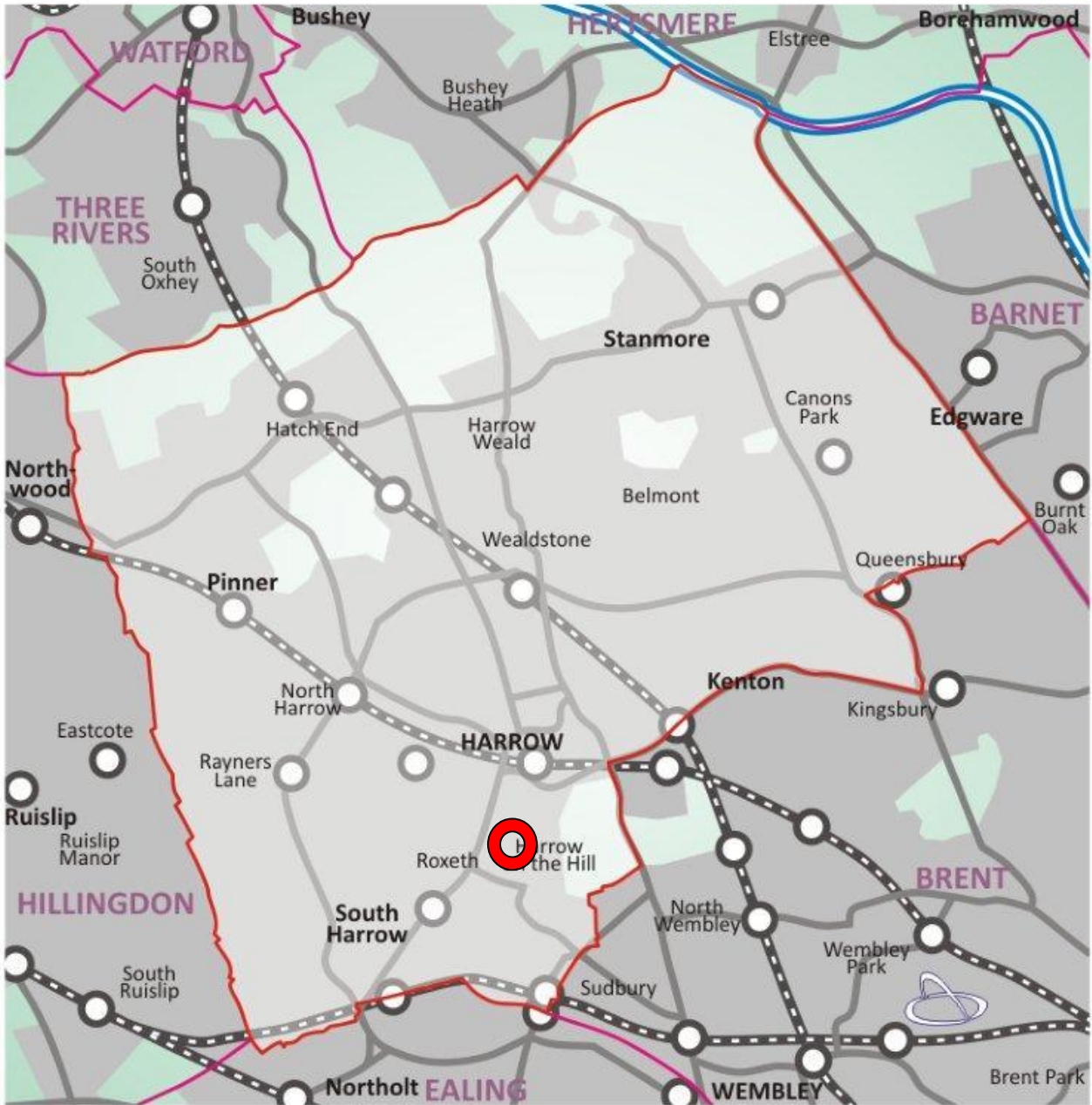


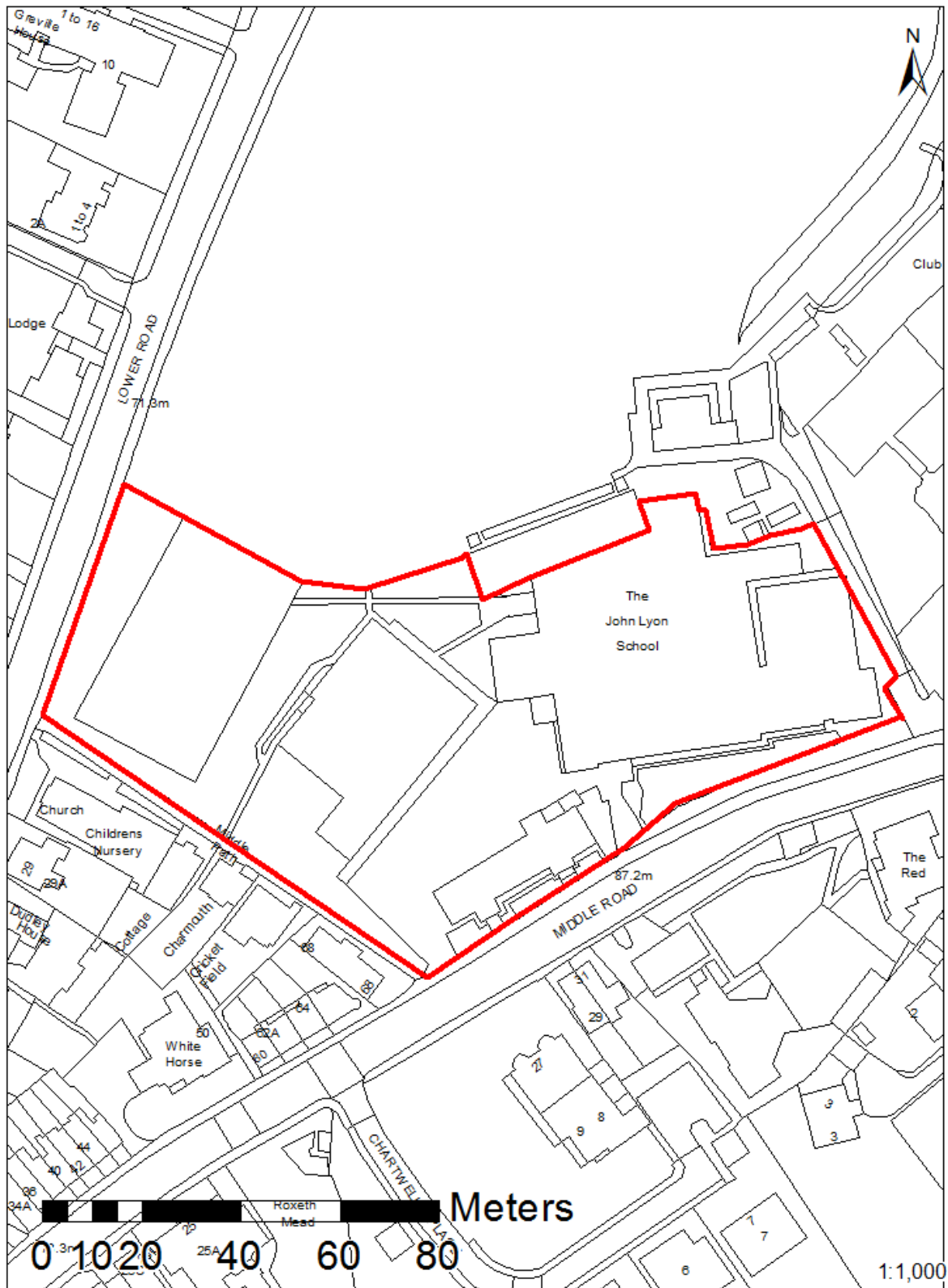
Agenda Item : 1/01

 = application site



John Lyon School Middle Road	P/1813/19
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John Lyon School, Middle Road



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd January 2020

APPLICATION NUMBER:	P/1813/19
VALIDATE DATE:	06/02/2019
LOCATION:	JOHN LYON SCHOOL, MIDDLE ROAD HARROW HA2 0HN
WARD:	HARROW
POSTCODE:	HA1 3BS
APPLICANT:	THE KEEPERS AND GOVERNORS OF THE POSSESSIONS REVENUES AND GOODS OF THE GREE GRAMMAR SCHOOL OF JOHN LYON
AGENT:	JTS PARTNERSHIP
CASE OFFICER:	CATRIONA COOKE
EXPIRY DATE:	31/10/2019

PROPOSAL

Redevelopment to provide four storey teaching block with basement; hard and soft landscaping; parking (demolition of existing building).

RECOMMENDATION A

The Planning Committee is asked to:

- 1) agree the reasons for approval subject to no significant issues raised from consultation of RAF Northolt, as set out in this report,
- 2) grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the modification of the Section 106 legal agreement (subject to planning application P/2504/19) and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement.

RECOMMENDATION B

That if, by 30th April 2020 or such extended period as may be agreed in writing by the Chief Planning Officer, the section 106 Planning Obligation modification is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a modification to section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23rd June 1995 (principal agreement), the development would be constructed on land outside of the development envelope in breach of the Section 106 and the development could give impacts to the character, appearance and openness of the conservation area in terms of site coverage

INFORMATION

This application is reported to Planning Committee as it is a major application. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	E All largescale Major Developments
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 Crime & Disorder Act

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

OFFICER REPORT

Education		
No.of Pupils	Existing	600
	Proposed	No change
No of Staff	Proposed	No change
No of Classrooms/ teaching spaces	Existing	43
	Proposed	54

Sustainability / Energy	
BREEAM Rating	N/A
Development complies with Part L 2013?	Yes
Renewable Energy Source / %	35.47% carbon reduction

Assessment

