicant, as stated at Stage 1, the sustainability statement proposes that the proposed dwellings will have a maximum indoor water consumption of 105 l/person/day, in accordance with Policy 5.15 of the London Plan and Policy SI.5 of the Mayor's Intend to Publish London Plan, and this has been secured by condition.

51 In addition, the Sustainability Statement also outlines a number of broader sustainability measures including surface water attenuation and storage. Furthermore, the provision of full details of sustainable urban drainage systems (SuDs) have been secured by condition, alongside details of their management and maintenance. On

balance, the proposal accords with Policy 5.15 of the London Plan and Policy SI.5 of the Mayor's Intend to Publish London Plan.

Urban Greening and green infrastructure

52 At Stage 1, GLA Officer stated that urban greening should be embedded as a fundamental element of the scheme design. It was identified that the calculated urban greening factor does not comply with the target of 0.4 for residential development and it was requested that the urban greening factor should be improved.

53 The proposed development has an urban green factor of 0.26, or 0.3 when including the development parcel's share of the green link. Council Officers advised that the scheme delivers new public open space by way of the green link which deliver more than 22,000sqm (excluding private communal gardens) of green infrastructure across the entire Harrow View East masterplan site, as well as green infrastructure delivered by provision of green roofs. While this does not demonstrate compliance with Policy G5 of the Mayor's Intend to Publish London Plan, on balance, the context of the site and the wider masterplanned development, GLA Officers find the proposals acceptable in relation to urban greening.

Transport

54 At Stage 1, clarification was requested on trip methodology, and relationship between transport mitigation secured in relation to other permissions on the same site, and raised comments in relation to Active Travel, Healthy Street and public transport. Further technical information was received assessing impact on London Underground services and buses, as well clarification on the status of previously secured transport mitigation.

55 The proposed cycle parking, car parking ratio at 0.3, Electric Vehicle Charging Points and Accessible Parking accords with the Mayor of London's Intend to Publish London Plan. The cycle spaces will be designed in accord with the London Cycle Design Standards including provision of 5 per cent on 'Sheffield' stands for larger bikes. A Parking Design and Management Plan, Delivery and Servicing Plan and Construction Logistics Plan has been secured.

56 A contribution of £475,000.00 to be used towards improvements to existing bus services and provision of additional services in the vicinity of the Development has been secured within a draft Section 106 agreement. This is in addition to sums already secured relating to the wider Harrow View East site (£425,636.00) and the varied Section 106 agreement relating to Harrow View West site (£75,690.00).

Response to consultation

57 The Council publicised the application by notifying neighbouring properties, placing a site notice and publishing a notice in the local press. A total of 1931 notification letters were sent to nearby properties regarding this application. A total of 32 representations were received, with reasons as summarised below:

Social-economic

- Block of flats and rental properties are a cause of social problems (littering, dumping, crowding)
- Wealdstone with above average crime stats and has social-economic problems;
- Harrow is already over populated.

Character

- Too high density / overdevelopment
- Skyline is ruined / eyesore
- Not in keeping with local area / no other place has a building 18 stories high;
- 18 stories will not create a community;
- Will block views to surrounding properties – will tower over Goodstone Court;
- High rise developments are archaic and dangerous;
- This is a residential development not an industrial;
- Will end up with an estate type area soon becomes a no-go zone – who will occupy these high rises besides the rail tracks – with the pollution from the trains and freight trains;
- Build something in height that the community can thrive in;
- Should be redesigned on smaller scale; consider blocks of no higher 6 floors;
- General slum looking development built for short term gain;
- Heritage Centre in Headstone Manor only a few hundred yards away
- Iconic view of Harrow on the Hill church spire will be obstructed and side-lined.

Overshadowing

- The flats will cast shadow on the opposite side of the tracks near Cecil Road and Tudor Road and make an already dark walkway through the industrial estate even darker.
- Reduce natural light on Badminton Close.

Traffic and highways impacts

- Roads are unable to cope, especially in peak times but also in weekends;
- Extra dwellings would cause additional road congestion and pollution traffic;
- Disappointed that flats that are already under construction right up to the pavement, indicating roads will not be widened;
- Roundabout at the junction may be sensible option to keep traffic moving;
- Already delays on the bus service due to the congestion;
- Developer should address congestion working closely with the council;
- There is not enough car parking provision;
- Even if properties sold with no parking spaces – people who have cars will park on surrounding roads, outside CPZ causing parking stress;
- Re-modelling of the junction of Harrow View and Headstone
- Gardens will achieve very little improvement.