1.0 ADDITIONAL INFORMATION – S.106

- 1.1 An application to modify the section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23rd June 1995 (principle agreement) to amend the building envelope to reflect extension permitted under application references P/2610 and P/3420/06 has been submitted alongside this application. Officers have no objections to this amendment subject to the Planning Committee resolving to grant planning permission for this application.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises Oldfield House located on the top end of Middle Road at the junction with Crown Street.
- 2.2 The School provides secondary level education for boys between 11 to 18 years of age.
- 2.3 The site is bounded by residential development to the east, south and west and by Metropolitan Open Land to the North. There is a significant level change from Crown Street to Lower Road. The existing Oldfield House is sited to the front of the site and is largely obscured by a listed wall
- 2.4 The site is located within The Harrow on the Hill Village Conservation Area and within the setting of Roxeth Hill Conservation Area.

3.0 PROPOSAL

- 3.1 Redevelopment to provide 4 storey teaching block with basement with a maximum height of 15m above ground level. The proposed building would be sited 7m away from the existing Oldfield House (which is to be demolished). The new building would occupy the same size footprint as the existing Oldfield House.
- 3.2 The proposed new building would provide a STEAM centre (Science, Technology, Economics, Art and Mathematics) with 5 General Classrooms, 2 Science and Technology Classrooms. 1 STEAM studio, 1 ICT Classrooms and 2 Art Studios.
- 3.3 The proposal includes excavation into the hill slope to allow a lower ground floor with access from the north. Landscaping to include provision of new informal play area on the site of the existing Oldfield House. New hard surfacing is proposed around the new Oldfield Building with improved step free access and informal seating. Nine trees are proposed to be removed with the addition of 25 new trees.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 The site has an extensive planning history. However, the following applications are most relevant to this current application:

WEST/695/94/FUL

Part single storey, 2, 3 and 4 storey building to provide sports hall, swimming pool and library and ancillary areas alterations to existing building and parking.

GRANTED : 26-JUN-95

P/3995/13 (Land Rear of 76 West Street, Harrow, Middlesex HA1 3HB)

Use of vacant land at rear as car park (sui generis); new railings to front car park

GRANTED : 31-JUL-2014

P/4247/14 - Modification to section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23rd June 1995 (principal agreement) to increase the number of pupils on roll from 525 to 710 (previously modified by deed of variation dated 24.09.2007

REFUSED : 24/02/2015

Reason for Refusal

1. The proposed modification to the principal Section 106 Agreement dated 23rd June 1995, as varied by the deed of variation dated 24th September 2007, relating to the limitations of students numbers, would result in an unacceptable level of noise,

P/1020/16 – Modification to section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23rd June 1995 (principal agreement) to increase the number of pupils on roll from 525 to 710 (previously modified by deed of variation dated 24.09.2007

Reason for refusal:

1. The proposed modification to the principal Section 106 Agreement dated 23rd June 1995, as varied by the deed of variation dated 24th September 2007, relating to the limitations of students numbers, would result in an unacceptable level of noise, disturbance and traffic movements, to the detriment of the residential amenities in Middle Road, Lower Road, Byron Hill Road, Crown Street, Chartwell Place, Clonmel Close and surrounding areas, contrary to policy 7.15 of The London Plan (2016) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

5.0 **CONSULTATION**

- 5.1 A total of 177 consultation letters were sent to neighbouring properties regarding this application and site notices were put on lamp posts in the vicinity of the site and adverts were placed in local papers.
- 5.2 The overall public consultation period expired on 15/11/2019. 210 letters of objection for the application and 5 support letters were received.
- 5.3 A summary of the responses received are set out below:

Summary of Comments	Officer Comments
Concern with location of new building	Discussed at 7.3.9 below.
Concern that this will result in increased pupil number	The applicant has stated that there is no intention to increase pupil numbers. Notwithstanding the pupil numbers are an obligation under the S.106 and a separate application to increase numbers would need to be submitted and approved.
Agree with Harrow Hill Trust Comments	

5.4 **Statutory and Non Statutory Consultation**

- 5.5 The following consultations have been undertaken:

LBH Conservation Officer
 LBH Drainage Engineer
 LBH Vehicle Crossing Team
 LBH Highways
 LBH Arboricultural Officer
 LBH Landscape Architect
 LBH Education
 LBH Economic Development
 LBH Waste Management

Harrow Hill Trust
 Historic England (ancient Monument)
 Historic England
 Pebwatch
 Natural England
 Campaign for a Better Harrow Environment

- 5.6 A summary of the consultation responses received along with the Officer comments are set out below:

LBH Conservation Officer

The amended design is much improved and addresses previous comments, particularly if it can be ensured that the rendered CGI on page 2 of the heritage statement's addendum is accurate in showing vegetation screening to the south even during winter periods'

Officer comment: Full assessment by the Conservation Officer is set out in the appraisal below.

LBH Drainage Engineer

We can confirm that the Drainage Strategy provided in the Flood Risk Assessment submitted by the applicant is insufficient, surface water restrictions to Greenfield run off rates is required. However, this application can be conditioned with our standard pre commencement drainage conditions (attached) and the drainage details should be submitted in line with our standard drainage requirements letter. Please note that these conditions apply to hard play area and the new building.

Basement protection details which includes waterproofing details are required (condition attached). Permeable paving should be used for parking area & any proposed hardstanding. Full construction details of permeable paving should be submitted (condition attached).

Please be informed that the requested details can be conditioned attached are our standard pre commencement drainage conditions/informative for your reference.

Officer comment: Noted and conditions and informatives attached

LBH Vehicle Crossing Team

We have no concerns regarding the internal element of their works however with HGV movement of the existing crossing needs to be looked into and the traffic management in and out as it is one way with hgv's needs to be looked into but this may form part of their CLP and CMP probably to follow.

Officer comment: Noted and will be conditioned under the CLP.

LBH Highways

No objection subject to condition requiring revised CLP.

Officer comment: Noted and will be conditioned

LBH Arboricultural Officer

The trees which are to be removed at largely C category so there are no objections to the proposals in principle provided the above discrepancy is cleared

up and the tree protection measures are implemented exactly as per the recommendations

Officer comment: Noted and appropriate condition is recommended.

LBH Biodiversity:

LBH Landscape Architect

Suggested conditions

Harrow Hill Trust: -

- We do not consider that consultation and community engagement has been properly carried out
- We consider the proposed building is not appropriately located. It blocks important views, is insensitive to the street scene of the Harrow on the Hill Village Conservation Area and is outside the envelope permitted by the section 106 order. It should instead occupy the position of the existing Oldfield House
- The height of the proposed building is totally inappropriate for the site. It will loom over the existing Crown Street wall and provide a much more dominant bulk to be seen from Byron Hill and Crown Street – and from Lower Road
- The scheme is contrary to the aims and ambitions of the Harrow on the Hill Village Conservation Area Management Plan and Appraisal.
- We do not believe special circumstances have been established for waiving compliance with the Conservation Area plan. The educational rationale is not proven nor confidently demonstrated.

Officer comment: objections noted and discussed further in the appraisal below.

Historic England

No objection subject to a condition to ensure that a Stage 1 written scheme of investigation (WSI) is submitted prior to demolition or development.

Officer comment: Noted and appropriate condition is recommended.

6.0 POLICIES

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

- 6.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied; it is a material consideration in the determination of this application. The current NPPF was published in July 2018 and updated in February 2019.
- 6.3 In this instance, the Development Plan comprises the London Plan (2016) and the Local Plan. The Local Plan comprises the Harrow Core Strategy (2012), Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and the accompanying policies map.
- 6.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 6.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 6.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

7.0 ASSESSMENT

7.1 The main issues are:

- Principle of the Development
- Design, Heritage Assets, Character and Appearance of the Conservation Area
- Impact on Residential Amenity
- Impact on Metropolitan Open Land
- Trees and Landscaping
- Ecology and Biodiversity
- Archaeology
- Traffic Parking, Access and Servicing
- Drainage
- RAF Safeguarding Zone
- Energy and Sustainability
- Development and Flood Risk
- Statement of Community Involvement