Infrastructure and environmental impacts

- Police, emergency service, hospital and health risks –services unable to cope;
- GP practices locally are not accepting patients;
- With no provision for services such as schools, GP surgeries, dentists etc the additional burden this will create on already struggling infrastructure;
- Harrow and Wealdstone Station is at capacity at the best of times;
- Struggling refuse collection service;
- Impact on water services and water supply; and

- Drainage sewerage is already poor.
- Capacity and reliability impacts on public transport, including trains.
- Air pollution;
- Flood risk (noting recent intensive and short rain water impacts)

Fire safety

- Fire safety concerns associated with high rise buildings
- Fire services unable to cope with high level emergencies
- Construction safety concerns

Process

- Was not given notice of the development.
- No information sent to local residents of environmental impact (traffic, pollution)

Support

- The building of homes

Non-Planning Matters

- Impact on housing prices – reduce price of local properties

58 The following organisations responded to consultation as summarised as follows:

- **HSE:** Arrange for HSE's Planning Advice WebApp to be used to consult advice for this application.
- **TfL Engineering (London Underground Infrastructure Protection):** No Comment. There are Network Rail assets close to site who should be contacted to query what affect if any your proposals will have on the railway.
- **Network Rail:** No objection subject to mitigation measures and conditions to ensure that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.
- **Metropolitan Police:** Recommend condition where this development must achieve Secured by Design accreditation.
- **Historic England (Greater London Archaeological Advisory Service):** No archaeological requirement.
- **Historic England:** No Comment.
- **Natural England:** No comment.
- **Thames Water:** No objection, subject to notification if there is a change in phasing plan
- **London Borough of Brent:** No objection.
- **National Health Services Brent Harrow and Hillingdon Clinical Commissioning Groups (NHS BHH CCGS):** Raised a query regarding

whether the extra care facility will appoint its own clinicians, noting that extra care facilities put local GP practices under pressure.

59 Issues raised by objectors have been considered in this report, the Mayor's Stage 1 report, and the Council's committee report of 22 January 2020. The Council has proposed various planning obligations and conditions in response. Having had regard to these, GLA officers are satisfied that the statutory and non-statutory responses to the public consultation process do not raise any material planning issues of strategic importance that have not already been considered in this report, or consultation stage report GLA/4995/01.

Draft Section 106 agreement

60 The draft Section 106 agreement includes the following provisions:

Affordable housing

- Provision of 472 affordable homes: 210 shared ownership (inclusive of discount market sales units) and 262 affordable rent (inclusive of extra care units).
- 10 per cent of affordable rent accommodation (including within Extra Care Building) to be constructed and ready for occupation as wheelchair standard home
- Early stage review

Design scheme

- To use reasonable endeavours to employ the main scheme Architect on an overseeing/ executive role until practical completion.

Energy

- Connection of each phase to the Energy Centre on the wider Harrow View East masterplan site.
- Provision of a safeguarding route to a connection to any future wider District Heat Network.

Carbon Offset

- Payment of a total financial contribution of £964,436 towards carbon offset. Payable upon commencement of each phases 5a, 5b and 5c on a pro rata basis.
- Provision of certification of actual/ as-built carbon emission achieved on site and payment of any shortfall in carbon reductions calculated at a rate of £60 per tonne of carbon to be offset per year, over a 30-year period.

Bus service contribution

- Payment of a £475,000 financial contribution towards improvements to existing bus services and provision of additional services in the vicinity of the Development, specifically the funding of two extra peak services on H9, H10 or H14 route for a period of 5 years.

Highways and parking

- Submission of a travel plan based on the framework travel plan for each phase of development prior to occupation and to cover an initial monitoring period of 5 years

- Appointment of a travel plan co-ordinator.
- Provision of two car club parking spaces and two ultra-low emission vehicles within the site boundary
- Provision of one years' free Car Club membership for each Residential Unit that is first Occupied within the Development
- To enter into an agreement with an approved car club operator to operate the car club
- To enter into a Section 38 Agreement under the Highways Act 1980 for Avenue North/ South, providing the road can be connected to an adopted highway

Employment and training plan

- Payment of local Employment Contribution of £540,000.00 to the Council upon commencement of each phase (5a, 5b, 5c) of the development on a pro rata basis and to be used towards employment and training initiatives within the Council's administrative area.
- Submission of an employment, training and recruitment plan to the Council for its approval

Legal costs and monitoring fee

- Payment of section 106 monitoring fee upon completion of section 106 agreement
- Payment of all reasonable legal fees upon completion of section 106 agreement.

Article 7: Direction that the Mayor is to be the local planning authority

61 Under Article 7 of the Order, the Mayor could take over this application provided the tests set out in that Article are met. In this instance, the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at consultation stage, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

62 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008, the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application. The Mayor may also leave the decision to the local authority. In deciding whether to direct refusal, the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. In deciding whether to direct that the Mayor is to be the local planning authority, the Mayor must have regard to the matters set out in Article 7(3). If the Mayor issues a direction, he must set out his reasons in the direction.

Financial considerations

63 Should the Mayor direct refusal, he would be a principal party at any subsequent appeal hearing or public inquiry. National Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

64 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

65 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation.

Conclusion

66 The strategic issues raised at consultation stage regarding affordable housing; agent of change, play space, energy, sustainable drainage and water efficiency, urban greening and transport have been appropriately addressed, and conditions and section 106 obligations secured, and as such, the application complies with the London Plan and the Mayor's Intend to Publish London Plan. There are no sound reasons for the Mayor to intervene in this case.

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