7.2 Principle of Development

- 7.2.1 The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 of the NPPF should be taken as a whole in defining what amounts to sustainable development. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating a high quality build environment that reflect the community needs and support its health, social and cultural wellbeing. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.
- 7.2.2 Paragraph 94 of the NPPF states 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education'
- 7.2.3 Policy 3.16 of The London Plan (2016) seeks to ensure that development proposals which enhance social infrastructure, education and skills provision are supported. Policy 3.18C states 'Development proposals which enhance educations and skills provision will be supported, including new build, expansion of existing or changes of use to educational purposes. Part E of the policy states 'development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged. Draft London Plan (2019) Policy S3 seeks to ensure there is sufficient supply of good quality education to meet demand and offer educational choice.
- 7.2.4 Core policy CS1 of the Harrow Core Strategy (2012) states that: 'The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing and proposed development, or required to meet projected future requirements'.
- 7.2.5 Policy DM46 of the Harrow Development Management Policies Local Plan supports proposals for the provision of new education facilities provided that they are (a) located in the community which they are intended to serve; (b) subject to them being located in an area of good public transport accessibility and (c) would not result in any adverse impacts on residential amenity or highway safety. As the proposal relates to the replacement of existing educational floor space, criterion a) is not applicable in this case, as the school would continue to serve the community that it is located in. Criterion d) and c) are addressed in the appraisal below.
- 7.2.6 The submitted planning statement and Education Rationale provides justification for the additional floor space proposed within the new building. The new building would provide a STEM (Science, Technology, Engineering, Art, Mathematics) Hub which cannot be facilitated within the existing school buildings. The Educational Rationale also details a number of issues within the existing school building with different departments sharing teaching spaces. The proposed new building would result in improved facilities within the main school enabling departments to function as hubs. It is noted that objections have been received regarding

increasing pupil numbers. John Lyon school have confirmed that there are no current plans to increase pupil numbers. Notwithstanding this, should the school wish to increase the pupil numbers, this would require an amendment to the S.106 which does not form part of this application.

7.2.7 Having regard to the above policy considerations, the principle of development is considered to be acceptable by officers subject to amendments to the S.106 agreement to amend the build envelope..

7.3 Design, Heritage Assets and Character and Appearance of the Conservation Area

7.3.1 Oldfield House is located in the Harrow on the Hill Village Conservation Area, with Roxeth Hill Conservation Area forming its western setting.

7.3.2 The proposal has evolved through the pre-application process being the subject of two Design Review Panels. The panel considered the massing concept of 'small house, big house' to be strong and a good way to break up the volume and the resulting shorter frontage of the building is more comfortable looking up the hill. The Panel were convinced by the overall design although considered the style should be made stronger whether it is 'flamboyant' or pared-back and ordered'. The submitted plans have addressed these comments with paired back and order facades.

7.3.3 The special character and appearance of the former conservation area is due to it being 'the historic core of the Hill, scattered with the area's earliest buildings. Its unique townscape comprises a historical settlement of considerable antiquity and visual quality, set along an irregular network of ancient highways, and bounded by open spaces [such as the Harrow school cricket fields], which serve to accentuate its distinction from the surrounding London sprawl' (Harrow on the Hill Village CAAMS). It is of 'special interest for... obvious underlying landscape character' and 'its wealth of history and significant amount of listed buildings, as well as close historical associations with Harrow School' (Harrow on the Hill Village CAAMS).

7.3.4 Development is focused on the upper reaches of the hill in a close knit, ribbon-like form (principally Victorian and earlier buildings) facing the roads with open green space and established trees surrounding this development and sloping downwards. Thus there are good open views out from both Crown Street and Middle Road and up the hill from the cricket pitches/playing fields. There is limited screening in places provided by the Harrow School pavilion and established trees from Lower Road.

7.3.5 The 20th century and later development that has been built, whilst somewhat larger than the earlier buildings, preserves the setting of surrounding listed and locally listed buildings in key views into around and out from the site e.g. by following the topography of the land. This allows the overall picturesque, village character of the area to remain. Oldfield House is one example of a 20th century building that has an altogether recessive character in the conservation area given its design, siting, scale and plentiful surrounding greenery. Along Crown Street the site is set behind a historic wall and gate pier to the original Oldfield House.

This forms the key part of views from Crown Street and Middle Road with the ridge of the existing Oldfield House only just being visible behind it.

- 7.3.6 The special character and appearance of the Roxeth Hill Conservation Area differs somewhat to Harrow on the Hill Village conservation area hence the separate designation. Most of John Lyon school, with its slightly larger institutional buildings, are sited at the top reaches of that conservation area, with its main school building just to the west of the site. The CAAMS summarises it as forming: 'one of the main approaches to the Hill from the south west. This 32 acre part of the western slope of Harrow on the Hill has an openly developed mainly residential, but also commercial and community character. The steeply sloping land throughout is the key defining feature'.
- 7.3.7 Paragraph 193 of the NPPF states "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. It is considered that the proposal would result in less than significant harm to the adjoining heritage assets and Harrow on the Hill Village Conservation Area.
- 7.3.8 It is noted that objections have been received from neighbouring occupiers regarding the location of the proposed new building. However, as discussed earlier the educational need demonstrated would justify the introduction of a replacement building on the site. Given the additional floorspace required, it is considered that the siting of the building away from the street frontage would represent a less obtrusive form of development and would essentially appear as a continuation of the existing built form of the school. A building of this scale on the street frontage would result in a building which would dominate the streetscene and fail to preserve or enhance the Conservation Area.
- 7.3.9 Overall, it is considered that on balance as detailed above John Lyon School have provided clear and convincing justification for the need for additional teaching accommodation and therefore the less than substantial harm to the Harrow Village Conservation Area can be justified.

7.4 Residential Amenity

- 7.4.1 The proposed new building would be located in excess of 30m from the nearest residential property No. 60 Crown Street. Given this separation distance and that the proposed new building would be sited at an angle from the property there would be an acceptable impact on the amenities of this neighbouring property.
- 7.4.2 It is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level. In accordance with London Plan Policy 7.6 and Development Management Local Plan Policy DM1,

7.5 Impact on Metropolitan Open Land

7.5.1 The Harrow School Playing fields that adjoin the site approximately 25m from the site of the proposed building. Whilst the proposed building would be situated closer to the Metropolitan Open Land, given its repositioning along the Hill, it is considered that the proposal would be viewed within the context of the existing school buildings that currently frame this open space and therefore would not have a detrimental impact on the openness of the Metropolitan Open Land. In accordance with policy DM16 of the Development Management Local Plans Policy.

7.6 Trees and Landscaping

7.6.1 Nine Grade C trees are proposed to be removed to facilitate the development which will be replaced by twenty three new trees around the boundary of the site. The Council Arboriculturist raised no objection subject to conditions to ensure that the preserved trees are protected during construction. A condition has been recommended.

7.6.2 The proposal includes excavation into the hill slope to allow a lower ground floor with access from the north. The Landscaping includes provision of new informal play area on the site of the existing Oldfield House., new hardsurfacing is proposed around the new Oldfield Building with improved step free access and informal seating/spill out area. The proposed landscaping would improve the connectivity and circulation for the pupils and staff and allow for informal learning and social space. The landscape architect has raised no objections subject to conditions.

7.7 Ecology & Biodiversity

7.7.1 Policies DM 20 and DM 21 seek to ensure the protection of biodiversity and access to nature. Policy DM 20 requires that “The design and layout of new development should retain and enhance any significant features of biodiversity value within the site. Potential impacts on biodiversity should be avoided or appropriate mitigation sought”. Policy DM 21 outlines that proposals should secure the restoration and recreation of significant components of the natural environment.

7.7.2 The applicants have submitted a revised “Preliminary Ecological Appraisal Incorporating Bat Survey Inspection. At the time of writing this report the Council’s Biodiversity officer has yet to review the the revised document. Comments received and conditions recommended by the Biodiversity Officer will be reported by addendum.

7.8 Archaeology

7.8.1 As discussed above it is considered that the applicant has provided clear and convincing justification to outweigh the less than substantial harm.

7.8.2 NPPF paragraph 189 states “applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. The application lies in an area of archaeological priority area: Historic Harrow. An archaeological desk based assessment has been submitted with the application which The Greater London Archaeological Advisory Service (GLAAS) have reviewed and have confirmed that the archaeological impact can be mitigated through a programme of archaeological planning condition. The suggested condition is recommended.

7.9 Traffic Parking, Access and Servicing

7.9.1 The proposal would not increase pupil numbers and therefore it is considered that there would be no additional highway impact.

7.9.2 The Highways Authority has raised no objection subject to a condition requiring a revised construction logistics Plan.

7.10 Drainage

7.10.1 The NPPF (2019) outlines the need to manage flood risk from all sources. Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban drainage (SUDS) hierarchy. Policy DM 9 states that “proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to flooding and the design and layout of proposals must contribute to flood risk management and reduction” Further to this, policy DM 10 of the Harrow Development Management Policies Local Plan (2013) requires that “proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off. Substantial weight will be afforded to the achievement of greenfield run off rates”.

7.10.2 The site is not within any floodzone. The Council’s drainage engineers have raised no objection, subject to the imposition of conditions, relating to surface water attenuation and storage works and details of disposal of sewage.

7.10.3 Subject to the above conditions, the development is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and would satisfy London Plan (2016) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policy

7.11 RAF Safeguarding

7.11.1 The site lies within the purple zone path for RAF Northolt. A consultation letter has been sent. On this basis, Recommendation A set out above caveats that permission should be granted subject there be no issues being raised by MOD.

7.12 Energy and Sustainability

7.12.1 The National Planning Policy Framework seeks to promote low carbon and renewable energy, including decentralised energy. This includes requiring local planning authorities to have a positive strategy to delivery low carbon and renewable energy infrastructure and for these matters to be considered as part of any planning application.

7.12.2 London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) requires new development to minimise carbon emissions in accordance with the energy hierarchy of be lean (use less energy), be clean (supply energy efficiently) and be green (use renewable energy). The policy sets targets for carbon emission reductions; with residential development is expected to be zero carbon. 40% reduction required relative to the 2010 Building Regulations for both residential and non-residential development (this is equivalent to a 35% reduction over the more recent 2013 Building Regulations) is required to be achieved on site. The policy outlines that the remaining regulated carbon dioxide emissions, to 100%, are to be offset through a cash in lieu contribution to be ring fenced to secure the delivery of carbon dioxide savings elsewhere (in line with policy 5.2 E)

7.12.3 The National Planning Policy Framework seeks to achieve sustainable development. London Plan Policy 5.3 requires that development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. It outlines broad considerations that developments should address, including minimising carbon emissions, avoiding overheating, making the efficient use of resources, minimising pollution and the generation of waste, avoiding the impacts from natural hazards, ensuring developments are comfortable and secure, using sustainable materials and promoting and protecting biodiversity and green infrastructure.

7.12.4 Policy 5.7 (Renewable Energy) requires new development to provide a reduction in expected carbon emissions through on-site renewable energy, where feasible. The supporting text to the policy indicates there is a presumption that the reduction achieved through on-site renewable energy will be at least 20%.

7.12.5 Harrow Local Plan policy largely cross-refers to the London Plan requirements with respect to carbon emissions [see Core Strategy Policy CS1 (T), Policies DM12 Sustainable Design and Layout, DM13 Decentralised Energy, and DM14 Renewable Energy Technology.

- 7.12.6 The application is accompanied by an energy strategy. Through implementation of the three step energy hierarchy outlined in the London Plan (Be Lean, Be Clean, Be Green), the cumulative CO2 savings on the site are estimated to be 35.47% over Part L1A regulation baseline.
- 7.12.7 A condition is recommended to ensure that the proposals detailed in the energy and sustainability assessment are implemented. Subject to this and the above mentioned obligation, the scheme is considered to comply with the development plan polices outlined above and is acceptable in energy and sustainability terms

8 **CONCLUSION AND REASONS FOR APPROVAL**

- 8.1 It is recognised that the proposal raises legitimate local concerns about the modification to the built envelope, impacts on the Conservation Area and its setting, impacts of the setting of the Listed buildings. Whilst noting the less than substantial harmful impact on the Conservation Area, the wider Educational benefits to both John Lyon School and the wider community are considered to outweigh these concerns in this instance.
- 8.2 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. Approved Drawing and Documents

Save where varied by other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

8871_01; 630 301; 630 302; 630 04 A; 988B 1000 Rev B; 988B 1001 Rev H; 988 2014 Rev G; 988B 2015 Rev G; 988B 2016 Rev G; 988B 2017 Rev G; 988B 2018 Rev E; 988B 4001 Rev C; 988B 4002 Rev C; 988B 4011 Rev E; 988B 4012 Rev E; 988B 4013 Rev E; 988B 5001 Rev D; 988B 5002 Rev D; 988B 5011 Rev D; 988B 5012 Rev D

Drainage Strategy and SuDs statement; Flood Risk Assessment; Preliminary Ecological Appraisal Incorporating Bat Survey Inspection (Dec 2018); 988B 1000; Design and Access Statement Revision B - 23rd October 2019; Energy Statement Revision 02; Statement of Community Involvement April 2019; New Oldfield – Educational Rationale; Addendum to Planning Statement including addendum to Educational Rationale; PL2068-03-ED-001-04- Landscape Proposal 23/10/2019; Archaeological Desk Based Assessment July 2019; Archaeological Desk Based Assessment

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

3. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above 150mm above ground level until details and samples of the materials to be used in the construction of the external surfaces noted (but not limited) below have been submitted, provided on-site and approved in writing by, the local planning authority:

- a) brickwork;
- b) all external openings;
- d) roofing materials; and
- e) all external paving materials

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

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 Management Policies Local Plan 2013.

4. Archaeology

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to an approved by the local planning authority in writing. For land that is included with the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objections, and

- A: The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B: The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material, this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

REASON: To protect the archaeological priority area in accordance with Policy DM7 of the Harrow Development Management Local Plan (2013).

5. Landscaping

Notwithstanding the submitted Landscape Strategy and accompanying drawings, the development hereby approved shall not be first occupied until the following details have been submitted to, and agreed in writing by, the local planning authority:

- a) A scheme including a landscape masterplan for detailed hard and soft landscaping of the development, to include details of the planting, high quality hard surfacing and hard landscape materials, edgings, and including the bespoke seating and furniture, steps, ramps, earth regrading, tree pits and tree planting details, sports courts, car park and all landscape as set out in the landscape overviews, drawings and as detailed in the Landscape Proposals PL2068-03-ID-001-04 –LANDSCAPE PROPOSAL Oldfield House, Landscape Masterplan PL2068-03-GA-100 Rev 01, Landscape Hardworks Plan PL2068-03-GA-101Rev 01 , Landscape Soft works plan PL2068-03-GA-102 Rev 01, Section A A' plan PL2068-03-SK-400 Rev 01. The landscape masterplan is to be accurate and correlate with all the details, is to include the accurate location and spread of existing trees, shrubs and vegetation to

be retained and proposed.

Soft landscaping works shall include: 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 a landscape implementation programme. Details of the grass and wild grass and flower planting.

The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.

The hard and soft landscaping details shall demonstrate how the changes of levels would work between the various proposed spaces of sports courts, building, car park, footpaths and stepped seating / steps / ramps with full metric cross and long sections and elevations, (at a scale of not less than 1:100) and also to explain how the land levels change and the impact on the existing land and trees and shrubs to be retained. The sections shall demonstrate the proposed screening of the views of the building from Crown Street and from the cricket pitch to the north west and the additional proposed tree planting to screen the views.

- b) Details of minor artefacts and structures of all furniture, boundary treatment, play courts, specification for the proposed furniture (including proposed material and source) and detailed drawings of such; details in all external spaces including, steps, stepped seating, ramps, handrails, retaining walls and ballustrades, bespoke furniture and hard and soft detail of the reinforced grass.
- c) Details of lighting to all external spaces including locations, lighting design, lighting details, specification, elevations, light spillage and lighting levels.

The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive communal external space and to ensure a high standard of design, layout and amenity.

6. Landscaping Implementation

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.

REASON: To safeguard the appearance and character of the area, to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

7. Landscape Management

The development hereby approved shall not be occupied until a scheme for the on-going management, management programme of works and maintenance of all the hard and soft landscaping within the development, to include a Landscape Management Plan, including long term design objectives, management responsibilities and landscape maintenance over a 5 year period and maintenance schedules (physical tasks) for all landscape areas, set out graphically and in writing, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance and ensure the future success of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

8 Levels

No development shall commence, other than works of demolition, until a detailed Levels Plan of the proposed ground level finished levels have been agreed in writing with the LPA. This document needs to explain details of the levels of the building, car park, access road and footpaths in relation to the adjoining land and highways, and any other changes proposed in the levels of the site. Sufficient levels detail is required to understand the proposals in relation to the existing levels of the surrounding external wider site, outside the development site. The development shall be carried out in accordance with the details so agreed.

REASON: To safeguard the appearance and character of the and ensure the future success of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

9, Window Detail

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above 150mm above ground level until details of the window threshold details, including deep reveals and set backs have been submitted, provided on-site and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 Management Policies Local Plan 2013.

10 Trees

No development shall take place, including any works of demolition, until a pre-commencement site meeting has been held between the site manager/foreman and the LPA tree officer, to agree that all protection measures have been installed in accordance with the approved tree protection plan. This includes ground protection (exact specifications to be confirmed) in relation to T16 and T20. Tree Officer can be contacted via email rebecca.farrar@harrow.gov.uk to arrange

REASON: To ensure the protection of the retained trees on site in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

11. Construction Logistics Plan

No development shall take place, including any works of demolition, until a Detailed Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority in accordance with the format and guidance provided by the Transport for London – www.constructionlogistics.org. The Detailed Construction Logistics Plan shall provide for:

- a) Parking of site operatives/visitors
- b) HGV access to site – loading and unloading of plant and materials
- c) Number of HGV's anticipated
- d) Storage of plant and materials used in constructing the development
- e) Programme of work and phasing
- f) Site layout plan
- g) Highway condition (before, during, after)
- h) Measures to control dust and dirt during construction
- i) A scheme for recycling/disposing of waste resulting from demolition and construction works
- j) Details showing the frontage boundary of the site enclosed by site hoarding to a minimum height of 2m.
- k) Staff Travel Plan

The development shall be carried out in accordance with the approved Demolition and Construction Logistics Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority. The applicant is advised to liaise with highway Highway Network Management – email NRSWA@harrow.gov.uk prior to submission of Construction Logistics Plan.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and to ensure that development does not adversely affect safety on the transport network in accordance with policy 6.3 of The London Plan (2016) and policies DM1 and DM43 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory method of construction is agreed prior to any works on site commencing.

12. Disposal of Surface Water/Surface Water Attenuation

The development hereby permitted shall not commence other than works of demolition until details for the disposal of surface water and surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided and to reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

13. Disposal of Sewage

The development hereby permitted shall not commence (other than works of demolition) until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

14. Permeable Paving

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.

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

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

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.

15. Energy and Sustainability Statement

The development shall be undertaken in accordance with the approved Energy and Sustainability Statement. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Energy and Sustainability Statement (dated May 2019) which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework 2019, policies 5.2.B/C/D/E of The London Plan (2016) and Policy DM12 of the Development Management Local Plans Policies (2013).

INFORMATIVES

1. The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2016):

5.2 Minimising Carbon Dioxide Emissions

5.3 Sustainable Design and Construction

7.4B Local character

7.6B Architecture

The Draft London Plan (2019):

D1 London's form and characteristics

D2 Delivering good design

D3 Inclusive Design

S1 Education and childcare facilities

Harrow Core Strategy (2012):

Core policy CS1.B

Core policy CS1.D

Core Policy CS1 K

Core policy CS1.W

Harrow Development Management Policies Local Plan (2013):

DM1: Achieving a High Standard of Development

DM7: Heritage Assets

DM10: On Site Water Management and Surface Water Attenuation

DM12: Sustainable Design and Layout

DM20: Protection of Biodiversity and Access to Nature

DM21: Enhancement of Biodiversity and Access to Nature

DM22: Trees and Landscaping

DM 24: Housing Mix

DM46: New Community and Educational Facilities

DM47: Retention of Existing Community, Sport and Education Facilities.

- 2 Pre-application engagement

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. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

- 7 Compliance with Planning Conditions

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out

works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

8 Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

10 Thames Water Assets

The applicant can contact Thames Water developer services **by email:** developer.services@thameswater.co.uk or **by phone:** 0800 009 3921 or on Thames Water website www.developerservices.co.uk for drainage connections consent.

11 Ground Water

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. It is expected for the developer to demonstrate what measures will be undertaken to minimise ground water discharges not the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk.

12 Surface Water Drainage

Thames Water would advise that if the developer follows a sequential approach to the disposal of water. Prior approval will be required for the discharge to a public sewer. For further information please visit Thames Water website.

13 Sustainable Drainage Systems

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

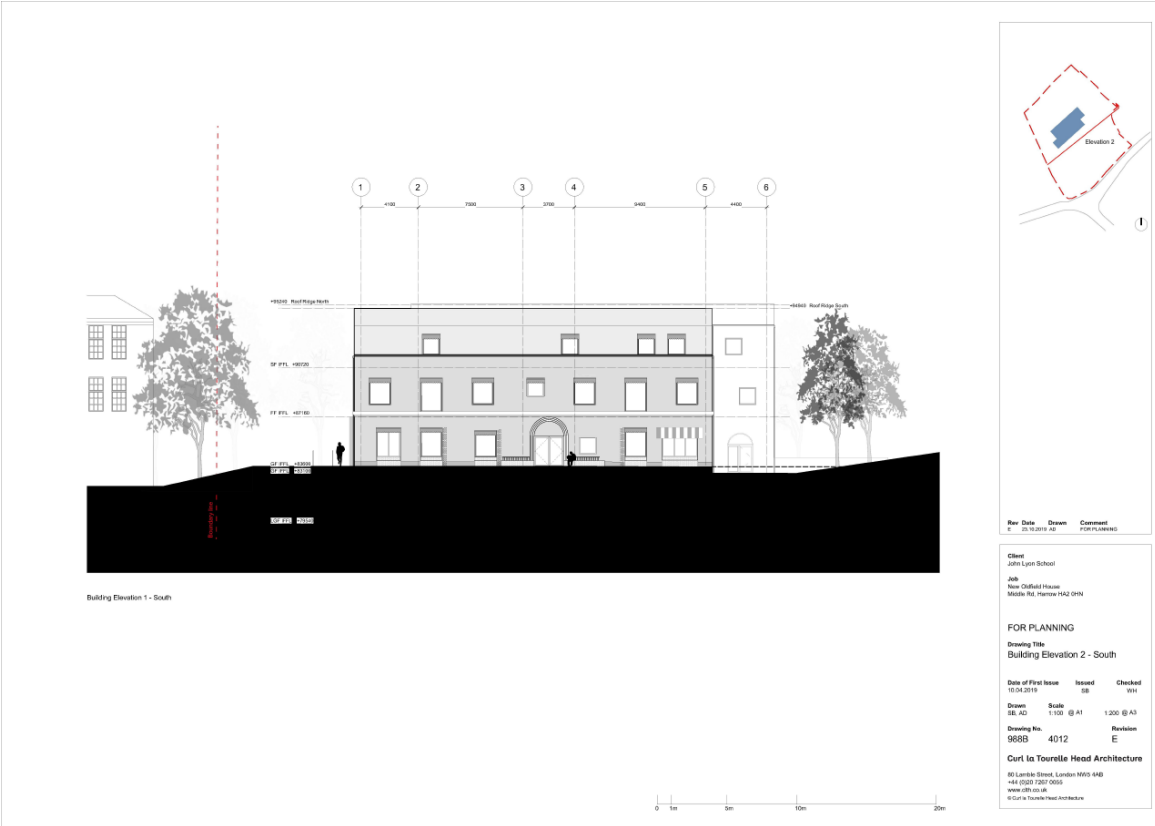
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

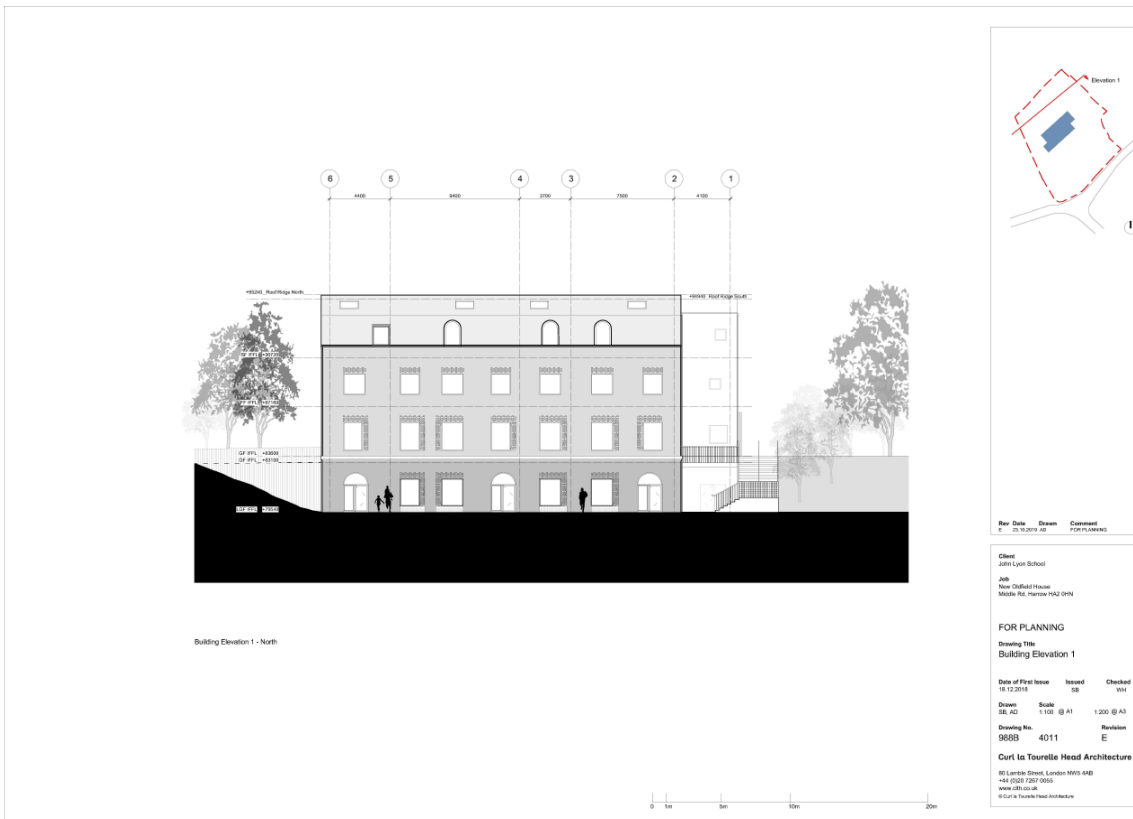
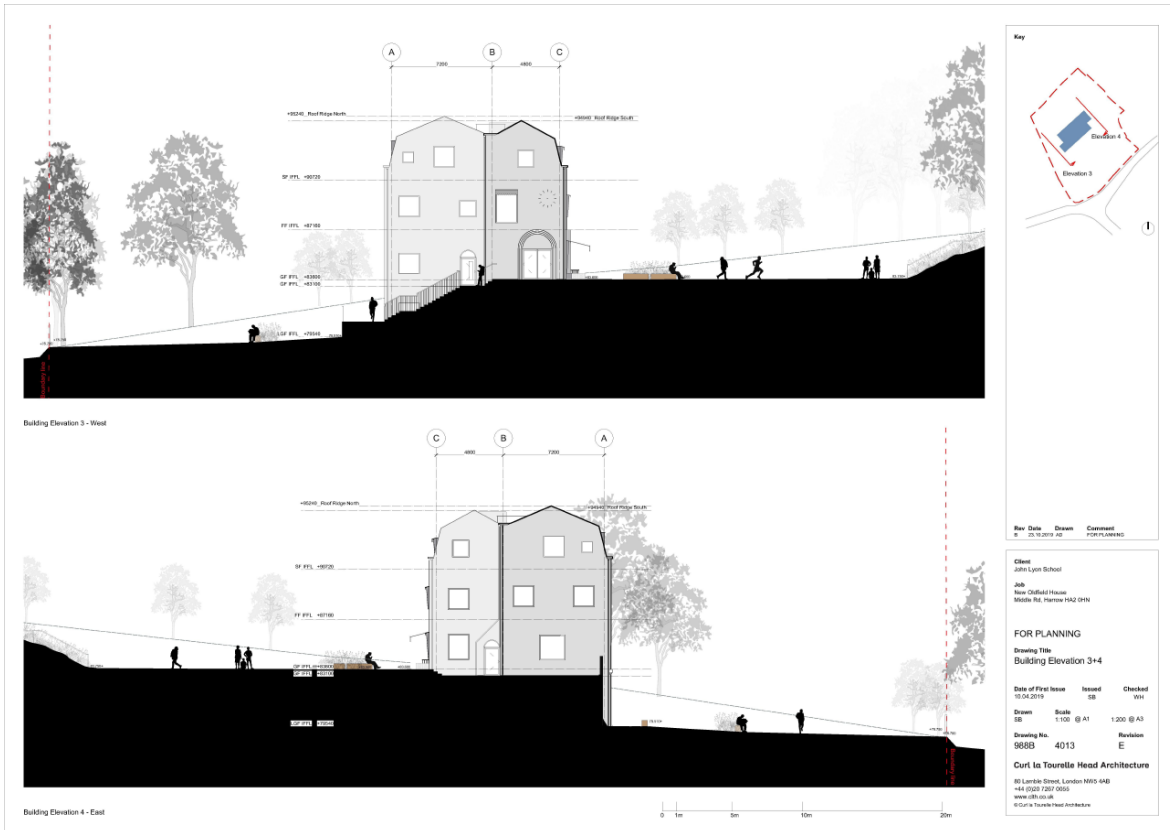
Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

Interim Chief Planning Officer	
Corporate Director	

APPENDIX 2 – PLANS AND ELEVATIONS







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